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Activities of the International Bureau

The World Intellectual Property Organization in 1983

WIPO and Development Cooperation Activities in the Field of Industrial Property*

I. Intellectual Property Activities: Promotion of the Worldwide Recognition of and Respect for Intellectual Property; Promotion of Accessions to WIPO and to the Treaties Administered by WIPO

Objective

The objective is to promote the realization of the benefits of intellectual property—both industrial property and copyright—for the cultural and economic progress of any country. As a natural avenue leading to such benefits, the objective is also to promote accession to the treaties administered by WIPO by countries not yet party to them.

Activities

During the period covered by this report, the International Bureau continued to promote acceptance by States of the WIPO Convention and of the other treaties administered by WIPO. In addition to the activities referred to below in relation to specific treaties, discussions on such acceptance took place during WIPO missions to States, particularly missions for the purposes of development cooperation, in meetings with permanent missions of States in Geneva and in contacts with delegations of States at intergovernmental meetings. Notes concerning the advantages of accep-

tance of particular treaties for particular countries were prepared and sent to the competent authorities of the countries concerned.

Convention Establishing the World Intellectual Property Organization. The following countries deposited their instruments of accession to the WIPO Convention: Guatemala in January 1983, Panama in June 1983, Haiti and Honduras in August 1983, Tanzania in September 1983 and Rwanda in November 1983. When, in February 1984, the accession of Rwanda entered into force, the number of members of WIPO was 106. They are the following: Algeria, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Benin, Brazil, Bulgaria, Burundi, Byelorussian SSR, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, El Salvador, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guatemala, Guinea, Haiti, Holy See, Honduras, Hungary, India, Indonesia, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Libya, Liechtenstein, Luxembourg, Malawi, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Netherlands, Niger, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Rwanda, Saudi Arabia, Senegal, Somalia, South Africa, Soviet Union, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Tanzania, Togo, Tunisia, Turkey, Uganda, Ukrainian SSR, United Arab Emirates, United Kingdom, United States of America, Upper Volta, Uruguay, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe. Of these, 16 States are members of WIPO alone (Byelorussian SSR, China, Colombia, El Salvador, Gambia, Honduras, Jamaica, Mongolia, Peru, Qatar, Saudi Arabia, Somalia, Sudan, Ukrainian SSR, United Arab Emirates, Yemen).

In addition, 18 States, which have not yet become members of WIPO, are party to one or more of the treaties administered by WIPO. They are the following: Cyprus, Dominican Republic, Ecuador, Equatorial Guinea, Ethiopia, Iceland, Iran (Islamic Republic of), Lebanon, Madagascar, New Zealand, Nicaragua, Nigeria, Paraguay, San Marino, Syria, Thailand, Trinidad and Tobago, Venezuela.

Therefore, the total number of States which are members of WIPO, of one or more of the Unions administered by WIPO or of both WIPO and one or more of such Unions is 124.

* This article is the first part of a report on the main activities of WIPO in general and in the field of industrial property. Activities in the fields of copyright and neighboring rights are covered in a corresponding article in the review *Copyright*.

The first part deals with the activities of WIPO as such and with development cooperation activities in the field of industrial property. The second part will deal with other activities in that field.

In general, the report follows the order in which activities are set out in the program for the 1982 and 1983 biennium, approved by the Governing Bodies of WIPO and the Unions administered by WIPO in 1981. It recalls, from the said program, the objectives of the activities described.

Treaties Providing for the Substantive Protection of Intellectual Property

Paris Convention for the Protection of Industrial Property. Rwanda deposited its instrument of accession to the Paris Convention in November 1983, choosing Class VII for the purpose of contributions. On the entry into force of the said accession in February 1984, the number of States members of the Paris Union was 93. In July 1983, the United Kingdom informed the Director General that the Paris Convention was to be applicable to the Isle of Man. Haiti, Tanzania and Cyprus, already members of the Paris Union, deposited their instruments of accession to the Stockholm (1967) Act of the Paris Convention, choosing Class VII for the purpose of contributions, in August, in September and in December 1983, respectively.

The Director General, accompanied by other officials of WIPO, represented WIPO at a ceremony celebrating the 100th anniversary of the signing of the Paris Convention, organized in May 1983 in Paris by the Government of France and the International Association for the Protection of Industrial Property (AIPPI). An article describing the said ceremony was published in the September 1983 issue of *Industrial Property*.

The centenary of the Paris Convention was celebrated in WIPO at Geneva in September 1983, on the first day of the 1983 sessions of the Governing Bodies of WIPO and the Unions administered by it. At a solemn meeting, speeches were made by the Chairman and the two Vice-Chairmen of the Assembly of the Paris Union, by representatives of the Swiss Confederation and of the Republic and Canton of Geneva and by the Director General of WIPO. The celebration was also the occasion of the publication of a book, and the inauguration of a stone fountain near to the entrance to the WIPO Building. The cost of the book and the fountain was covered from the funds spontaneously and generously donated by the Swiss postal authorities to WIPO in connection with the issuance of Swiss postal stamps bearing WIPO's name and drawings symbolizing WIPO's activities. The book contained messages sent by Heads of State or Government to the Director General extolling the merits of the Paris Convention for international cooperation and transfer of technology and for the industrial and commercial development of their countries during the past 100 years. The book also contained an article on the history of the Paris Convention, illustrated by pictures relevant to the aims and history of the Paris Union and the International Bureau. The book was accompanied by a collection of portraits of heads of national industrial property offices in office on the date of the centenary (March 20, 1983) of the Paris Convention.

On the same occasion, a volume on industrial property statistics was published, giving statistics, by country and cumulatively, for the hundred years 1883-

1982 on the number of applications for, and registrations or grants of, patents for inventions, inventors' certificates, trademarks and service marks, industrial designs, utility models and new varieties of plants.

A more complete account of the centenary celebrations in Geneva was published in the December 1983 issue of *Industrial Property*.

During an official visit to Sudan in March 1983, the Director General discussed with the Government authorities concerned the accession by Sudan to the Paris Convention.

Berne Convention for the Protection of Literary and Artistic Works. Barbados and Rwanda deposited instruments of accession to the Berne Convention, choosing Class VII for the purpose of contributions, in April and in November 1983, respectively, bringing the number of States members of the Berne Union to 76. Cyprus deposited its instrument of ratification of the 1971 (Paris) Act of the Berne Convention in April 1983, with a declaration under the Appendix to the said Act concerning the right of translation and choosing Class VII for the purpose of contributions.

Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations. Barbados and Panama deposited instruments of accession to the Rome Convention in June 1983, and Finland deposited its instrument of ratification in July 1983, bringing the number of States party to the Rome Convention to 26.

A note concerning the benefits of the Rome Convention, prepared by WIPO, was sent to the non-member States party to the Berne Convention, the Universal Copyright Convention or both by the joint secretariat (ILO, Unesco and WIPO) in May 1983.

The WIPO Guide to the Rome and Phonograms Conventions was published in Spanish in January 1983 and in Japanese in March 1983.

Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms. Barbados deposited its instrument of accession to the Phonograms Convention in April 1983, bringing the number of States party to the Phonograms Convention to 37.

The WIPO Guide to the Rome and Phonograms Conventions was published in Spanish in January 1983 and in Japanese in March 1983.

Brussels Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite. Morocco ratified the Satellites Convention in March 1983, bringing the number of States party to the Satellites Convention to eight.

Model domestic provisions to implement the Satellites Convention were published by WIPO and Unesco

in Arabic, English, French, Russian and Spanish in September 1983.

Nairobi Treaty on the Protection of the Olympic Symbol. Instruments of ratification or accession in respect of the Nairobi Treaty were deposited by Guatemala in January 1983, by the Congo in February 1983, by Tunisia in April 1983, by Qatar in June 1983, by Greece in July 1983, by India and Uganda in September 1983, and by Chile and Togo in November 1983. With the entry into force, in December 1983, of the ratification by Chile, the number of States party to the Nairobi Treaty was 13, namely, Chile, the Congo, Egypt, Equatorial Guinea, Ethiopia, Greece, Guatemala, India, Kenya, Qatar, Togo, Tunisia and Uganda.

The Nairobi Treaty was signed by Morocco and by Togo in March 1983, by Peru in May 1983 and by Benin, Colombia, Democratic People's Republic of Korea, India, Italy, Madagascar, Qatar and Uruguay in June 1983, bringing the total number of signatory States to 37 by June 30, 1983, the end of the period during which the Treaty was open for signature.

A note concerning the advantages of the Nairobi Treaty was sent, in March 1983, to States not yet party to the said Treaty.

In June 1983, the Director General received, during a meeting in Lausanne of the Executive Committee of the International Olympic Committee (IOC) and the international sports federations, from the hands of the President of the IOC, the silver medal of the IOC for merits connected with the establishment of the Nairobi Treaty.

In September 1983, the General Assembly of WIPO approved measures proposed by the Director General concerning the administration of the Nairobi Treaty.

*Treaties Providing for Simplified Possibilities
for the International Protection of Inventions,
Marks and Industrial Designs*

Patent Cooperation Treaty (PCT). Mauritania deposited its instrument of accession to the Patent Cooperation Treaty in January 1983. On the entry into force of the said accession in April 1983, the number of States party to the PCT was 33. In July 1983, the United Kingdom informed the Director General that the PCT was to be applicable to the Isle of Man.

For the purpose of encouraging accession to the PCT, discussions took place between WIPO officials and the Government authorities concerned during missions to the Republic of Korea in March 1983, the Ivory Coast, Mali and Upper Volta in May 1983 and Bulgaria in July 1983. Discussions for the said purpose with the Government authorities of Italy continued during the period covered by this report.

Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure. Sweden deposited its instrument of ratification of the Budapest Treaty in June 1983 and Belgium in September 1983. When, in December 1983, the latter accession entered into force, the number of States party to the Budapest Treaty was 14.

Communications were received from the United Kingdom in January 1983 and from the United States of America in September 1983 concerning the acquisition of the status of International Depositary Authority by depositary institutions in the said member States. The said communications were published, respectively, in the March and November 1983 issues of *Industrial Property*. In December 1983, the number of International Depositary Authorities was 11, in five member States.

Madrid Agreement Concerning the International Registration of Marks. For the purpose of encouraging accession to the Madrid Agreement, discussions took place between a WIPO official and the Government authorities concerned during a mission to Bulgaria in July 1983.

Hague Agreement Concerning the International Deposit of Industrial Designs. In April 1983, the Federal Republic of Germany ratified the Hague Act (1960) of the Hague Agreement. That Act is not yet in force.

*Treaties Establishing International Classifications
in the Field of Inventions, Marks
and Industrial Designs*

Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks. The Geneva Act (1977) of the Nice Agreement was ratified by Luxembourg in September 1983 and by the United States of America in November 1983.

Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks. The Vienna Agreement was ratified by Luxembourg in September 1983. The Agreement is not yet in force.

A note concerning the advantages of the Vienna Agreement and Classification was sent, in November 1983, to States members of the Paris Union not yet party to the said Agreement.

Treaty in the Field of Double Taxation

Madrid Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties. India

acceded to the Madrid Convention in January 1983, with reservations to Articles 1 to 4 and 17 of the Convention. The Convention is not yet in force.

In September 1983, WIPO and Unesco organized jointly in Paris a consultation meeting of non-governmental organizations on the implementation of the Madrid Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties. The following organizations were represented: European Broadcasting Union (EBU), International Association of Art (AIAP), International Confederation of Societies of Authors and Composers (CISAC), International Copyright Society (INTERGU), International Federation of Phonogram and Videogram Producers (IFPI), International Group of Scientific, Technical and Medical Publishers (STM), International Literary and Artistic Association (ALAI), International Publishers Association (IPA), International Theatre Institute (IIT).

The meeting discussed in detail a number of points, concerning specific problems that may be raised in the course of implementing the Multilateral Convention and its Additional Protocol, including: the notions of copyright royalties, beneficiaries, State of residence of the beneficiary, State of source of royalties, fiscal sovereignty and equality of rights of States, exchange of information, means of implementation.

The participants adopted a recommendation requesting WIPO and Unesco to pursue all efforts, including the early publication of a brochure describing the Convention, to promote its wide acceptance, and requesting States to take measures for the avoidance of double taxation of copyright royalties.

In September 1983, the General Assembly of WIPO approved measures proposed by the Director General concerning the administration of the Madrid Multilateral Convention.

Acceptance of Treaty Amendments

In 1979, the WIPO Conference and the Assemblies of the Paris, PCT, Madrid, Hague, Lisbon, IPC, Nice, Locarno and Berne Unions decided to change from the then existing system of triennial and annual programs and budgets to a system of biennial programs and budgets. The said change was effected by the unanimous adoption of the necessary amendments to the relevant administrative provisions of the treaties concerned and of a resolution providing for the provisional application of the said amendments pending their entry into force. Entry into force requires that written notifications of acceptance be received from three-fourths of the States that were entitled to vote on the amendments in the various (General) Assemblies. By December 31, 1983, the following 54 States had notified their acceptance of those of the amendments adopted in 1979 which concerned treaties in whose (General) Assemblies they had the right to vote: Algeria, Australia, Bahamas,

Brazil, Bulgaria, Canada, Central African Republic, Chile, Congo, Czechoslovakia, Denmark, Egypt, Finland, France, German Democratic Republic, Germany (Federal Republic of), Greece, Holy See, Hungary, India, Iraq, Ireland, Israel, Italy, Jordan, Kenya, Liechtenstein, Luxembourg, Malawi, Mali, Mauritius, Mexico, Monaco, Niger, Norway, Portugal, Qatar, Republic of Korea, Romania, Soviet Union, Spain, Sudan, Suriname, Sweden, Switzerland, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States of America, Upper Volta, Viet Nam, Zambia. The similar amendments adopted by the Assembly of the Budapest Union in 1980 have been accepted by the following States entitled to vote: Bulgaria, Hungary, United States of America. The similar amendments adopted by the Assembly of the TRT Union in 1980 have been accepted by the Congo and the Soviet Union.

The required number of notifications (three-quarters of the States entitled to vote at the time of the adoption of the amendments) for each treaty concerned (followed, for each treaty, by the number received) is as follows: WIPO Convention: 64 (53); Paris Convention: 54 (47); Patent Cooperation Treaty: 18 (15); Madrid Agreement: 16 (16); Hague Agreement: 7 (7); Lisbon Agreement: 10 (10); IPC Agreement: 21 (22); Nice Agreement: 21 (21); Locarno Agreement: 12 (14); Berne Convention: 44 (36); Budapest Treaty: 4 (3); Trademark Registration Treaty: 4 (2).

The Director General notified in July 1983 the entry into force of the amendments concerning the Hague Agreement, the IPC Agreement, the Nice Agreement and the Locarno Agreement and, in December 1983, the entry into force of the amendments concerning the Madrid Agreement and the Lisbon Agreement. Furthermore, the Director General reminded the States which were entitled to vote on the relevant dates in respect of the amendments of the treaties concerned that they had not so far notified acceptance of the said amendments, and invited them to do so. They are the following:

- (i) as to the *WIPO Convention*: Austria, Belgium, Benin, Burundi, Byelorussian SSR, Cameroon, Chad, Cuba, Democratic People's Republic of Korea, El Salvador, Fiji, Gabon, Ghana, Ivory Coast, Jamaica, Japan, Libya, Malta, Mauritania, Mongolia, Morocco, Netherlands, Pakistan, Poland, Senegal, South Africa, Sri Lanka, Togo, Ukrainian SSR, Yemen, Yugoslavia, Zaire (32);
- (ii) as to the *Paris Convention*: Austria, Belgium, Benin, Burundi, Cameroon, Chad, Cuba, Gabon, Ghana, Ivory Coast, Japan, Libya, Madagascar, Malta, Mauritania, Morocco, Netherlands, Poland, Senegal, South Africa, Sri Lanka, Togo, Yugoslavia, Zaire (24);
- (iii) as to the *Patent Cooperation Treaty*: Austria, Cameroon, Chad, Gabon, Japan, Madagascar, Netherlands, Senegal, Togo (9);

- (iv) as to the *Berne Convention*: Austria, Belgium, Benin, Cameroon, Chad, Costa Rica, Fiji, Gabon, Ivory Coast, Japan, Libya, Malta, Mauritania, Morocco, Netherlands, Pakistan, Senegal, South Africa, Sri Lanka, Togo, Yugoslavia, Zaire (22);
- (v) as to the *Budapest Treaty*: France, Japan (2);
- (vi) as to the *Trademark Registration Treaty*: Gabon, Togo, Upper Volta (3).

The decision by the Governing Bodies in 1979, referred to above, was adopted subject to the understanding that the provisional application of the said amendments would have effect only until the 1985 ordinary sessions of the Governing Bodies and that, if by that time the conditions required for the entry into force of the said amendments were not fulfilled, the matter would be placed on the agendas of the said ordinary sessions. This decision still applies to the six treaties mentioned in the preceding paragraph.

II. Industrial Property and Patent Information Activities of Particular Interest to Developing Countries

Objective

The objective of the activities provided for in the approved program of WIPO is to be useful to developing countries in seven different respects:

- (i) training specialists;
- (ii) creating or modernizing domestic legislation;
- (iii) creating or modernizing governmental institutions;
- (iv) stimulating inventive activity;
- (v) stimulating transfer of technology;
- (vi) creating a corps of practitioners;
- (vii) exploiting technological information contained in patent documents.

Activities

Tables summarizing WIPO development cooperation activities in the fields of industrial property and of copyright and neighboring rights between the sessions of the Governing Bodies in November 1981 and in September 1983 appear at the end of this article.

Development, in Developing Countries, of General Awareness and Knowledge of the Law and Practical Implications of Industrial Property (Training)

In 1983, WIPO received 407 applications for training in industrial property from 86 developing countries, the United Nations High Commissioner for

Refugees (UNHCR), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the African Intellectual Property Organization (OAPI), the Arab Industrial Development Organization (AIDO), the African Regional Centre for Technology (ARCT), the Federation of Arab Scientific Research Councils (FASRC) and the Pan Africanist Congress of Azania (PAC). One hundred and fifty-eight of those applications, from the following 68 developing countries, from UNHCR, UNRWA, OAPI, FASRC and PAC, were accepted and led to the completion of training courses: Algeria, Angola, Argentina, Bangladesh, Barbados, Bolivia, Botswana, Cameroon, Central African Republic, China, Colombia, Congo, Democratic People's Republic of Korea, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gambia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Lesotho, Malawi, Malaysia, Mauritania, Mauritius, Mexico, Morocco, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Republic of Korea, Saint Lucia, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Swaziland, Syria, Tanzania, Thailand, Turkey, Upper Volta, Uruguay, Venezuela, Viet Nam, Zaire, Zambia, Zimbabwe. An application was received and accepted also from Greece.

The training arranged in 1983 took the following forms (listed in chronological order):

(a) for ten trainees, a Practical Training Course (in English) (initiation course and practical training in documentary search) at the *European Patent Office* (EPO), in *The Hague* in June 1983; the participants came from Argentina, Bangladesh, India, Morocco, the Philippines and Thailand; the course was followed by a two-day visit to WIPO;

(b) for 18 trainees, a Training Course (in English) on Patent Information, in *Moscow* in June and July 1983, organized by WIPO and the USSR State Committee for Inventions and Discoveries; the participants came from Angola, China, Democratic People's Republic of Korea, Democratic Yemen, Ghana, Greece, Iraq, Jamaica, Jordan, Mexico, Peru, Sudan, Syria, Turkey, Viet Nam and Zambia; the course was opened by the Chairman of the USSR State Committee for Inventions and Discoveries and on behalf of the Director General of WIPO; lectures were given by officials of the USSR State Committee for Inventions and Discoveries and of WIPO;

(c) for 16 trainees, a Specialized Training Course (in English) in the Use of Patent Documentation as a Source of Technological Information, in *Vienna* in August and September 1983, organized jointly by WIPO and the Austrian Government; the participants came from China, Ethiopia, the Gambia, Guatemala, Indonesia, Malawi, Nepal, Oman, Panama, Saudi Arabia, Sudan, Syria and Tanzania; the course was opened by high officials of the Austrian Government

and on behalf of the Director General of WIPO; lectures were given by officials of the Austrian Patent Office, the German Patent Office, the EPO and WIPO;

(d) for 59 trainees, an Introductory Seminar (in English, French and Spanish) on General Aspects of Industrial Property, at WIPO in *Geneva* in September 1983, immediately preceding the courses referred to in (e) to (i), below; the participants came from Algeria, Angola, Bangladesh, Barbados, Bolivia, Botswana, Central African Republic, the Congo, Democratic Yemen, Ecuador, Egypt, Ghana, Guinea, Haiti, Honduras, India, Indonesia, Ivory Coast, Kenya, Lesotho, Malawi, Mauritania, Mexico, Pakistan, Paraguay, Peru, the Philippines, Republic of Korea, Senegal, Singapore, Sri Lanka, Sudan, Swaziland, Tanzania, Thailand, Upper Volta, Uruguay, Venezuela, Viet Nam, Zaire, Zambia, Zimbabwe, UNHCR, UNRWA, OAPI and PAC; the Director General gave an opening address, and lectures were given by the Director General of the Industrial Property Registry of Spain, a Professor of the Center for the International Study of Industrial Property (CEIPI), the Director of the Benelux Trademark Office, the Head of the Patent Information Service Center of the Royal Patent and Registration Office of Sweden and WIPO officials;

(e) for eight trainees, a Specialized Training Course (in English) on Trademarks, in *The Hague* in September 1983, organized by WIPO and the Benelux Trademark Office; the participants came from Bangladesh, Democratic Yemen, Ecuador, Indonesia, Pakistan, the Philippines, Sri Lanka and Sudan; the course was opened by the Director of the Benelux Trademark Office and on behalf of the Director General of WIPO; lectures were given by officials of the Benelux Trademark Office, the Netherlands Patent Office, representatives of private enterprises and one official of WIPO; this course was followed, for some of the participants, by practical visits to the Belgian Patent Office and to a firm of industrial property patent agents in Antwerp;

(f) for 29 trainees, a General Introductory Course (in English and French) in Industrial Property, in *Strasbourg* in September and October 1983, organized by WIPO and the Center for the International Study of Industrial Property (CEIPI) with the cooperation of the National Institute of Industrial Property (INPI) of France and the assistance of the Max Planck Institute for Foreign and International Patent, Copyright and Competition Law and of the EPO; the participants came from Algeria, Angola, Barbados, Central African Republic, the Congo, Ghana, Guinea, Haiti, Honduras, Indonesia, Ivory Coast, Kenya, Lesotho, Malawi, Mauritania, Senegal, Singapore, Sudan, Swaziland, Tanzania, Upper Volta, Viet Nam, Zaire, Zambia, UNHCR, UNRWA, OAPI and PAC; the course was opened by the Director General of CEIPI, the President of the University of Strasbourg and on behalf of the Director of INPI and of the Director General of WIPO; lectures were given by the Director General of CEIPI

and professors, lawyers and patent attorneys of or associated with CEIPI, an official of the Government of Tunisia, the Registrar of Patents, Trade Marks and Designs of Zambia, and officials of INPI (France), the Max Planck Institute, the EPO and WIPO; this course was followed, for most of those concerned, by practical training in industrial property in the following countries and organization: Bulgaria, Egypt, France, German Democratic Republic, Hungary, India, Israel, Switzerland, United Kingdom, United States of America and OAPI;

(g) for eight trainees, a Training Course (in Spanish) on Industrial Property, in *Madrid* in September and October 1983, organized jointly by WIPO and the Industrial Property Registry of Spain; the participants came from Bolivia, Ecuador, Mexico, Paraguay, Peru, Uruguay and Venezuela; lectures were given by officials of the Spanish Registry and WIPO;

(h) for six trainees, a Training Course (in English) on Patent Information, in *Stockholm* in September and October 1983, organized by WIPO and the Swedish Patent Office, with the cooperation of the Swedish International Development Authority (SIDA); the participants came from India, the Philippines, Republic of Korea and Thailand; lectures were given by officials of the Swedish Office;

(i) for eight trainees from Botswana, Egypt, the Philippines, Republic of Korea, Zambia and Zimbabwe, individual practical training courses in the industrial property office of one of the following countries: *Finland, Germany (Federal Republic of), Norway*;

(j) for six trainees, a study tour organized for patent agents from French-speaking African countries, comprising visits to and discussions at institutions in *Munich* and *Paris*, and at *WIPO*, in August, September and October 1983; the participants came from Cameroon, Ivory Coast, Senegal and Zaire;

(k) for 19 trainees, a General Introductory Seminar (in English and Spanish) in the Field of Industrial Property for Developing Countries, in *Rio de Janeiro* in October 1983, organized by WIPO and the National Institute of Industrial Property (INPI) of Brazil; the participants came from Argentina, Bolivia, Colombia, Dominican Republic, Ecuador, Ethiopia, Ghana, Guyana, Ivory Coast, Jamaica, Mauritius, Mexico, Nicaragua, Nigeria, Paraguay, Saint Lucia, Senegal, Tanzania and Venezuela; the course was opened by the President of INPI and on behalf of the Director General of WIPO; lectures were given by officials of INPI and WIPO and guest lecturers of various Brazilian governmental and private institutions;

(l) for 11 trainees, a Workshop (in English) for Trainers in the Patent Field (with special emphasis on patent documentation and information), in *Berlin* (West) and *Munich* in November 1983, organized by WIPO and the Carl Duisberg Gesellschaft (CDG) (Federal Republic of Germany); the participants came from Argentina, Egypt, Ghana, India, Mexico, the Phil-

ippines, Republic of Korea, Tanzania, Thailand, Venezuela and Zambia; the course was opened by the *Ministerialdirektor* of the Ministry of Justice of the Federal Republic of Germany, a representative of the CDG and on behalf of the Director General of WIPO; lectures were given by officials of the Ministry of Justice of the Federal Republic of Germany, the CDG, the German Patent Office, EPO and WIPO;

(m) for seven trainees, a study tour in the field of promotion of innovations comprising visits to and discussions at institutions in *Paris* and *Lyon*, and at *WIPO*, in November and December 1983; the participants came from India, Malaysia, Peru, the Philippines, Singapore, Sudan and Zambia; the course was opened on behalf of the Director of INPI (France) and of the Director General of WIPO;

(n) for 12 trainees from Bangladesh, the Congo, Fiji, Ivory Coast, Mauritania, Paraguay, Sri Lanka, Sudan, Thailand and the FASRC, study tours comprising visits to and discussions at the institutions of three to four of the following countries and organizations and at *WIPO*: *Austria, Brazil, France, Germany (Federal Republic of), Spain, Sweden, Switzerland, United Kingdom, EPO, Benelux Trademark Office* and the *International Patent Documentation Center (INPADOC)*.

In most cases, the arrangements for training in 1983 included visits to WIPO headquarters.

The following 19 countries, one national organization and four intergovernmental organizations have agreed to contribute in full or in part to the payment of the travel expenses and subsistence allowances for trainees in the field of industrial property: *Austria, Belgium, Brazil, Bulgaria, Czechoslovakia, Egypt, France, German Democratic Republic, Germany (Federal Republic of), India, Israel, Netherlands, Norway, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America, CDG (Federal Republic of Germany), Benelux Trademark Office, EPO, Unesco, United Nations Development Programme (UNDP)*.

The remainder of the cost was borne by the budget of WIPO.

Taking together the training program in the field of industrial property and that in the field of copyright and neighboring rights, the total number of applications received in the period covered by this report was 550 from 92 countries, from UNHCR, from UNRWA, from OAPI, from ARCT, from AIDO, from FASRC and from PAC, as compared with 425 applications in 1982 from 98 countries, from UNHCR, from UNRWA, from OAPI and from the Economic Community of the Countries of the "*Grands Lacs*" (CEPGL). A total of 210 applications were accepted, and led to the completion of training courses, from 75 developing countries, UNHCR, UNRWA, OAPI, FASRC and PAC; in 1982, 181 applications were accepted, and led to the completion of training courses, from 74 countries,

UNHCR, UNRWA, OAPI and CEPGL. In 1983, 38 applications were accepted (18.1% of the total acceptances) from 15 countries regarded as least developed among the developing countries, and 57 of the successful candidates were women (27.1% of the total acceptances). In 1983, nine developing countries (Algeria, Argentina, Brazil, Ecuador, Egypt, India, Israel, Mexico, Senegal) and OAPI contributed to promoting cooperation among developing countries by receiving 52 trainees.

The lectures given at the Legal Training Course on Trademarks in Beijing in May 1982 and at the Training Course on Patent Information in Moscow in June 1982 were published, in separate volumes, in January 1983.

Development, in Developing Countries, of Legislative Activities and of the Building of Governmental Institutions in the Field of Industrial Property

WIPO continued to cooperate, on request, with governments or groups of governments of developing countries on the adoption of new laws and regulations, or the modernization of existing ones, in the field of industrial property, and the creation or modernization of industrial property institutions.

Financing for the said cooperation, and also for certain other forms of development cooperation in the field of industrial property, was provided, in addition to financing from the regular budget of WIPO, by the UNDP and under trust fund or similar agreements concluded between WIPO and the Governments or development aid agencies of France, Germany (Federal Republic of), Sweden and the United States of America.

In 1983, cooperation in the field of legislation and institutions was pursued with the following countries and regional institutions, including their patent documentation and information services:

Africa

Algeria. Discussions were held in Geneva in May 1983 between the head of the industrial property office and the Director General concerning the continuation of development cooperation, with particular reference to possible feasibility studies on patent documentation and information services and on the practical implications of different options for revising the law on the protection of inventions.

Angola. In November 1983, a WIPO official and two WIPO consultants from Portugal, financed by their Government, undertook a mission to Luanda as the first step in responding to a request by the Government for assistance in all aspects of intellectual property. The purpose of the mission was to survey, with the

Government authorities responsible for industrial property and for copyright, the needs and possibilities for cooperation, in order to permit recommendations to be made for the preparation of a project.

Benin. In October 1983, a WIPO official undertook a mission to Cotonou under the UNDP Interregional Sectoral Adviser project (see below) to give advice, requested by the Government, on a possible project for the strengthening of the national structure for liaison with OAPI.

Botswana. The report of the WIPO mission undertaken in 1982, containing recommendations on the modernization of the industrial property system, was sent to the Government in March 1983. In May 1983, a WIPO consultant from Ghana undertook a mission, with financial assistance from the Federal Republic of Germany, to discuss the advantages of accession to the Protocol to the Lusaka Agreement establishing the Industrial Property Organization for English-Speaking Africa (ESARIPO), signed in Harare in 1982.

Burundi. The report of the WIPO mission undertaken in 1982, containing recommendations for the strengthening of the industrial property system, was sent to the Government in March 1983.

Congo. In November 1983, a WIPO official visited Brazzaville and discussed a request for cooperation in the strengthening of the national structure for liaison with OAPI. In December 1983, a WIPO consultant from France, financed by FIT/FR, undertook a mission to Brazzaville and Pointe-Noire to give assistance, requested by the Government, in the field of control of technology licensing agreements.

Egypt. A WIPO official visited Cairo in June 1983 under the UNDP Interregional Sectoral Advisor project (see below) to discuss the preparation of a draft project document for cooperation in the field of patent information. The said project document was prepared by WIPO and sent to the Government in September 1983.

Ethiopia. In November 1983, a WIPO official visited Addis Ababa to discuss the possibility of sending a WIPO expert to assist in a study of the present industrial property system in order to formulate appropriate recommendations.

Gambia. In June 1983, a WIPO consultant from Ghana undertook a mission, with financial assistance from the Federal Republic of Germany, to discuss the advantages of ratification of the Protocol to the Lusaka Agreement establishing ESARIPO, signed in Harare in 1982.

Guinea. At the request of the Government, a draft industrial property law, prepared by WIPO, was sent in June 1983.

Ivory Coast. A WIPO official, accompanied by the Director General of OAPI, visited Abidjan in May 1983 to discuss progress in plans for accession to the Patent Cooperation Treaty (PCT).

A WIPO official visited Abidjan in August 1983 and gave advice, requested by the Government, on the promotion of technological innovation, including the establishment of an association of inventors and of a youth science club and the holding of a young inventors' competition and of an exhibition of inventions and innovations. Following the said mission, WIPO prepared and sent in August 1983 draft rules and participation request forms for the said exhibition, and confirmed an offer to award WIPO prizes.

In November 1983, the Director General attended the said competition and exhibition in Abidjan, and personally presented WIPO prizes to winners selected by the Ivory Coast organizers.

Kenya. In May 1983, a WIPO consultant from Ghana undertook a mission, with financial assistance from the Federal Republic of Germany, to discuss the advantages of ratification of the Protocol to the Lusaka Agreement establishing ESARIPO, signed in Harare in 1982.

The Chief Technical Adviser of the ESAPADIC project, ESARIPO's patent documentation and information center (see below), accompanied by a WIPO consultant from Sweden whose expenses were paid by Sweden, undertook a mission in July 1983 to discuss the establishment in Kenya of one of a series of national focal points for ESAPADIC and the preparation of a workshop for the said focal points.

In December 1983, a Deputy Director General of WIPO discussed in Nairobi with an interministerial committee on industrial property policy a request by the Government for expert assistance to the said committee.

Liberia. In June 1983, a WIPO consultant from Ghana undertook a mission, with financial assistance from the Federal Republic of Germany, to discuss the advantages of ratification of the Protocol to the Lusaka Agreement establishing ESARIPO, signed in Harare in 1982.

Madagascar. In October 1983, a WIPO consultant from France undertook a mission to Antananarivo to discuss a draft patent law prepared by the Government authorities. The mission was financed from funds made available by the French Government.

Malawi. In May 1983, a WIPO consultant from Ghana undertook a mission, with financial assistance

from the Federal Republic of Germany, to discuss the advantages of ratification of the Protocol to the Lusaka Agreement establishing ESARIPO, signed in Harare in 1982.

The Chief Technical Adviser of the ESAPADIC project (see below), accompanied by a WIPO consultant from the EPO whose expenses were paid by the EPO, undertook a mission in July 1983 to discuss the establishment in Malawi of one of a series of national focal points for ESAPADIC and the preparation of a workshop for the said focal points.

Mali. The report on the WIPO mission undertaken in 1982, concerning a new industrial property law and possibilities of international cooperation, was sent to the Government in March 1983. In May 1983, a WIPO official, accompanied by the Director General of the African Intellectual Property Organization (OAPI), undertook a mission to advise on the advantages of and procedures for accession to the PCT.

Mauritius. A WIPO official undertook missions in June and October 1983 under the UNDP Interregional Sectoral Adviser project (see below) to discuss a request for cooperation in the reorganization of the industrial property office.

Rwanda. Following a WIPO mission in 1982, proposals for amendments to the draft industrial property law, with an explanatory note on the draft as a whole, were sent to the Government in May 1983.

Senegal. In October 1983, a WIPO official undertook a mission to Dakar under the UNDP Interregional Sectoral Adviser project (see below) to give advice, requested by the Government, on a possible project for the strengthening of the national structure for liaison with OAPI and for assistance in the field of control of technology licensing agreements.

Sierra Leone. In June 1983, a WIPO consultant from Ghana undertook a mission, with financial assistance from the Federal Republic of Germany, to discuss the advantages of ratification of the Protocol to the Lusaka Agreement establishing ESARIPO, signed in Harare in 1982.

Sudan. During an official visit to the Sudan in March 1983, the Director General discussed the advantages of accession to the Paris Convention and the possibilities of international cooperation in industrial property, including patent information. The discussions were continued during further WIPO missions in April and May 1983.

Swaziland. Draft trademark regulations, prepared by WIPO, were submitted to the Government authorities in May 1983.

Tanzania. In June 1983, a WIPO consultant from Ghana undertook a mission, with financial assistance from the Federal Republic of Germany, to discuss the advantages of ratification of the Protocol to the Lusaka Agreement establishing ESARIPO, signed in Harare in 1982.

Tunisia. A mission by a WIPO official and a WIPO consultant from France took place in April 1983, with financial assistance from France, to establish needs, to plan assistance to modernize the industrial property system and to discuss the organization of a seminar on licensing and industrial property in general. The report of the said mission was sent to the Government in June 1983.

Upper Volta. In May 1983, a WIPO official undertook a mission to advise on the advantages of and procedure for accession to the PCT.

Zaire. In January 1983, WIPO sent to the Government draft Regulations under the new industrial property law.

In June 1983, two WIPO officials worked in Kinshasa with the Government authorities on the preparation of the said Regulations, and submitted a draft project document for the modernization of the industrial property office. Progress in finalizing the regulations and the project document was discussed during a visit by a WIPO official to Kinshasa in November 1983.

Zimbabwe. In May 1983, a WIPO consultant from Ghana undertook a mission, with financial assistance from the Federal Republic of Germany, to discuss the advantages of ratification of the Protocol to the Lusaka Agreement establishing ESARIPO, signed in Harare in 1982.

African Intellectual Property Organization (OAPI). The final tripartite review of the UNDP project for the establishment of a patent documentation and information center (CADIB) within the framework of OAPI took place in Yaoundé in February 1983. The UNDP, OAPI and WIPO were represented at the review meeting. Full satisfaction was expressed with the execution of the project, which ended in December 1982; it was noted that the planned recruitment and training of staff and delivery of documents and other equipment had been completed, and that national structures for liaison with OAPI, within the framework of the project, had been inaugurated in all but four of the 12 OAPI member States. Also in Yaoundé in February 1983, WIPO was represented at a session of the Administrative Council of OAPI. The Council took note of the report of the final tripartite review and expressed its great appreciation to the UNDP, WIPO, the Governments of France, Germany (Federal Republic of) and

Switzerland, as well as to the EPO and the experts who had participated in the project, for their various contributions to the successful completion of the project.

Industrial Property Organization for English-Speaking Africa (ESARIPO). In association with the United Nations Economic Commission for Africa (ECA), WIPO continued to execute the UNDP project for the establishment of ESARIPO's patent documentation and information center (ESAPADIC). Two WIPO experts, one from Ghana and one from the EPO, worked in Harare under the project throughout the period covered by this report. In May 1983, a WIPO consultant from Ghana began a series of missions, with financial assistance from the Federal Republic of Germany, to discuss with government authorities of ESARIPO member and potential member States the advantages of ratifying or acceding to the Protocol to the Lusaka Agreement establishing ESARIPO, signed in Harare in 1982.

In September 1983, the Director of the Office of ESARIPO and the Chief Technical Adviser of the ESAPADIC project discussed with WIPO officials in Geneva the encouragement of accession to the Lusaka Agreement and the Harare Protocol, preparations for the 1983 sessions of the ESARIPO Council and progress in the ESAPADIC project.

A *Workshop on Patents in the Service of Development* was organized by WIPO in Harare in October 1983. The workshop was part of the activities under the ESAPADIC project, and was financed mainly by the Swedish International Development Authority (SIDA). The participants came from the following 14 member and potential member States of ESARIPO: Botswana, Gambia, Ghana, Ethiopia, Kenya, Malawi, Seychelles, Sierra Leone, Somalia, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe. The proceedings of the workshop consisted of lectures, discussions and practical exercises; the lectures were given, and the discussions were assisted, by a WIPO official, two officials of the Swedish Patent Office and the Chief Technical Adviser and the Technical Adviser of the project. In the final stages of the workshop, discussions were held on the role of national focal points of ESARIPO with reference to the Harare Protocol (on patents and industrial designs) to the Lusaka Agreement establishing ESARIPO.

WIPO was represented at a session of the Council of ESARIPO in Harare in December 1983. The Council welcomed Tanzania as a new member; ten of the 11 member States (Gambia, Ghana, Kenya, Malawi, Sierra Leone, Somalia, Sudan, Tanzania, Uganda, Zambia, Zimbabwe) were represented, and three potential member States (Botswana, Lesotho and Seychelles) were represented by observers. The Council received the reports of the Director of the ESARIPO Office and of the Chief Technical Adviser of the ESAPADIC project, and approved the program and budget for 1984. It noted progress towards the entry into force of the

Protocol to the Lusaka Agreement establishing ESARIPO, signed in Harare in 1982; the said Protocol establishes a system under which the Office of ESARIPO will, on behalf of Contracting States designated in applications, grant patents and register industrial designs with effect in the said States.

During the December 1983 session of the ESARIPO Council, a seminar was organized in Harare by WIPO as executing agency of the ESAPADIC project, with financial assistance from SIDA and contributions, in the form of the services and expenses of experts, from the Federal Republic of Germany and the European Patent Office (EPO). All the delegates to the Council sessions participated in the Seminar, whose purpose was to provide an opportunity of exchanging views relating to various questions of industrial property law and, in particular, to discuss thoroughly the procedures under the Harare Protocol.

Also in December 1983, WIPO officials and WIPO consultants from Sweden and the EPO discussed with the Director of the ESARIPO Office draft administrative instructions under the Harare Protocol, prepared by WIPO and the said consultants.

African Regional Center for Technology (ARCT). WIPO was represented at a Joint Meeting on International Cooperation for African Technological Development, organized by the ARCT and the United Nations Financing System for Science and Technology, and at a session of the Executive Board of the ARCT, both held in Dakar in December 1983.

Asia and the Pacific

Bangladesh. A WIPO official undertook a mission in March 1983 to discuss with the Government authorities possible activities under the UNDP regional project (see below), including a national seminar on industrial property and a possible project for modernizing the industrial property system.

WIPO organized, in October and November 1983, a study tour for a senior Government official, responsible for industrial property matters, to London (United Kingdom Patent Office), The Hague (EPO and Benelux Trademark Office), and Munich (EPO), with concluding discussions at WIPO in Geneva. The study tour was financed from funds made available by the United Kingdom.

China. In January 1983, a WIPO official visited Beijing to provide assistance requested in the preparation of draft regulations under the trademark law; this mission was followed by assistance, by correspondence, concerning the English and French-language versions of the said regulations.

In February and March 1983, a WIPO official and two WIPO consultants, one from Germany (Federal Republic of) and one from the United States of

America, their expenses being paid by their Governments, visited Beijing and other cities in China to survey existing facilities for patent information and documentation and to provide advice requested concerning the development of such facilities for the purposes of the Chinese Patent Office.

In March and in April 1983, two groups of Chinese officials took part in study tours organized by WIPO. Both tours included visits to and discussions at WIPO. The first group, concerned with the administration of trademarks and financed from funds provided by the United States of America, visited also Berne, Munich, The Hague (Benelux Trademark Office), Washington and New York. The second group, concerned with the planning of the building of the Chinese Patent Office and mainly financed from funds provided by the Federal Republic of Germany and the EPO, visited, in addition to WIPO, Vienna (INPADOC), Munich and The Hague.

In May 1983, a Vice-President of the China Council for the Promotion of International Trade (CCPIT), accompanied by other officials, visited the Director General and discussed arrangements for a training course on the drafting of patent applications to be organized by WIPO in Beijing in October 1983, and possible assistance in the organization of long-term training in a university in Beijing.

In June 1983, a Deputy Director General of the State Administration for Industry and Commerce of China, accompanied by other officials, visited the Director General and discussed arrangements for a training course on trademark classification, to be organized by WIPO in Beijing in October 1983, and for a study tour concerning the computerized administration of trademarks.

In October 1983, WIPO organized in Beijing, at the invitation of the CCPIT, a two-week Training Course on the Drafting of Patent Applications. There were about 40 participants, from the CCPIT, from the Chinese Patent Office and from other government offices. The course was opened by the Director General and a Vice-Chairman of the CCPIT. Lectures were given by a WIPO official, an official of the Japanese Patent Office, two patent attorneys from Germany (Federal Republic of), one patent attorney from Japan, and two corporate patent counsels from the United States of America. Financial assistance in respect of the lecturers' travel costs was received from Japan, the United States of America and lecturers' own sources.

In October 1983, WIPO also organized in Beijing, at the invitation of the State Administration for Industry and Commerce of the People's Republic of China, a one-week Training Course on the Classification and Examination of Trademarks. There were about 80 participants, from the staff of the State Administration in Beijing and elsewhere in China, from the Ministry of Foreign Economic Relations and Trade, the CCPIT, universities, etc. Two WIPO officials attended, to open

the course and to give lectures. Two officials of the United States Patent and Trademark Office, whose travel costs were financed from funds made available through that Office, gave lectures and conducted practical exercises.

During his mission to Beijing in October 1983—his sixth in four years—the Director General had discussions with high officials of the CCPIT, the Chinese Patent Office, the State Administration for Industry and Commerce and the Supreme People's Court. In a meeting with the First Deputy Prime Minister, he was requested to consider, among further assistance, needs in respect of the training of law teachers.

Democratic People's Republic of Korea. WIPO continued to execute the UNDP project for the strengthening of the industrial property system and the establishment of a patent documentation and information center within the State Committee for Science and Technology. In March and April 1983, a mission of five weeks' duration was undertaken by a WIPO official and WIPO consultants from Czechoslovakia (two), France (one) and the Soviet Union (one). The mission provided training for patent examiners, documentalists and the staff of the trademark office, assisted in the installation of equipment and documents procured under the project, made recommendations for the organizational and administrative structure, prepared for a feasibility study on mechanization and established a detailed draft plan of work for the remainder of 1983. During the mission, a seminar on industrial property and patent information was organized, in which lectures were given by, in addition to the members of the mission team, a Deputy Director General of WIPO and the Director General of the Swedish Patent Office.

In October, November and December 1983, expert missions under the project were carried out by two WIPO officials (one for three weeks, one for one week), one WIPO consultant from Czechoslovakia (for two weeks), three WIPO consultants from the German Democratic Republic (one for 11 weeks, one for nine weeks, one for three weeks) and two WIPO consultants from the Soviet Union (one for four weeks, one for three weeks). Members of the mission team followed up the recommendations made as a result of the previous mission, introduced additional documentation and equipment, discussed the work plan for 1984, assisted the national authorities in preparations for regular publications and participated in a tripartite (Government, executing agency, UNDP) review meeting. Following the conclusion of the first missions, WIPO prepared and sent to the Government at the beginning of December 1983 a report and detailed recommendations concerning the improvement of the administrative infrastructure, the improvement of access to patent information and preparations for further expert missions.

Fiji. An *Introductory Seminar on Industrial Property for South Pacific Countries* was organized under the UNDP regional project (see below) in Suva in June 1983.

WIPO organized, in October and November 1983, a study tour for a senior Government official, responsible for industrial property matters, to London (United Kingdom Patent Office), The Hague (EPO and Benelux Trademark Office), and Munich (EPO), with concluding discussions at WIPO in Geneva. The study tour was financed from funds made available by the United Kingdom.

Indonesia. Written comments on the draft of a proposed new patent law were prepared by WIPO and sent in January 1983. A WIPO official visited Jakarta in June 1983 under the UNDP regional project and discussed with the Government authorities the timing of assistance in the implementation of the proposed new patent law. A note concerning the timing of such assistance in relation to the timing of the procedures for the enactment of the said law had been agreed with a senior official of the Indonesian Ministry of Justice during discussions in Geneva in November 1982.

During a further visit by WIPO officials in November 1983, discussions were held at the ministerial level on progress towards the enactment of the proposed new patent law and on assistance in its implementation.

Laos. In December 1983, five Government officials attended a Seminar on the Use of Patent Information for Technological Development in Hanoi, organized by WIPO under the UNDP regional project (see under "Development, in Developing Countries, of Access to the Technological Information Contained in Patent Documents," below).

Malaysia. The report on the WIPO mission to Malaysia in November 1982 was sent to the Government in March 1983. Plans for the implementation of the proposed new patent law were discussed during a visit by the Minister for Science, Technology and the Environment to the Director General in May 1983, and during a visit by a WIPO official in June 1983 under the UNDP regional project.

A *Seminar on Trademarks and Patents in Countries of the Association of South-East Asian Nations (ASEAN)* was organized under the UNDP regional project in Kuala Lumpur in September 1983 (see under "Development, in Developing Countries, of the Effective Use of the Industrial Property System for the Benefit of the Inventors, the Industry and the Commerce of Such Countries," below).

In August 1983, draft regulations under the future Malaysian patent law, prepared by WIPO, were sent to the Government. A WIPO official and two WIPO experts, from Australia and the Netherlands, undertook

a mission in September 1983, financed under the UNDP regional project, to discuss the said draft regulations and the reorganization of the patent office.

In September 1983, the Director General discussed in Kuala Lumpur with the Minister for Science, Technology and the Environment and with the Deputy Minister for Trade and Industry plans for the implementation of the future Malaysian patent law.

Also in September 1983, a WIPO official and two WIPO consultants, from Australia and the Netherlands, undertook a two-week mission under the UNDP regional project to discuss the draft patent regulations, forms and schedule of fees prepared by WIPO and to advise on administrative questions. Following the said mission, WIPO sent a report and recommendations to the Government in October 1983.

In October and November 1983, at the request of the Ministry of Science, Technology and the Environment and the Standards and Industrial Research Institute of Malaysia, a WIPO official and two WIPO consultants, from Australia and the EPO, undertook a two-week mission under the UNDP regional project to advise on the establishment of a patent information and documentation center, on the basis of a project document prepared by the Malaysian authorities. Following the said mission, WIPO sent a report and recommendations to the Government in December 1983.

Mongolia. In October 1983, a WIPO official and a WIPO consultant from the Soviet Union undertook a two-week mission under the UNDP regional project to give assistance to the industrial property administration, including the organization of national workshops on industrial property and on patent information.

Nepal. In November 1983, a WIPO official undertook a mission under the UNDP regional project to assist in the assessment of needs in relation to the strengthening of the industrial property system.

Pakistan. A WIPO official undertook a mission in April 1983 to discuss the organization of national seminars on industrial property and the follow-up to the report of a WIPO mission of November 1982 on the modernization of the industrial property system. The said discussions were continued at WIPO in September 1983 during a two-day visit by a senior Government official at the invitation of WIPO.

Philippines. Two WIPO officials and a WIPO consultant from Canada undertook a mission in February 1983 under the UNDP regional project (see below) to discuss with the Government authorities plans for computerizing operations of the Patent Office; the report and recommendations of the mission were prepared by WIPO and sent to the Government in July 1983.

In September 1983, the Director General discussed in Manila with senior officials of the Ministry of Trade and Industry cooperation in general, including the plans for computerization of the operations of the Patent Office.

A Round Table on the Promotion of Indigenous Inventive and Innovative Activity in Asia and the Pacific was organized under the UNDP regional project (see below) in Manila in February 1983 (see under "Development, in Developing Countries, of the Effective Use of the Industrial Property System for the Benefit of the Inventors, the Industry and the Commerce of Such Countries," below).

In November 1983, at the invitation of the Government, WIPO organized in Manila a *Workshop on Industrial Property Licenses and Technology Transfer Arrangements* under the UNDP regional project, in conjunction with the Government-sponsored "Technology for the People" International Fair (see under "Development, in Developing Countries, of the Acquisition of Foreign Technology Protected by Industrial Property Rights," below).

Republic of Korea. Under the UNDP project for the second phase of the modernization of the Korean industrial property system, six officials of the Korean Office of Patents Administration began, in July 1983, periods of training of from one to two months in the United States Patent and Trademark Office, and three such officials, also in July 1983, began such periods of training in the Patent Office of Australia. The training related to patent, trademark and industrial design examination, appeals procedure and administration.

In November 1983, a WIPO official participated in a meeting in Seoul for the tripartite (Government, executing agency, UNDP) review of the project; progress in the execution of the project was noted with satisfaction.

Singapore. The report on the WIPO mission in November and December 1982 was sent to the Government in March 1983, and discussed during visits by a WIPO official in June, September and November 1983 under the UNDP regional project.

Thailand. A *Seminar on the Roles of Government Industrial Property Authorities and the Legal Profession in Administering Industrial Property Rights in Asia and the Pacific* was organized under the UNDP regional project in Bangkok in March 1983 (see under "Development, in Developing Countries, of the Effective Use of the Industrial Property System for the Benefit of the Inventors, the Industry and the Commerce of Such Countries," below).

With financing by the EPO, WIPO arranged training at the EPO in June 1983 for four officials of the industrial property office, and a WIPO consultant from the EPO carried out on-the-job training in search and clas-

sification in Bangkok for six weeks in October and November 1983.

Viet Nam. In December 1983, WIPO organized in Hanoi a *Seminar on the Use of Patent Information for Technological Development*, for participants from Viet Nam and Laos (see under "Development, in Developing Countries, of Access to the Technological Information Contained in Patent Documents," below).

Intercountry Program for Asia and the Pacific in the Field of Industrial Property. The regional project for the development of human resources through the establishment and strengthening of industrial property systems, approved by the UNDP in 1982, continued to be executed by WIPO. The following 11 paragraphs refer to activities under the said UNDP regional project during the period covered by this report.

A Round Table on the Promotion of Indigenous Inventive and Innovative Activity in Asia and the Pacific was organized in Manila in February 1983 (see under "Development, in Developing Countries, of the Effective Use of the Industrial Property System for the Benefit of the Inventors, the Industry and the Commerce of Such Countries," below).

A *Seminar on the Roles of Government Industrial Property Authorities and the Legal Profession in Administering Industrial Property Rights in Asia and the Pacific* was held in Bangkok in March 1983 (see under "Development, in Developing Countries, of the Effective Use of the Industrial Property System for the Benefit of the Inventors, the Industry and the Commerce of Such Countries," below).

A *High Level Meeting of Government Officials of South Pacific Countries to Consider Cooperation in the Field of Industrial Property* was held in Suva in June 1983. The High Level Meeting was jointly organized by the Government of Fiji and WIPO, with the assistance of the UNDP under the regional project. Fourteen senior Government officials participated, representing the following seven countries: Cook Islands, Fiji, Nauru, Papua New Guinea, Samoa, Tonga, Vanuatu. Two intergovernmental organizations, the Commonwealth Secretariat and the South Pacific Bureau for Economic Cooperation (SPEC), were represented by observers.

The meeting was opened by the Chief Justice of Fiji and by representatives of WIPO and of the UNDP.

Three WIPO officials, including a Deputy Director General, and a WIPO consultant from Australia, whose expenses were paid by his Government, presented papers on regional cooperation in the field of industrial property in different parts of the world, the present industrial property situation in the South Pacific and possible approaches to cooperation in the region in this field.

The meeting concluded that the strengthening of industrial property systems in the region would increase

their contribution to technological and economic development. It recommended certain measures to be taken, including the introduction of nationally independent industrial property legislation or other appropriate systems in countries where no legislation exists or which operate dependent systems, and that, in the introduction of such measures, the possibility of regional harmonization should be considered. The meeting requested WIPO to assist in the said measures, and to prepare, as a first step, draft model legislative texts and suggestions on administering the legislation, taking into account the special circumstances, needs and priorities of countries in the region, for submission to a group of government experts and subsequently to a further High Level Meeting for approval and for the necessary decisions regarding further steps towards regional cooperation.

The High Level Meeting was preceded by an *Introductory Seminar on Industrial Property for South Pacific Countries*, also jointly organized in Suva in June 1983 by the Government of Fiji and WIPO under the UNDP regional project. Thirty-five participants, mainly from governments, universities and law firms, attended the one-week seminar, from Fiji, Nauru, Papua New Guinea, Samoa, Solomon Islands, Tonga, Vanuatu and SPEC. Lectures were given by three WIPO officials and two WIPO consultants, one from Australia, whose expenses were paid by his Government, and one from Japan at his own expense. The subjects covered by the lectures included concepts and definitions, patents and utility models, industrial designs and geographical indications of origin, trademarks and service marks, patent and trademark licensing, the use of technological information contained in patent documents, international conventions and treaties, the industrial property situation in the developing countries of Asia and the Pacific, and WIPO's development cooperation program. In addition, participants presented papers surveying industrial property law and practice in their countries. Each lecture was followed by a discussion; at the end of the Seminar, the participants concluded that such seminars were useful in providing the background for greater understanding of the function of industrial property as a tool to advance technological, commercial and industrial development, and requested WIPO to organize similar seminars in the South Pacific and to be ready to cooperate in the strengthening and possible harmonization of industrial property systems in the region.

A *Seminar on Trademarks and Patents in ASEAN Countries* was organized under the UNDP regional project in Kuala Lumpur in September 1983 (see under "Development, in Developing Countries, of the Effective Use of the Industrial Property System for the Benefit of the Inventors, the Industry and the Commerce of Such Countries," below).

A *Workshop on Industrial Property Licenses and Technology Transfer Arrangements* was organized in

Manila in November 1983 (see under "Development, in Developing Countries, of the Acquisition of Foreign Technology Protected by Industrial Property Rights," below).

A *Seminar on the Use of Patent Information for Technological Development* was organized in Manila in December 1983 (see under "Development, in Developing Countries, of Access to the Technological Information Contained in Patent Documents," below).

The first three issues of a quarterly Newsletter, *Industrial Property in Asia and the Pacific*, were published in March, June and September 1983 as part of the UNDP regional project. The first contained messages from the Director General and from the Administrator of the UNDP, the names and titles of senior officials responsible for industrial property in the developing countries of the region, a review of regional project activities in 1981 and 1982, articles about developments in Sri Lanka and in Thailand, and tables of industrial property legislation and statistics in the region. The second issue reviewed recent activities under the UNDP regional project; it also contained selected texts from the papers of the regional Seminar on the Roles of Government Industrial Property Authorities and the Legal Profession in Administering Industrial Property Rights in Asia and the Pacific, organized in Bangkok in March 1983 by WIPO in cooperation with the Law Association for Asia and the Western Pacific (LAWASIA). Also included were papers from the regional Round Table on the Promotion of Indigenous Inventive and Innovative Activity, organized in Manila in February 1983 by WIPO in cooperation with the Philippine Invention Development Institute (PIDI), specially written articles from Papua New Guinea, the Republic of Korea and Singapore, and facts about the membership and major organs of WIPO and the Paris Union. The third issue contained a further review of regional project activities, five country papers (from Japan, Pakistan, the Republic of Korea, Singapore and Sri Lanka) discussed at the Round Table on the Promotion of Indigenous Inventive and Innovative Activity in Asia and the Pacific organized by WIPO in cooperation with PIDI and UNDP in Manila in February 1983, six country papers (from India, Indonesia, the Republic of Korea, Sri Lanka, Thailand and Viet Nam) discussed at the Seminar on the Roles of Government Industrial Property Authorities and the Legal Profession in Administering Industrial Property Rights in Asia and the Pacific, an article on the Regional Centre for Technology Transfer (RCTT) in Bangalore, India, and a note on a recent Sri Lankan invention.

Latin America and the Caribbean

Argentina. During a mission to Buenos Aires by a Deputy Director General in April 1983, discussions took place concerning possible cooperation in strengthening the industrial property administration. Following

the said discussions, a WIPO mission was undertaken, also in April 1983, by two WIPO officials and two WIPO consultants, one from Spain and one from the United States of America, who discussed in detail the present situation with a view to presenting recommendations for an immediate small-scale project, to be financed mainly by the UNDP, for assistance in dealing among other things with a backlog of applications in the field of trademarks. The mission also established the needs for a medium-term plan of technical cooperation. During the said mission, agreement was reached in principle on the participation of experts from Argentina in the UNDP project executed by WIPO in Uruguay (see below), to be financed by Argentina. Financial assistance for the mission was provided by Spain and the United States of America, and also under the UNDP Interregional Sectoral Adviser project (see below).

In June 1983, WIPO prepared and sent to the Government authorities a mission report and draft project document for the immediate small-scale project referred to above, dealing not only with the backlog of trademark applications but also with the mechanization of the entire industrial property administration.

The Government and UNDP approved in September 1983 the recommendations contained in the said mission report and the proposals incorporated in the said draft project document. In order to ensure the starting of the activities before the end of 1983 within the immediate small-scale project, WIPO organized two expert missions in November and December 1983. One was undertaken by a consultant from the United States of America to collect the necessary information for the mechanization program of the industrial property administrative procedures. The second was undertaken by a consultant from Spain in order to take the first steps towards a program for the mechanization of trademark searches. Both missions prepared for follow-up activities in 1984. Those activities were partially financed by UNDP and also received financial support from the United States of America.

Barbados. A WIPO official, on mission under the UNDP Interregional Sectoral Adviser project (see below), and an expert from the Canadian Patent Office visited the Government authorities in January 1983 to discuss implementation of the project for the modernization of the industrial property system, following the enactment of laws prepared by WIPO. Draft industrial property regulations were prepared by Canadian experts, revised by WIPO and sent to the Government in May 1983, and discussed during a visit by a Canadian expert also in May 1983. In June 1983, a further mission, with the same composition, was undertaken in order to discuss the structure to be established for the administration of the new legislation. In October 1983, the report with recommendations concerning the administrative structure was prepared and sent by WIPO to the Government, based on the findings of the

June 1983 mission. This project receives financial support also from Canada.

Bolivia. In July 1983, two WIPO consultants from the EPO, financed by the EPO, provided assistance and training in patent examination for two weeks; these missions formed part of the Andean Group subregional component of the UNDP regional project (see below).

In October 1983, the senior Government official responsible for industrial property took part in a three-week study tour to the The Hague, Munich, Geneva, Berne and Madrid, including a technical symposium, organized jointly by WIPO and the EPO and financed mainly by the EPO, with a contribution from Spain.

In November 1983, one WIPO consultant from Spain, financed by Spain, provided assistance and training in trademarks administration for one month.

Brazil. In March 1983, two WIPO officials held discussions with the Government authorities in Rio de Janeiro. Agreement was reached on the holding, within the framework of the Brazil/WIPO cooperation agreement, of an introductory course in the field of industrial property in Rio de Janeiro in October 1983, for participants from Africa, the Caribbean and Latin America, on the participation, within the said framework, of Brazilian experts in development cooperation projects and training courses, on the preparation of a new project document, mainly for the provision of patent information services to industry and research institutions, and on two activities to follow up the successful conclusion of the UNDP project which ended in 1981. Part of the cost of the latter mission was paid under the UNDP Interregional Sectoral Adviser project (see below). In July 1983, during a mission in the region, a Deputy Director General of WIPO visited the National Institute of Industrial Property in Rio de Janeiro to review jointly the execution of activities under the cooperation agreement and steps taken for the approval of the new project document.

WIPO officials took part in the *Introductory Course in the Field of Industrial Property*, held in Rio de Janeiro in October 1983 within the framework of the Brazil/WIPO cooperation agreement (see under "Development, in Developing Countries, of General Awareness and Knowledge of the Law and Practical Implications of Industrial Property (Training)," above).

As a consequence of the agreements reached during the March 1983 mission (see above), Brazilian experts participated during the year in development cooperation projects in Colombia, Ecuador, Paraguay and Peru and in training courses in Lima (Peru) and San José (Costa Rica).

In December 1983, two WIPO officials held discussions with the Government authorities in Rio de Janeiro and Brasilia. Agreement was reached in prin-

ciple on the holding, within the framework of the Brazil/WIPO cooperation agreement of the Fourth Introductory Course in the Field of Industrial Property in Rio de Janeiro in 1984 for participants from Africa, the Caribbean and Latin America, on the carrying out within the said framework of practical training for small groups of Latin American officials within the fields of patents, patent information, trademarks and technology contracts related to industrial property, as well as on the participation of Brazilian experts in development cooperation projects and training courses. Discussions also took place on practical arrangements for further activities following the conclusion of the major UNDP project (see above).

Chile. In December 1983, a WIPO official held discussions in Santiago concerning proposals contained in a draft project document prepared and submitted by WIPO at the request of the Government. The mission was undertaken under the UNDP Interregional Sectoral Adviser project.

Colombia. Activities commenced in April 1983 under a UNDP preparatory assistance project for the modernization of the industrial property administration, approved in February 1983; in addition to two experts from Spain working under the said project, two further experts, also from Spain, worked on the mechanization of trademark operations within the framework of the agreement of cooperation between the Industrial Property Registry of Spain, the Ibero-american Institute of Cooperation and WIPO. Two WIPO officials visited Bogota in April and in July 1983 to discuss the implementation of the preparatory assistance activities, including the organization of a national seminar and the preparation of a longer-term project. Part of the cost of the latter mission was paid under the UNDP Interregional Sectoral Adviser project (see below).

In June 1983, two WIPO consultants from the EPO, financed by the EPO, provided assistance and training in patent examination for one month, and a WIPO consultant from Brazil completed an assignment to assist the publications activities of the industrial property office; these missions formed part of the Andean Group subregional component of the UNDP regional project (see below). Also in June 1983, a national seminar was organized by WIPO under the national UNDP project; the first part was a workshop for Government officials and patent agents; the second part, opened by the Minister of Development, was a public discussion, with some 150 participants, on industrial property as a tool for the economic and technological development of Colombia. Lectures were given by Colombian public figures and officials, WIPO experts working in the national project, a Colombian expert specially invited by WIPO, an expert contributed by Brazil under the Brazil/WIPO cooperation agreement and a WIPO official.

In June and July 1983, two WIPO consultants, one from the Federal Republic of Germany and one from the EPO, provided one month of assistance and training in patent classification and search file organization. Both experts also participated in the national seminar organized by WIPO and were financed by the UNDP project.

In August 1983, a project document containing a full-scale three-year program for the modernization of the industrial property administration was finalized and presented to the Government and the UNDP. An expert from the Federal Republic of Germany undertook a second mission in August and September 1983, financed by the UNDP project, in order to continue assistance in patent classification and examination and also to advise on the evaluation and orderly implementation of recommendations made by the experts participating in the preparatory assistance phase.

In October 1983, the senior Government official responsible for industrial property took part in a study tour to The Hague including a technical symposium, organized jointly by WIPO and the EPO and financed mainly by the EPO.

In October and November 1983, an expert from WIPO provided assistance and training in publications and the use of related equipment for one week; this mission was undertaken in the context of and financed by the UNDP project.

In November and December 1983, the head of the industrial property office undertook, under the UNDP project, a study tour to the industrial property offices of Germany (Federal Republic of), Switzerland, France, Spain and Brazil, and to the EPO (Munich) and the Max Planck Institute in Munich. Also she visited WIPO, where discussions were held on the successful completion of the preparatory phase of the UNDP project during 1983 and the steps taken for the approval of the full-scale program referred to above.

Costa Rica. In April 1983, the Government sent to WIPO, for comments, the new patent and industrial design law, mainly based on the draft prepared by WIPO in 1982 at the request of a meeting of representatives of countries of the Central American Isthmus. Also in April 1983, the Vice-Minister of Justice visited the Director General, discussed with officials of WIPO the new law, and requested assistance in the preparation of regulations and the reinforcement of the necessary infrastructure. The said discussions were continued during a visit to WIPO headquarters by the Minister of Justice in June 1983. At his request, written comments on the new legislation and draft regulations were sent by WIPO in July 1983.

In June 1983, during a mission in the region, a WIPO official discussed final arrangements for meetings of heads of industrial property offices and of Vice-Ministers, and a training course, to be held in Costa Rica in August and September 1983.

In October 1983, two WIPO consultants, one from the Federal Republic of Germany on patent classification and examination and one from Spain in the field of patent administration and technological information, undertook a mission for two weeks under the subregional component for Central America of the UNDP regional project (see below).

Ecuador. During missions by WIPO officials in April and in May 1983, discussions took place on the preparation of a project for the modernization of the industrial property system; the industrial property office requested, as a first step, technical advice on proposals for the microfilming of its records. Written advice on the said proposals was prepared by WIPO and sent in June 1983.

In August 1983, a positive reply to the WIPO proposals on mechanization of administration and microfilming of records was received from the Government. Consequently, a work program for a feasibility study on the subject was prepared by WIPO and agreed upon by the Government. The first WIPO mission under the said program, to assist in defining the terms of reference, was completed in September 1983 and financed under the UNDP Interregional Sectoral Advisor project.

In July 1983, during a mission to participate in a JUNAC Information Seminar on Industrial Property held in Quito (see under "Andean Group," below), a Deputy Director General discussed with the Government authorities the financing of the project and further steps to be taken for accession to the WIPO Convention.

In October 1983, the senior Government official responsible for industrial property took part in a three-week study tour to the The Hague, Munich, Geneva, Berne and Madrid, including a technical symposium, organized jointly by WIPO and the EPO and financed mainly by the EPO, with a contribution from Spain.

In accordance with the work program for the feasibility study mentioned above, a mission of WIPO consultants visited Quito in November 1983. The mission was led by a WIPO consultant from Chile and included one expert each from Venezuela, Brazil and Canada. They assisted in defining the main requirements for introducing mechanization in the industrial property administration, including trademark searching methods, and microfilming of the records. The findings and recommendations of the mission were submitted to WIPO for the preparation of a final report to be submitted to the Government.

During the said mission, WIPO also organized a visit by a representative of the private sector in Venezuela to Quito in order to hold discussions with the private sector in Ecuador and to assist it in defining ways and means to contribute to the modernization process of the administration, based on the recent such experience in Venezuela. The financing of the mission was assured by

the UNDP project in Venezuela, the UNDP regional project within its subregional component for Andean countries, the UNDP Interregional Sectoral Adviser project and by Brazil.

El Salvador. In April 1983, a three-year project for the modernization of the administration of industrial property and transfer of technology was approved by the Government, the UNDP and WIPO. Activities under the said project began in June 1983; two WIPO consultants from Israel provided assistance, one for two months in the field of patent classification and examination, the other for one and a half months in the field of administration. A WIPO official visited San Salvador in June 1983 to discuss the organization and the program of a national seminar on licensing and transfer of technology to be held under the project at the end of 1983 and the plan of project activities for 1984.

In October and November 1983, two WIPO consultants provided assistance under the UNDP national project. One consultant from Israel, for one week, followed up activities undertaken during her earlier mission (see above) in the field of patent classification and examination, the other from Chile provided, for one month, assistance and training in the field of licensing and technology contracts related to industrial property.

In November 1983, a national *Seminar on Licensing and Transfer of Technology* was held in San Salvador for one week, attended by Government officials and representatives from the private sector. Lectures were given by the two consultants mentioned above and by one expert each from Colombia, Peru and Spain. The seminar was financed under the UNDP project.

Guatemala. The Vice-Minister of Economy and the Head of the Industrial Property Office visited WIPO in February 1983; they requested the preparation of draft legislation on inventions and industrial designs, based on the draft prepared by WIPO in 1982 at the request of a meeting of representatives of countries of the Central American Isthmus, together with draft regulations. In the same discussions, a project of immediate assistance was prepared, to be financed by the UNDP, and the preparation of a longer-term project was requested. The draft legislation and regulations were prepared by WIPO and sent in May 1983; a WIPO official undertook in May and June 1983 a technical mission to assist in presenting the law for enactment.

In August 1983, a consolidated draft law on inventions and industrial designs, including the comments made during the legal expert mission in May and June 1983, was prepared by WIPO and sent to the Government.

Also under the immediate assistance project, two WIPO consultants provided assistance in June 1983, financed by the UNDP; one, from Costa Rica, for one month in the field of the processing of patent and

trademark applications; one, from Uruguay, for two weeks in the field of organization and management. A WIPO official undertook a mission under the UNDP Interregional Sectoral Adviser project (see below) in June 1983 to discuss the follow-up in 1983 to the immediate project and the preparation of a full-scale project for 1984 and 1985.

Also in August 1983, proposals for a work program up to the end of 1983, under the immediate assistance project, and a draft project document for a two-year full-scale program were presented to and discussed with the Government and the UNDP by a WIPO official who visited Guatemala in the course of a mission to another Central American country.

In order to complete the immediate assistance project, four WIPO consultants undertook missions between October and December 1983. One from Uruguay, for two weeks, to follow up her first mission (June 1983) in the field of office organization and management, one from Argentina, for two weeks, on industrial administrative procedures, one from Israel, for one month, in patent classification and administration and one from Costa Rica, for three weeks, in the field of trademark administration.

Also in November 1983, two Guatemalan officials received training in patents and trademark administration in the Costa Rica industrial property office, immediately preceding the mission of the trademarks expert mentioned above.

In November 1983, a national *Seminar on the Role of Industrial Property in Economic and Social Development* was held for two days in Guatemala City and attended by over 100 participants from the Government and the private sector. Lectures were given by the above-mentioned expert from Israel and two other WIPO consultants, from Colombia and Peru.

All the said activities undertaken during October and December 1983 were financed by UNDP under the immediate assistance project.

Honduras. In October 1983, three WIPO consultants undertook a mission for two weeks under the subregional component of the UNDP regional project (see below). One consultant from Germany (Federal Republic of) in the field of patent classification and examination, one from Spain in the field of patent administration and technological information, and one from Uruguay in the field of office management and organization, provided assistance and training in their respective fields.

Mexico. Following an administrative reorganization leading to the consolidation of responsibilities for industrial property, transfer of technology and technological development, the Government requested, in February 1983, assistance in the modernization and mechanization of the industrial property administration. Initial discussions took place during a mission

by a Deputy Director General in March 1983; a technical mission under the UNDP Interregional Sectoral Adviser project (see below) was undertaken by a WIPO official in May 1983, during which an outline was prepared of a project for a first, immediate, phase of modernization. A longer-term plan for technical cooperation was also preliminarily discussed. The report of the May mission, including specific recommendations for the first phase of modernization, was prepared and sent by WIPO to the Government in June 1983.

In September 1983, the recommendations contained in the said report for the first phase of modernization were accepted and approved by the Government and UNDP.

In order to ensure the starting of activities before the end of 1983, an expert mission was undertaken in November 1983, by a WIPO consultant from the United States of America, to collect all necessary information for the program of mechanization of industrial property procedures. Also in November 1983, one WIPO official under the UNDP Interregional Sectoral Adviser project held discussions with the Government authorities on the programming of activities to be carried out during the first half of 1984 under the first-phase project.

Panama. In September and October 1983, three WIPO consultants undertook a mission for two weeks under the subregional component of the UNDP regional project (see below). One from Germany (Federal Republic of) in the field of patent classification and examination, one from Spain in the field of patent administration and technological information and one from Uruguay in the field of office management and organization, provided assistance and training in their respective fields.

Paraguay. During a mission by a WIPO official in April 1983 under the UNDP Interregional Sectoral Adviser project (see below), a draft UNDP three-year project document was finalized for the restructuring of industrial property institutions, including training of technical staff recruited following WIPO missions in 1982. The said project document was approved in May 1983. Also a plan for a possible project for cooperation between Uruguay and Paraguay was prepared.

Activities under the said project started in June and July 1983 with a study tour by the Deputy Director of the Industrial Property Directorate of Paraguay to WIPO (where he discussed a new draft law on inventions and trademarks and the implementation of the work program for 1983 under the project) and the industrial property offices of Switzerland, France, Germany (Federal Republic of), Spain and Brazil, and the Max Planck Institute in Munich. In July and August 1983, a WIPO consultant from Uruguay undertook a four-week mission to advise on office management questions, including matters related to office equipment, enabling

the timely authorization of equipment purchases financed under the project.

In October 1983, two WIPO consultants undertook missions under the UNDP project, one from Germany (Federal Republic of) to provide assistance and training in the field of patent examination and one from Uruguay to provide assistance and training in the field of patent administration and examination as to form.

In November and December 1983, a WIPO consultant from France undertook a mission to provide assistance and training in the field of trademark administration, classification and search. The mission was financed from the Funds-in-Trust Agreement with France.

In December 1983, a WIPO official undertook a mission to advise and provide assistance in the completion of the UNDP progress report for 1983 and held discussions on the activities programmed for 1984.

Peru. In March 1983, a WIPO official discussed with the Government authorities and the UNDP in Lima progress in the preparation and approval of, and the financing arrangements for, the project for the modernization of the industrial property administration.

In July 1983, two WIPO consultants from the EPO, financed by the EPO, provided assistance and training in patent examination and participated in a subregional training course, for officials of the Andean countries, on the technical functions of industrial property offices related to patents. These missions formed part of the Andean Group subregional component of the UNDP regional project (see below).

In November and December 1983, a WIPO consultant from Brazil undertook a two-week mission, under the subregional component of the UNDP regional project (see below), to provide assistance on the mechanization of trademark searches, and in particular to identify the possibilities offered by the text processing equipment installed in the office.

Trinidad and Tobago. A WIPO official undertook a mission in January 1983 to discuss future activities under the UNDP project for the modernization of the industrial property system, including the organization of a national seminar on intellectual property. The said official also provided advice to the Caribbean Industrial Research Institute (CARIRI) within the Interregional Sectoral Adviser project (see below). In June 1983, a WIPO official visited Port-of-Spain to prepare a national seminar on intellectual property.

A national Seminar on Intellectual Property was held during ten days in October 1983 under the UNDP national project. The Seminar, attended by over 100 participants, dealt with industrial property and in particular with its licensing aspects and with copyright matters. Lectures were given by one expert each from

Mexico, the United Kingdom and the United States of America, and by two WIPO officials.

In November 1983, a WIPO official held discussions in Port-of-Spain with Government authorities on the follow-up of the UNDP project in 1984. In this context, the Government requested WIPO to arrange for a three-month expert mission early in 1984 to advise on legal matters concerning the draft laws on inventions, trademarks and industrial designs. The said discussions took place on the occasion of consultations between WIPO, ECLA and CARICOM concerning the subregional component for Caribbean countries under the UNDP regional project (see below).

Uruguay. In March 1983, a WIPO official visited Montevideo under the UNDP Interregional Sectoral Adviser project (see below) to discuss details of the implementation in 1983 of activities under the UNDP project for the modernization of the industrial property administration, and reached agreement on the preparation of an extension of the said project in 1984 and 1985. The mission also discussed a possible cooperation project providing assistance to Paraguay. In April 1983, the report on progress in 1982 was submitted to the UNDP.

Throughout the month of June 1983, two WIPO consultants from Spain provided assistance in the field of trademark administration and search, under the UNDP national project and the agreement of cooperation between the Industrial Property Registry of Spain, the Iberoamerican Institute of Cooperation and WIPO (see below). They assisted, among other things, in the establishment of a search file of figurative elements of marks, and in the preparation of a draft decree changing from the national system of classification to the Nice Classification.

In September 1983, a WIPO consultant from Argentina provided assistance on publications for two weeks under the UNDP national project, in implementation of recommendations made by a WIPO official during a mission in February 1983. He assisted in the improvement of the industrial property Bulletin, which was published by the Industrial Property Directorate for the first time in June 1983.

Also in September 1983, two WIPO consultants, one from Germany (Federal Republic of) on patent examination and the other from Spain on patent classification and examination as to form, undertook a mission for one month under the UNDP national project. The mission was financed from the Funds-in-Trust Agreement with Germany (Federal Republic of) and from the cooperation agreement between the Industrial Property Registry of Spain, the Iberoamerican Institute of Cooperation and WIPO.

In November and December 1983, a WIPO official undertook an expert mission to provide assistance and make recommendations on publications and mechanization methods and equipment to be introduced in the

industrial property administration. The recommendations included cooperation between the Industrial Property Directorate and the computer services of the Latin American Association for Integration (ALADI).

During the said mission, the Industrial Property Directorate organized a one-day Seminar which was attended by Government officials and representatives from the private sector. Lectures were given by the said WIPO expert and by another WIPO official who was in Montevideo preparing the WIPO/ALADI meeting held the following week (see below).

Also in December 1983, two WIPO officials held discussions with Government authorities and UNDP concerning the extension of the UNDP national project in 1984. Those discussions took place during the said WIPO/ALADI meeting, and included the implementation of the recommendation concerning cooperation with ALADI in computer services.

Venezuela. In March 1983, activities started under the UNDP project for the modernization of the industrial property administration, approved in December 1982. During the period covered by this report, 11 WIPO experts (one from Canada, one from Chile, one from Denmark, four from Spain, one from Venezuela and three from the EPO) provided advice and on-the-job training in Caracas. This project receives financial support also from Spain and the EPO.

In August 1983, at the request of the Government, WIPO prepared in Geneva, together with the WIPO resident expert responsible *inter alia* for the coordination of the project, a project revision with the purpose of including new programs within the project, oriented *inter alia* to absorb the backlog of pending trademark and patent applications, to launch the mechanization process of trademark and patent administration, to improve publications and to begin the building up of patent and trademark search files, including foreign patent collections. Those new programs are to be financed by additional contributions in the national currency derived from the earnings from new services established by the Industrial Property Registry, in agreement with the national association of industrial property practitioners, to be administered under the UNDP national project.

In October 1983, a WIPO consultant from Denmark began a second mission for a period of ten months in order to follow up his first mission and in particular to provide assistance and on-the-job training in the field of patent classification and examination, to advise in the program for the elimination of the backlog of patent applications and in the building up of patent search files.

In November 1983, a WIPO consultant from Canada participated for two weeks in a task force organized under the UNDP national project for a feasibility study on the mechanization process of industrial property administration. A WIPO consultant from

Venezuela and the WIPO project coordinator also participated in the said task force.

Also in November 1983, the head of administration of the Industrial Property Registry undertook a study tour to the industrial property offices of Brazil and Spain and also visited WIPO.

In December 1983, the head of the trademarks search division within the Registry received practical training for three weeks at the Industrial Property Registry of Spain.

All the activities undertaken from August to December 1983 were financed by the UNDP national project.

Intercountry Project for Latin America and the Caribbean in the Field of Industrial Property. At the request of governments and the UNDP, WIPO prepared a regional project document, for the period 1983 to 1986, for the modernization and strengthening of industrial property systems in the Latin American and Caribbean countries, including subregional components concentrating on countries of the Andean Group, of the Central American Isthmus and of the Caribbean. The said project document was sent to governments in January 1983 for endorsement. By July 31, 1983, endorsements were received from the following 19 countries and three organizations: Argentina, Barbados, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Jamaica, Mexico, Panama, Paraguay, Peru, Saint Lucia, Uruguay, Venezuela, Board (Junta) of the Cartagena Agreement (JUNAC), United Nations Economic Commission for Latin America (ECLA), Caribbean Community Secretariat (CARICOM). In May 1983, the UNDP approved preparatory assistance activities for the period from June 1983 to May 1984.

Andean Group (Board (Junta) of the Cartagena Agreement (JUNAC)). In March 1983, a WIPO official held discussions in Lima with the Secretariat of JUNAC on the specific plan of activities in 1983 for the Andean countries (Bolivia, Colombia, Ecuador, Peru, Venezuela) under the UNDP regional project (see above). Agreement was reached on the organization of a training course on technical functions related to patents, and on the sending of advisory expert missions on patent examination and on trademarks. Such advisory expert missions on patent examinations, undertaken by two WIPO consultants from the EPO (financed by the EPO), began in June in Colombia, and in July in Peru and Bolivia. The *Training Course on the Technical Functions of Industrial Property Offices Related to Patents* was organized jointly by WIPO and JUNAC under the UNDP regional project at the headquarters of JUNAC in Lima for two weeks in July 1983. Two participants from each of the five countries attended the course. Lectures were given by the said two WIPO consultants from the EPO, one WIPO consultant each

from Brazil, Germany (Federal Republic of) and Spain, financed under their respective agreements with WIPO, and two WIPO officials.

The advisory expert mission on patent examination, undertaken by two WIPO consultants from the EPO (financed by the EPO) completed the visit to Bolivia and consequently visited Ecuador for two weeks in August 1983.

The advisory expert missions on trademark mechanization to Ecuador and Peru (see above) undertaken by a WIPO consultant from Brazil were financed by the UNDP regional project.

The advisory expert mission in the field of trademark administration to Bolivia undertaken by a WIPO consultant from Spain was financed from the cooperation agreement between the Industrial Property Registry of Spain, the Iberoamerican Institute of Cooperation and WIPO.

In July 1983, a Deputy Director General of WIPO participated and gave a lecture in an Information Seminar on Industrial Property organized by JUNAC in Quito within the program of the Andean Technological Information System (SAIT). The said seminar was the first international meeting limited to questions of industrial property organized by JUNAC.

In December 1983, two WIPO officials held discussions in Lima with the Secretariat of JUNAC on the specific plan of activities in 1984 for the Andean countries under the UNDP regional project. Agreement was reached on the organization of a training course on technical functions related to trademarks in industrial property offices and on the sending of advisory expert missions on patents and trademarks to specific Andean countries. Discussions were also held on possible WIPO involvement in the revision process of Decision 85 of the Commission of the Cartagena Agreement.

Countries of the Central American Isthmus. A WIPO official undertook missions to Costa Rica in March and in June 1983 to discuss and assist in the preparation of the organization of the next in the series of meetings of heads of the industrial property offices, and of the responsible Vice-Ministers, of the countries of the region (Costa Rica, El Salvador, Guatemala, Honduras, Panama), and of a seminar on trademarks under the UNDP regional project (see above). The results of the discussions were endorsed at a meeting in Geneva in July 1983 of Permanent Representatives of countries concerned.

The third meeting of heads of the industrial property offices and the second meeting of the responsible Vice-Ministers of the countries of the Central American Isthmus took place in San José (Costa Rica) in August 1983. All of the said countries were represented. Both meetings discussed the regional development cooperation program for the strengthening and modernization of the industrial property systems of the participating countries. In this context, the technical cooperation activities executed or to be executed by WIPO under the

UNDP regional project for the reorganization of and reinforcement of industrial property institutions were revised in detail; a consolidated draft law on inventions, industrial designs and examination of contracts, prepared and presented by WIPO, received the endorsement of the participants; a draft law on trademarks also prepared and submitted by WIPO was discussed and the participants requested WIPO to prepare a consolidated text including the comments made or to be made in order to discuss it again at the next meeting in 1984; also received and discussed was the WIPO contribution of possible amendments to the Central-American Treaty on Industrial Property (Trademarks).

The meeting of Vice-Ministers endorsed the recommendations submitted by the preceding meeting of heads of industrial property offices and, in addition, noted with satisfaction that Costa Rica had enacted a new law on inventions and industrial designs based largely on the WIPO draft (at least two more countries were in the process of enacting such new laws) and that three more countries of the region (Honduras, Guatemala and Panama) had acceded to the WIPO Convention following a recommendation made by the Vice-Ministers at their first meeting held in Tegucigalpa (Honduras) in December 1981.

The meetings were followed by a *Training Course on Trademarks*, also in San José, organized jointly by WIPO and the Government of Costa Rica under the UNDP regional project. Thirty-nine participants attended the course, from Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama. Lectures were given by a WIPO official and four WIPO consultants, from Brazil, Germany (Federal Republic of) (financed by their respective Governments), Mexico and Spain.

In September and October 1983, a team of WIPO consultants undertook a mission for two weeks in each country to Panama, Honduras and Costa Rica under the subregional component of the UNDP regional project (see above).

United Nations Economic Commission for Latin America (ECLA). A WIPO official participated in a meeting of the Caribbean Development Cooperation Committee of ECLA in Port-of-Spain in January 1983. The Committee recommended the endorsement by the governments concerned of the UNDP regional project document (see above). During the same mission and during a further mission to Port-of-Spain in June 1983, discussions were held with the Secretariat of the Caribbean Community (CARICOM) and with the ECLA Office for the Caribbean concerning joint activities to be undertaken under the said project from 1983.

In November 1983, a WIPO official held consultations in Port-of-Spain with officials of the ECLA Office for the Caribbean and of the Caribbean Community (CARICOM) concerning exploratory expert missions,

advisory missions and an intergovernmental meeting to be organized under the subregional component for the Caribbean countries of the UNDP regional project. Agreement was reached on a plan of activities to be executed during the first six months of 1984.

Cooperation Agreement between WIPO and Spain for Latin American Countries. Discussions took place in Geneva in March 1983 between the Director General, the Director General of the Industrial Property Registry of Spain and a representative of the Iberoamerican Institute of Cooperation concerning the conclusion of a general agreement of cooperation in the field of industrial property for the benefit of Latin American countries, and the establishment of a plan of activities for the year 1983, including specific sub-projects in certain countries. The said general agreement was signed at a ceremony in Madrid in June 1983 by the Director General of WIPO, the Director General of the Spanish Registry and the President of the Institute. The agreement provides for the participation of experts from Spain in WIPO projects in the region, training in the Spanish Registry for officials from the region, and financing arranged by WIPO and the Institute.

In November and December 1983, discussions took place in Geneva and Madrid concerning the plan of activities for 1984, including specific sub-projects in certain countries, and on the steps taken by the Industrial Property Registry of Spain and WIPO towards the completion of a feasibility study for the establishment of an international center for patent documentation in Spanish.

Latin American Energy Organization (OLADE). In May 1983, a WIPO official visited OLADE headquarters in Quito, at the request of its Executive Secretary, to discuss the preparation of a feasibility study on the establishment of a center for patent information related to energy within the Latin American cooperation program on energy. Specific proposals prepared, as agreed, by WIPO were sent in July 1983.

In September 1983, a WIPO official under the UNDP Interregional Sectoral Adviser project, in the course of a mission to Quito, visited OLADE headquarters to continue discussions on the steps to be taken towards the establishment of a patent information center related to energy within the Latin American cooperation program on energy.

Latin American Association for Integration (ALADI). In April 1983, a WIPO official visited ALADI headquarters in Montevideo to discuss possible joint activities for the benefit of ALADI member countries, including the holding of an intergovernmental meeting in the second half of 1983. Specific proposals prepared, as agreed, by WIPO were sent in July 1983.

A positive reply to the WIPO proposals was received from ALADI in September 1983 together with a

proposal from the Secretary General of ALADI to establish a cooperation agreement between the two organizations.

In December 1983, an intergovernmental meeting jointly organized by ALADI and WIPO was held at the ALADI headquarters in Montevideo for the officials responsible for the industrial property administrations of Argentina, Chile, Paraguay and Uruguay. The meeting reviewed the situation of the national industrial property systems, WIPO development cooperation activities and projects mainly in the four countries and the possibilities of joint efforts and the pooling of resources through specific cooperation activities among them. Agreement was reached on a joint program of development cooperation activities to be implemented during 1984 with the purpose of identifying specific possibilities for the harmonization of certain patent administrative procedures, for the constitution and exchange of information contained in patent search files and data bases organized in each country by technology sectors and for the preparation of a feasibility study to determine the use of the computerized system already available in ALADI for the exchange of bibliographic data concerning patents and technological information contained in patent documents. For this purpose, it was agreed that exploratory expert missions, practical training, a meeting of experts and a new intergovernmental meeting of officials responsible for industrial property administrations would be organized during 1984. Consideration was also given to the possibility of organizing regular annual meetings in order to monitor the cooperation program.

On the same occasion, further discussions were held with the ALADI Secretariat on the draft cooperation agreement between the two organizations, on the procedure for its signature and on additional specific activities which could be carried out in its framework.

Inter-American School of Public Administration (EIAP). In July 1983, a WIPO official gave lectures in a Course for Transfer of Technology Negotiators organized in Rio de Janeiro by EIAP, in cooperation with the Brazilian National Institute of Industrial Property, under the sponsorship of the Getulio Vargas Foundation and the Inter-American Development Bank. The 27 participants were officials from Argentina, Bolivia, Brazil, Colombia, Costa Rica, Dominican Republic, Ecuador, Mexico, Peru, Portugal and Venezuela.

In December 1983, during a mission by the two WIPO officials to Rio de Janeiro (see above), discussions were held with the authorities of EIAP on the Course for Transfer of Technology Negotiators to be organized by EIAP in 1984 and on the assistance which WIPO could provide during the preparatory steps which EIAP is undertaking to organize a postgraduate course dealing with legal, economic and technical aspects of industrial property.

Western Asia

Bahrain. A WIPO official undertook a mission in March 1983 and discussed with the Government authorities possible assistance in the administration of trademarks.

Kuwait. A WIPO official undertook a mission in February 1983 under the UNDP Interregional Sectoral Adviser project (see below) for discussions with Government authorities, including the Ministry of Commerce and Industry and the Kuwait Institute for Scientific Research (KISR), concerning cooperation for the implementation of the patent legislation and in the field of patent information. The said official gave a lecture on industrial property at the KISR for about 50 participants.

Following consultations with the Permanent Representative of Kuwait in Geneva in August 1983, a note on the conclusions of the said mission, with suggestions for further action, was prepared by WIPO and sent in September 1983.

Oman. In March 1983, a WIPO official undertook a mission to discuss the advantages of accession to the WIPO Convention.

Saudi Arabia. During a mission by a Deputy Director General to Saudi Arabia in January 1983, discussions were held on the plans for establishing a patent office following the introduction of a patent law.

A WIPO official visited the Government authorities in Riyadh in April 1983 under the UNDP Interregional Sectoral Adviser project (see below) to discuss the future patent law and preparations for its administration. Following the said mission, WIPO prepared and sent in July 1983 a project outline for the setting up of a patent system and comments on a draft patent law.

Syria. A WIPO official visited Damascus in February 1983 under the UNDP Interregional Sectoral Adviser project (see below) to discuss the restructuring of the industrial property system, and the establishment of an information and documentation center. The report on the said mission was prepared and sent by WIPO to the Government in May 1983, and was discussed during a further visit to Damascus by a WIPO official in June 1983. Draft laws on marks and related matters and on industrial designs were prepared and sent by WIPO in June 1983.

United Arab Emirates. A WIPO official undertook a mission in February and March 1983 to discuss a first draft of industrial property legislation prepared by WIPO, the preparation of draft regulations and possible assistance in the final preparation and subsequent implementation of the legislation. A final draft of the

said legislation was prepared by WIPO and sent to the Government, with an explanatory note, in June 1983.

Arab League. In August 1983, the Director General paid an official visit to the headquarters in Tunis of the League of Arab States and proposed to the Secretary General of that League increased cooperation between the two organizations.

Arab Industrial Development Organization (AIDO). At a meeting between an official of AIDO and officials of WIPO in Geneva in March 1983, agreement was reached on the commissioning by AIDO and the joint publication by WIPO and AIDO of monographic surveys of particular technical fields, based on patent documents. A formal agreement to this effect was signed by the Director General of AIDO during a mission to AIDO's headquarters in Baghdad by a WIPO official in June 1983; the said official gave a lecture to the technical staff of AIDO.

Officials of AIDO and the Gulf Organization for Industrial Consulting (GOIC) visited WIPO in November 1983 to discuss cooperation in the establishment of a technology data bank.

Federation of Arab Scientific Research Councils (FASRC). WIPO continued to execute preparatory assistance, financed by the UNDP, for a project for the creation of a patent information and documentation unit as a component of an Arab center for scientific and technical documentation. An intersecretariat meeting between WIPO and FASRC officials was held in Geneva in February 1983; activities under the preparatory assistance phase were reviewed, and agreement was reached in respect of further expert missions, recruitment by FASRC of technical staff, training and the provision of documents and equipment. A plan was agreed for the preparation of a project document for the second phase of the project. In addition, the intersecretariat meeting discussed the organization later in 1983 of a training course on the management of technological information centers and research laboratories in the Arab world, and reviewed progress in the project for the translation of the International Patent Classification into Arabic.

In May and June 1983, a WIPO official undertook a three-week mission to FASRC in Baghdad under the UNDP project to assist in the initiation of the services of the patent information and documentation unit.

WIPO was represented at a meeting of the Program and Budget Committee of FASRC in Baghdad in September 1983. The Committee approved the project document for the second phase of the establishment of the patent information and documentation unit, and allocated additional funds for the project for the translation of the IPC into Arabic.

Gulf Cooperation Council (GCC). During a mission by a Deputy Director General to Riyadh in January 1983, discussions were held with the Secretariat of the GCC concerning the possibility of cooperation in organizing a meeting on industrial property for the member States (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates). Agreement on the convening of such a meeting in 1984 was reached during a further mission in December 1983.

Interregional Sectoral Adviser

In view of the growing number of requests by developing countries for advice and assistance in the identification of problems to be addressed with a view to establishing industrial property systems suited to their needs and goals, or strengthening existing systems, and in formulating plans of action and projects to that end, WIPO had submitted a request in July 1980 to the UNDP for financial assistance under arrangements known as "sectoral support" arrangements, by which the UNDP provides funds to executing agencies of the United Nations system (such as WIPO) to finance, in their respective sectors, advisers to assist governments in the formulation of development programs and projects. Such advisers can be "regional" (serving developing countries in a particular region) or "interregional" (serving developing countries in all regions). The request of WIPO for the funding of an Interregional Sectoral Adviser was approved by the UNDP in December 1981. The Adviser is fully under the instructions of WIPO and is integrated in WIPO's staff.

In response to the circulation by WIPO of an announcement of the new service to all developing countries in March 1982, 56 expressions of interest, the majority containing formal requests for a mission by the Adviser, were received by the end of 1983, from the following countries and organization: Afghanistan, Algeria, Argentina, Barbados, Benin, Bolivia, Brazil, Burundi, Cameroon, Colombia, Congo, Cuba, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Gabon, Ghana, Guatemala, Haiti, Honduras, India, Indonesia, Iraq, Ivory Coast, Kenya, Kuwait, Malaysia, Mali, Mauritania, Mauritius, Mexico, Morocco, Nicaragua, Nigeria, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saudi Arabia, Senegal, Sudan, Syria, Tonga, Trinidad and Tobago, Tunisia, Uganda, Uruguay, Vanuatu, Venezuela, Zambia, OAPI.

In view of the number of responses, some of them have to be satisfied through other staff members than the said Adviser and through ad hoc experts.

Development, in Developing Countries, of the Effective Use of the Industrial Property System for the Benefit of the Inventors, the Industry and the Commerce of Such Countries

WIPO medals for inventors have been awarded since 1979. The purpose of the awards is to promote inventive and innovative activities, particularly in developing countries or for their benefit. The medals are awarded at exhibitions or contests organized by national or international institutions. The criteria for selecting the recipients are established by the requesting institutions, and WIPO does not intervene in the selection.

A list of WIPO medals awarded from 1979 to 1982 is contained in paragraph 32 of WIPO document AB/XIV/3. In February 1983, two WIPO medals were awarded at the Philippines Annual Inventions Week. In March 1983, a WIPO medal was awarded at the Japan Institute of Invention and Innovation Exhibition in Tokyo. In April and in July 1983, WIPO medals were awarded to Bulgarian inventors during the exhibition "Invented in Sofia" and a National Exhibition of the Technical and Scientific Creativity of Bulgarian Youth. WIPO medals were also awarded to an Indian inventor during the "International Invention Week," in Paris in May 1983, and to an inventor of the Soviet Union on the "Inventors' and Rationalizers' Day" in Moscow in June 1983.

A WIPO medal was awarded to an inventor of the Republic of Korea at the Second National Excellent Inventions Exhibition organized by the Office of Patents Administration and the Korea Invention and Patent Association in Seoul in September 1983.

A Round Table on the Promotion of Indigenous Inventive and Innovative Activity in Asia and the Pacific, organized by WIPO with the cooperation of the Philippine Invention Development Institute (PIDI) of the Republic of the Philippines and the assistance of the UNDP under the UNDP regional project for Asia and the Pacific, took place in Manila in February 1983. The Round Table held its discussions throughout the 17th Philippine National Inventors' Week, and was preceded by three days of visits to Philippine institutions concerned with innovative and inventive activity.

Most of the 17 participants were senior Government officials concerned with the promotion of indigenous inventive and innovative activity in the following countries: India, Indonesia, Malaysia, Pakistan, Philippines, Republic of Korea, Singapore, Sri Lanka, Thailand. Two WIPO officials and two WIPO consultants, from the International Federation of Inventors' Associations (IFIA) and from the Japan Institute of Invention and Innovation (JII), assisted the participants; the expenses of the consultant from the JII were paid by the said Institute.

Each participant presented a paper, which was followed by a discussion, on the present activities and future plans of his Government concerning the

promotion of indigenous inventive and innovative activity.

The participants made, and recorded in the report of the Round Table, a number of suggestions relating to the promotion of inventive and innovative activity at the national and regional levels, and requested WIPO's assistance in implementing them. The suggestions related to training, the organization of national seminars, the encouragement of employee-inventors, the establishment of inventors' clubs, associations and institutions, the commercialization of inventions, the organization of national and regional exhibitions and competitions, the dissemination of technological information contained in patent documents, possibly with the assistance of a regional center, the selection of target areas and the establishment of a Working Committee to formulate a regional program.

It was agreed that, while all the above-mentioned suggestions would be taken into account by WIPO in planning its future activities in the region, early attention would be given to the implementation of the two suggestions concerning training and the organization of national seminars.

A Seminar on the Roles of Government Industrial Property Authorities and the Legal Profession in Administering Industrial Property Rights in Asia and the Pacific was organized by WIPO, in cooperation with LAWASIA and with the assistance of the UNDP under the UNDP regional project for Asia and the Pacific, in Bangkok in March 1983.

The Seminar was opened by the Prime Minister of Thailand. Welcoming addresses were delivered by the Minister of Justice of Thailand and President of LAWASIA, by the Director General and by the Regional Representative of UNDP.

The participants in the Seminar consisted of senior Government officials concerned with the administration of industrial property rights in Bangladesh, Fiji, India, Indonesia, Pakistan, the Philippines, Republic of Korea, Sri Lanka, Thailand and Viet Nam and of private lawyers, members of LAWASIA, from Australia, Hong Kong, India, Indonesia, Malaysia, the Philippines, Singapore and Thailand.

Lectures, followed by discussion, were given by two officials of WIPO, one official of the EPO and four private lawyers from Australia, Hong Kong, Thailand and the United States of America. The subjects covered by the lectures and discussions were: the objects of industrial property, substantive conditions of patentability, the Paris Convention, the tasks of patent agents, the filing of applications with the EPO, the filing and prosecution of applications in Asian countries, basic notions of trademark law, comparative trademark law, trademarks and consumers, how a company adopts a new trademark, defending and preserving trademarks, and the tasks of trademark agents. Country papers on patent questions and on trademark questions were presented by Government officials and private lawyers,

and were discussed by the participants in the Seminar.

The lectures and other papers presented at the Seminar were published by WIPO in November 1983.

A Seminar on Trademarks and Patents in ASEAN Countries was organized under the UNDP regional project in Kuala Lumpur in September 1983. The Seminar was organized by WIPO jointly with the Coordinating Council for Industrial Technology Transfer of Malaysia and the Federation of Malaysian Manufacturers, and with the assistance of the UNDP under the regional project.

The Seminar was opened by the Deputy Minister for Trade and Industry. Welcoming addresses were delivered by the Director General, by the Chairman of the Federation of Malaysian Manufacturers External Relations and Conferences Committee and by the Regional Representative of the UNDP.

The participants in the Seminar numbered over 100 and included Government officials and representatives of the private sector from Indonesia, Malaysia, the Philippines, Singapore and Thailand.

Lectures, followed by discussion, were given by two officials of WIPO, the Registrar of Trademarks and Patents of Malaysia, an official of the Japanese Patent Office, a law professor from the National University of Singapore and one patent attorney each from Japan, the United Kingdom and the United States of America. The Seminar included a panel discussion, with speakers from Malaysia and Singapore representing legal, business and consumer viewpoints. The subjects covered by the lectures included: the role and functions of marks; basic facts and trends in trademark law; trademarks in international conventions; the creation, selection and registration of a trademark; use of marks and consumer protection; role and tasks of a trademark registry; role and functions of patents, industrial designs and utility models as tools of technology transfer; licensing of patents, industrial designs and utility models; trademark licensing and franchising; protecting patents, industrial designs and utility models; protecting trademarks; and promotion of inventive and innovative activities in relation to patents, industrial designs and utility models.

Development, in Developing Countries, of the Acquisition of Foreign Technology Protected by Industrial Property Rights

The WIPO *Licensing Guide for Developing Countries* was published in Portuguese in August 1983. It had already been published in Arabic, English, French, Japanese and Spanish.

A *Workshop on Industrial Property Licenses and Technology Transfer Arrangements* was organized by WIPO in Manila in November 1983, in cooperation with the National Science and Technology Authority and the Philippine Invention Development Institute of the Government of the Philippines and with the assistance of the UNDP. At the request of the Government, the Workshop was held in conjunction with the Government-sponsored "Technology for the People" International Fair. There were about 40 participants, from Bangladesh, China, India, Indonesia, Malaysia, Pakistan, Papua New Guinea, Republic of Korea, Thailand and the Philippines. Lectures were given by a WIPO official, an official of the United States Patent and Trademark Office, a corporate patent counsel from Japan, a representative of International Inventors Award (Sweden), the Director of the Philippine Invention Development Institute and the President of the Filipino Inventions Society. The main subjects of the lectures included the role of industrial property in development, arrangements for the commercial acquisition of technology, patent and trademark licenses, know-how, restrictive clauses, remuneration, government control, remedies and settlement of disputes. Each lecture was followed by discussions, and the workshop concluded with a simulated negotiation exercise.

Development, in Developing Countries, of Access to the Technological Information Contained in Patent Documents

State-of-the-Art Search Program and Related Services. Since 1975, WIPO has been operating a program to provide governmental institutions and individuals in developing countries with free-of-charge state-of-the-art search reports under agreements concluded between contributing industrial property offices in developed countries and WIPO.

In 1983, 334 new search requests were submitted by 26 developing countries (Bolivia, Brazil, Colombia, Costa Rica, Ecuador, Egypt, El Salvador, India, Indonesia, Iraq, Ivory Coast, Lebanon, Malaysia, Mauritius, Morocco, Nigeria, Pakistan, Peru, Philippines, Republic of Korea, Singapore, Thailand, Trinidad and Tobago, Turkey, Viet Nam, Zambia), the African Regional Center for Technology (ARCT), ESARIPO and OAPI. In the same period, 287 search reports were delivered to developing countries, most of them prepared by the Austrian (78), German Democratic Republic (78) and Swedish (37) Patent Offices. In several cases, complementary search reports were requested from and submitted by the Industrial Inquiry Services of the United Nations Industrial Development Organization (UNIDO) under an agreement of cooperation concluded in 1979.

From the start of the Program, in 1975, to the end of 1983, 1,953 search requests were received from 65 developing countries and six international organizations. Ninety-four of the said requests were submitted through the Industrial Inquiry Service of UNIDO. During the same period, 1,755 search reports were furnished to Algeria, Argentina, Bangladesh, Bolivia, Botswana, Brazil, Cameroon, Chile, Colombia, Costa Rica, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, El Salvador, Ethiopia, Ghana, Guatemala, Guyana, Honduras, India, Indonesia, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Madagascar, Malawi, Malaysia, Mauritania, Mauritius, Mexico, Morocco, Nicaragua, Nigeria, Pakistan, Panama, Peru, the Philippines, Portugal, Republic of Korea, Rwanda, Senegal, Singapore, Sri Lanka, Sudan, Suriname, Syria, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia and Zimbabwe (63).

Twenty-one of the search reports were provided by Australia, 1,027 by Austria, 36 by Finland, 104 by the German Democratic Republic, 151 by Germany (Federal Republic of), 11 by the Soviet Union, 196 by Sweden, 3 by the United Kingdom and 38 by the EPO.

In 168 cases, the International Bureau was able to provide search reports itself. Eighty-seven requests were withdrawn, while for 14 search requests additional information is awaited from the requestor. By the end of 1983, 97 requests were pending in the procedure.

WIPO continued its activity of arranging, and seeking to arrange, for collections of patent documents and related material to be made available and to be received by the industrial property offices of developing countries requesting them. During the period covered by this report, arrangements have been completed for the Algerian Office to receive from the United Kingdom collections of patent documents of the United Kingdom and the United States of America, for the Chinese Office to receive from Switzerland collections of Australian, Canadian and Japanese patent documents and for the Office of the Democratic People's Republic of Korea to receive from Australia a collection of United States of America patent documents.

A *Seminar on the Use of Patent Information for Technological Development*, organized in cooperation with the Government of Viet Nam and with the assistance of the UNDP, was held in Hanoi in December 1983, for 25 participants from Viet Nam and five from Laos. The objectives of the Seminar were to provide participants with basic information on patent documents, their structure and content, to discuss the role of patent information in technological and industrial development and to review various means of access to the technical information contained in patent documents. Lectures were given by officials of WIPO and of the Governments of Austria and the Soviet Union.

*WIPO Permanent Committee for Development
Cooperation Related to Industrial Property*

The Permanent Committee consists of all States members of WIPO which have informed the Director General of their desire to be members. During the period covered by this report, Guatemala, Honduras and Panama became members of the Permanent Committee, bringing the membership to 79 States (Algeria, Argentina, Australia, Austria, Barbados, Benin, Brazil, Bulgaria, Cameroon, Canada, Chile, Colombia, Congo, Cuba, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, El Salvador, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guatemala, Guinea, Honduras, Hungary, India, Indonesia, Iraq, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Libya, Malawi, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Netherlands, Niger, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Senegal, Somalia, Soviet Union, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States of America, Upper Volta, Uruguay, Yemen, Yugoslavia, Zaire, Zambia).

III. Governing Bodies

The *Assembly of the Paris Union* held its seventh session (2nd extraordinary), jointly with the ninth (4th extraordinary) session of the *Conference of Representatives of the Paris Union*, in Geneva in February 1983.

Forty-nine States members of the Assembly, and four States members of the Conference of Representatives, were represented. One other State and two inter-governmental organizations were represented by observers.

Statements were made, on behalf of the Group of Developing Countries, of the countries of Group B, and of the countries of Group D, expressing the hope that the fourth session of the Diplomatic Conference on the Revision of the Paris Convention would complete the revision. As to the Rules of Procedure of the Diplomatic Conference, one delegation reaffirmed its position as announced at the first session.

The Assembly decided that the fourth session of the Diplomatic Conference would take place in Geneva from February 27 to March 24, 1984.

The sixth session of the *WIPO Budget Committee* was held in Geneva in April 1983.

The following 13 States, members of the Budget Committee, were represented: Brazil, Cameroon, Cuba, Czechoslovakia, Egypt, France, Germany (Federal Republic of), India, Iraq, Japan, Soviet Union, Switzerland, United States of America.

In a general discussion of the *draft program and budget proposals for the 1984-1985 biennium*, the delegations of the developing countries members of the Budget Committee proposed that the Governing Bodies give thorough consideration to an increase of 20% in the amounts allocated for the activities of development cooperation. Other delegations stated that they could support such an increase only if it were to be covered by corresponding economies in other program activities.

Several delegations having indicated their interest in having certain further information provided, the Budget Committee made detailed recommendations in this respect for the documentation of the Governing Bodies. One or more delegations made specific comments, recorded in the report, on particular items contained in the draft program and budget proposals.

The Budget Committee also discussed, without making recommendations, proposals for the reconstitution of the working capital fund of the Paris Union and for the establishment of the working capital fund of the PCT Union.

The *Governing Bodies of WIPO and the Unions administered by WIPO* held their fourteenth series of meetings in Geneva in September and October 1983.

The following 22 Governing Bodies held sessions:

WIPO General Assembly, seventh session (6th ordinary);

WIPO Conference, sixth session (6th ordinary);

WIPO Coordination Committee, seventeenth session (14th ordinary);

Paris Union Assembly, eighth session (6th ordinary);

Paris Union Conference of Representatives, tenth session (6th ordinary);

Paris Union Executive Committee, nineteenth session (19th ordinary);

Berne Union Assembly, sixth session (6th ordinary);

Berne Union Conference of Representatives, sixth session (6th ordinary);

Berne Union Executive Committee, twenty-first session (14th ordinary);

Madrid Union Assembly, twelfth session (5th ordinary);

Madrid Union Committee of Directors, twelfth session (5th ordinary);

Hague Union Assembly, seventh session (4th ordinary);

Hague Union Conference of Representatives, seventh session (4th ordinary);

Nice Union Assembly, seventh session (6th ordinary);

Nice Union Conference of Representatives, sixth session (6th ordinary);

Lisbon Union Assembly, fifth session (5th ordinary);

Lisbon Union Council, twelfth session (12th ordinary);

Locarno Union Assembly, seventh session (5th ordinary);

IPC (International Patent Classification) Union Assembly, fifth session (4th ordinary);

PCT (Patent Cooperation Treaty) Union Assembly, tenth session (4th ordinary);

TRT (Trademark Registration Treaty) Union Assembly, third session (3rd ordinary);

Budapest Union Assembly, fourth session (2nd ordinary).

Delegations of 90 States participated in the meetings. Sixteen intergovernmental organizations and eight international non-governmental organizations were represented by observers.

Accounts and Activities. The Governing Bodies reviewed and approved reports by the Director General on financial matters in 1981, 1982 and 1983 and on the activities of WIPO from November 1981 to September 1983. A number of delegations expressed satisfaction with the accomplishments of the International Bureau since the 1981 sessions of the Governing Bodies, and underlined the constant increase in the activities, particularly in the field of development cooperation for the benefit of developing countries. Several delegations expressed the intention of their countries to continue and, if possible, to increase their contribution to the development cooperation activities of WIPO by concluding agreements for the provision of financial support or continuing such agreements, by providing training of officials from developing countries, by sending experts and furnishing state-of-the-art search reports to such countries and by hosting meetings organized by WIPO for the benefit of such countries. Several delegations expressed concern at the gap between the needs of developing countries and available resources, and urged that both funds and staff for development cooperation activities be increased. Delegations also underlined the great importance of the programs concerning patent information activities, the encouragement of inventiveness and joint inventive activity. It was agreed that the resolutions of the WIPO Worldwide Forums on Piracy, organized in 1981 and 1983, should be circulated to all member States as a recommendation for implementation of appropriate anti-piracy measures at the national level.

Program and Budget. The Governing Bodies approved by a vote (for: 55; against: three; abstentions: six) the program and budget of WIPO and the Unions for the 1984 to 1985 biennium. The budget for the "Program Unions," covered by contributions from member States, is 42,106,000 Swiss francs for the biennium, and that of the "Registration Unions," covered by fees paid by applicants for international registrations of trademarks and industrial designs and

applicants filing international patent applications, is 44,163,000 Swiss francs, giving a total of 86,269,000 Swiss francs.

The main activities of the Program Unions approved by the Governing Bodies fall under the following headings. In the field of *industrial property and patent information*: development cooperation with developing countries (training; legislative infrastructure; institution building; inventors, industry and commerce; licensing; development of the profession; access to technological information; etc.); information concerning industrial property (periodicals; collection of laws and treaties; surveys; statistics; etc.); industrial property questions of topical interest (joint inventive activity; computer programs, including integrated circuits; biotechnological inventions; various harmonization questions); cooperation in patent information; improvement of classifications. In the field of *copyright and neighboring rights*: development cooperation with developing countries (training; legislative infrastructure; protection of authors in their own countries and in foreign countries; Joint International Unesco-WIPO Service; etc.); information concerning copyright (periodicals; collection of laws and treaties; surveys); copyright questions of topical interest (cable television; employee-authors; the Rome Convention and new communication techniques; expressions of folklore; publishing contracts; private copying; rental of phonograms and videograms; computer software; direct broadcast satellites; electronic libraries; international register of audiovisual recordings). In the field of *intellectual property generally*: promotion of the worldwide recognition of and respect for intellectual property; promotion of accession to treaties; preparations for commemorating the centenary of the Berne Convention; cooperation with States and international organizations.

The Nice Union Assembly and Conference of Representatives decided on the establishment of a new public service under which the International Bureau would provide, on request and against the payment of a fee, individual reports on classification under the International Classification of Goods and Services for the Purposes of the Registration of Marks.

The main activities of the International Bureau in respect of the Registration Unions will consist in providing the services that the Patent Cooperation Treaty, the Madrid Agreement and the Hague Agreement entrust to it. The Governing Bodies concerned approved revised fees under the PCT, the Madrid Agreement and the Hague Agreement. The Madrid Union Assembly and Conference of Representatives began consideration of proposed amendments of the Regulations under the Madrid Agreement, and decided to meet in extraordinary session before the end of 1983 to complete that task; they also decided that the fixing of the date of a meeting on links between the Madrid Agreement and the proposed (European) Community trade mark would be left to the Director

General, with the understanding that the meeting would have to take place during the 1984 to 1985 biennium and that, before fixing such date, the Director General would contact the presidency of the European Community.

Working Agreement. The WIPO Coordination Committee approved a working agreement between WIPO and the Arab Educational, Cultural and Scientific Organization (ALECSO).

Election of the Members of the Executive Committees of the Paris and Berne Unions and of the Ad Hoc Members of the WIPO Coordination Committee. The Assembly and Conference of Representatives of the Paris Union and the Assembly and Conference of Representatives of the Berne Union elected, each as far as it was concerned, the members of the Executive Committees of the Paris and Berne Unions and the WIPO Conference designated the *ad hoc* members of the WIPO Coordination Committee. The resulting membership of those three Committees is as follows:

Paris Union Executive Committee

Ordinary Members: Algeria, Argentina, Austria, Brazil, Congo, Egypt, German Democratic Republic, Germany (Federal Republic of), Ivory Coast, Japan, Netherlands, Norway, Poland, Portugal, Soviet Union, Switzerland (*ex officio*), United States of America, Uruguay, Viet Nam, Yugoslavia, Zambia (21). **Associate Members:** Lebanon, Tanzania, Trinidad and Tobago (3).

Berne Union Executive Committee

Ordinary Members: Australia, Benin, Bulgaria, Canada, Chile, Costa Rica, Czechoslovakia, France, Hungary, India, Italy, Mexico, Morocco, Senegal, Switzerland (*ex officio*), Tunisia, United Kingdom, Zaire (18). **Associate Member:** Turkey (1).

Ad Hoc Members of the WIPO Coordination Committee

China, Colombia, Guatemala,* Mongolia, Qatar,** Sudan (6).

WIPO Coordination Committee

Algeria, Argentina, Australia, Austria, Benin, Brazil, Bulgaria, Canada, Chile, China, Colombia, Congo, Costa Rica, Czechoslovakia, Egypt, France, German

Democratic Republic, Germany (Federal Republic of), Guatemala,* Hungary, India, Italy, Ivory Coast, Japan, Lebanon, Mexico, Mongolia, Morocco, Netherlands, Norway, Poland, Portugal, Qatar,** Senegal, Soviet Union, Sudan, Switzerland (*ex officio*), Tanzania, Trinidad and Tobago, Tunisia, Turkey, United Kingdom, United States of America, Uruguay, Viet Nam, Yugoslavia, Zaire, Zambia (48).

IV. Management and Supporting Activities

Missions. In the period covered by this report, the Director General undertook missions to and had conversations with high Government officials in China, Ethiopia, France, Greece, India, Italy, Ivory Coast, Malaysia, the Philippines, Spain, Sudan and Thailand. The mission to Sudan was a formal "official visit," the Director General being the guest of the Government and received by the Head of State and by several Government Ministers. In India and Thailand, he met with the Prime Ministers.

Missions were undertaken by Deputy Directors General to Argentina, Austria, Brazil, Bulgaria, Canada, China, Cuba, Democratic People's Republic of Korea, Ecuador, Fiji, France, Germany (Federal Republic of), Greece, Indonesia, Japan, Kenya, Mexico, the Philippines, Saudi Arabia, Soviet Union, Spain, Thailand, the United Kingdom, Yugoslavia, the United States of America and Zimbabwe.

In addition to the missions referred to above, the following countries were visited by other officials or by consultants of WIPO: Angola, Argentina, Austria, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Cameroon, Chile, China, Colombia, Congo, Costa Rica, Democratic People's Republic of Korea, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, France, Gambia, Germany (Federal Republic of), Greece, Guatemala, Honduras, India, Indonesia, Iraq, Italy, Ivory Coast, Japan, Kenya, Kuwait, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Nepal, Netherlands, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Republic of Korea, Saudi Arabia, Senegal, Sierra Leone, Singapore, Soviet Union, Spain, Sri Lanka, Sudan, Syria, Tanzania, Thailand, Trinidad and Tobago, Tunisia, United Arab Emirates, United Kingdom, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe.

United Nations. The Director General and other officials of WIPO participated in the work of a number of intersecretariat bodies of the United Nations system established for the purpose of facilitating coordination

* With effect from the date on which the number of members of WIPO, not members of any of the Unions, becomes 20.

** With effect from the date on which the number of members of WIPO, not members of any of the Unions, becomes 24.

of the policies and activities of the organizations of the system. These bodies included the Administrative Committee on Coordination (ACC), composed of the executive heads of all the organizations and programs of the system under the chairmanship of the Secretary-General of the United Nations, which met in Paris in March 1983 and in New York in October 1983, and had joint meetings with the UN Committee on Programme and Coordination (CPC) and with the Bureau of the UN Economic and Social Council (ECOSOC) in Geneva in July 1983, its Organizational Committee and its Consultative Committees on Substantive Questions (Programme) and (Operations) (CCSQ (Prog) and CCSQ (Ops)) and on Administrative Questions (Finance and Budget) (CCAQ (FB)); the WIPO representative in the CCAQ (FB) served as its Chairman for the year 1983. Other subsidiary bodies of the ACC, task forces, working groups and *ad hoc* interagency meetings in which WIPO participated during the period covered by this report were convened to deal with various matters of common interest, including preparations for the International Conference on the Question of Palestine, consultations on the follow-up to the Substantial New Programme of Action for the Least Developed Countries, public information, science and technology for development, publications, procurement of supplies, fellowships and legal questions. WIPO was represented at meetings between the secretariats of the organizations of the United Nations system and of the Organization of African Unity, in Addis Ababa in April 1983, of the League of Arab States, in Tunis in June and July 1983, and of the Organization of the Islamic Conference, in Geneva in July 1983. WIPO was also represented at a session of the Board of the UN Joint Staff Pension Fund in London in July 1983 and, in New York in October 1983, at a meeting of secretaries of Staff Pension Committees and a session of the Standing Committee of the said Board.

WIPO attended a session of the Advisory Committee on Administrative and Budgetary Questions, a subsidiary body of the United Nations General Assembly, in New York in September 1983.

WIPO was represented at the session of ECOSOC held in Geneva in July 1983.

WIPO was also represented at the celebration of the International Day for the Elimination of Racial Discrimination in Geneva in March 1983, and at the European Regional Preparatory Meeting for the International Conference on the Question of Palestine in Geneva in July 1983, at the said International Conference in Geneva in August and September 1983, at the World Conference on Racism in Geneva in August 1983, and at a meeting to celebrate the International Day of Solidarity with the Palestinian People in Geneva in November 1983.

The Director General attended the ceremony for the inauguration of the new headquarters building of the

International Maritime Organization (IMO) in London in May 1983. WIPO was represented at TELECOM 83 organized by the International Telecommunication Union (ITU), in Geneva in October 1983.

WIPO was represented by the Director General at the celebration of the 25th anniversary (Silver Jubilee) of the United Nations Economic Commission for Africa (ECA), which took place at the 18th session of the Commission and the ninth Conference of Ministers in Addis Ababa in April 1983 and was attended by several African Heads of State and the Secretary General of the United Nations. Also in Addis Ababa in April 1983, WIPO was represented at a Ministerial Conference of the Least Developed Countries in Africa.

WIPO was also represented at sessions of the Trade and Development Board of the UN Conference on Trade and Development (UNCTAD) in April and May 1983 and at the fifth Ministerial Meeting of the Group of 77 in preparation for UNCTAD VI, in Buenos Aires in March and April 1983.

WIPO was represented at the sixth session of the United Nations Conference on Trade and Development, held in Belgrade in June 1983. The Conference adopted a resolution on UNCTAD activities in the field of technology, with the title "Towards the technological transformation of developing countries." The following passages of the said resolution are of direct interest to WIPO:

"The United Nations Conference on Trade and Development...

"Bearing in mind the responsibility, competence and work of other United Nations bodies in the field of technology, especially WIPO, UNIDO and the Intergovernmental Committee on Science and Technology for Development...

"A. Restructuring the legal environment

"(ii) Economic, commercial and development aspects of the industrial property system

"3. Invites all countries attending the Diplomatic Conference to co-operate in concluding the revision of the Paris Convention for the Protection of Industrial Property in a manner which takes fully into account the interests of all countries, particularly the developing countries;

"4. Recommends that those countries attending the Diplomatic Conference for the Revision of the Paris Convention for the Protection of Industrial Property expedite their work with the objective of finding solutions on, inter alia, the questions of the adequate working of patents and the various forms of protection of industrial property; further recommends that those countries attending the Diplomatic Conference should take into account that the industrial property system should contribute to the economic and technological development and industrialization of the developing countries;

"5. Welcomes the progress made at the national level by a number of countries in examining and taking appropriate action on the question of industrial property legislation;

"6. Recalls Conference resolutions 39 (III), 88 (IV) and 101 (V), Committee on Transfer of Technology resolutions 3 (I), 14 (III) and 21 (IV) and its decision 4 (II) and invites UNCTAD to continue its work on the economic, commercial and developmental aspects of the industrial property system in accordance with Committee on Transfer of Technology resolution 21 (IV) in particular and any relevant future resolution which may be agreed on this subject;

"7. Invites further UNCTAD to continue to provide adequate advice and assistance to the developing countries on the economic, commercial and development aspects of the industrial property system;"

WIPO was also represented at the following other UNCTAD meetings, held in Geneva: an Intergovernmental Committee on Economic Cooperation among Developing Countries in September 1983; the Trade and Development Board in October 1983; the UN Conference (convened by UNCTAD) on an International Code of Conduct on Transfer of Technology in October 1983; the Intergovernmental Group of Experts on Restrictive Business Practices in November 1983.

WIPO was represented at sessions of the Governing Council of the United Nations Development Programme (UNDP) and its Budget and Finance Committee in New York in June 1983, and participated in the two other meetings convened by the UNDP during the period covered by this report: an interagency meeting concerning the harmonization of the procedures by the UN specialized agencies in the field of operational activities for development in Geneva in April 1983, and a Round Table Meeting on the Least Developed among the Developing Countries in the Asia and Pacific Region in Geneva in May 1983. A WIPO official undertook a training course in UNDP procedures in New York in November 1983.

Public Information, Publications, Meetings, etc. Lectures on WIPO and its activities, in general or related to particular topics, were given by WIPO officials, often in conjunction with visits by organized groups to WIPO's headquarters. Such groups included, in particular, groups of diplomats organized by the United Nations Institute for Training and Research (UNITAR) and groups of university students from various countries.

Interviews were given to newspaper and radio correspondents. WIPO officials participated in the regular press briefings given in the United Nations Office in Geneva. WIPO was represented at the regular meetings in Geneva of the Circle of International Information Officers; its representative continued to serve as Chairman for 1983. A display panel concerning WIPO, the Paris Convention and the PCT was shown in the exhibition "A Century of French Inventions" in Paris from April to June 1983.

Updated versions of the WIPO General Information Brochure were published in French in January 1983, in English in March 1983 and in Russian in May 1983.

Issues of the WIPO Newsletter were published in March, July and November 1983 in Arabic, English, French, Portuguese, Russian and Spanish.

Reports of the Joint Inspection Unit. In 1983, one report of the JIU was received concerning, among other organizations, WIPO: JIU/REP/82/12: "United Nations System Co-operation in Developing Evaluation by Governments." Comments were prepared by the ACC, and issued, relating to report JIU/REP/82/6: "Communications in the United Nations System," issued in 1982. The Director General had no separate

comments to make on the said report. The JIU report and the ACC comments were noted by the WIPO General Assembly at its session in September and October 1983.

During the period covered by this report, WIPO provided to the JIU, at its request, general information concerning the implementation of United Nations resolutions on the restructuring of the social and economic sectors, support costs and the use of common services in Geneva, and detailed information and statistics concerning library services and publications, for the purpose of the preparation of JIU reports.

V. Development Cooperation Activities, 1981 to 1983: Summary Tables

The following tables summarize WIPO development cooperation activities during the period between the two last sessions of the WIPO Conference and General Assembly (from November 1981 to September 1983). It covers such activities both in the field of industrial property and in the fields of copyright and neighboring rights.

Table I lists the developing countries (and organizations of developing countries, and territories) which have participated in such activities during the said period, and shows, for each, the form or forms of such participation.

Table II lists the countries and organizations which have contributed, during the two-year period, to development cooperation activities by providing money, facilities, experts and services.

TABLE I

Country, Organization, Territory	Training Programs	National Seminars	Regional Seminars	Advice and Assistance: Legislation, Pro- Institution Building	State-of- the-art Search Program
<i>AFRICA</i>					
Algeria	•	•		•	•
Angola	•				
Benin	•			•	
Botswana	•		•	•	
Burundi	•			•	
Cameroon	•		•	•	
Central African Republic	•			•	
Chad	•				
Congo	•			•	

Country, Organization, Territory	Training Programs	National Seminars	Regional Seminars	Advice and Assistance: Legislation, Pro- Institution Building	State-of- the-art Search gram
Djibouti				•	
Egypt	•			•	•
Equatorial Guinea	•				
Ethiopia	•		•		
Gabon	•			•	
Gambia	•			•	
Ghana	•		•	•	•
Guinea	•		•		
Ivory Coast	•		•	•	
Kenya	•		•	•	
Lesotho	•				
Liberia	•			•	
Madagascar	•				
Malawi	•		•	•	
Mali	•		•	•	
Mauritania	•			•	
Mauritius				•	
Morocco	•			•	
Niger	•			•	
Nigeria	•		•	•	•
Rwanda	•			•	
Senegal	•		•	•	
Sierra Leone			•	•	
Somalia	•		•		
Sudan	•		•	•	•
Swaziland	•		•	•	
Tanzania	•		•	•	
Togo	•		•	•	
Tunisia				•	
Uganda	•		•	•	
Upper Volta	•			•	
Zaire	•			•	
Zambia	•		•	•	•
Zimbabwe	•		•	•	•
OAPI			•	•	•
ESARIPO			•	•	
ARCT					•
CEPGL	•				

Country, Organization, Territory	Training Programs	National Seminars	Regional Seminars	Advice and Assistance: Legislation, Pro- Institution Building	State-of- the-art Search gram
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ASIA AND THE PACIFIC

Afghanistan			•	•	
Bangladesh	•		•	•	•
Bhutan			•		
Burma				•	
China	•	•	•	•	
Democratic People's Republic of Korea	•	•		•	
Fiji	•		•	•	
India	•	•	•	•	•
Indonesia	•	•	•	•	•
Malaysia	•	•	•	•	•
Maldives			•	•	
Mongolia	•			•	
Nauru			•		
Nepal	•		•	•	
Pakistan	•		•	•	•
Papua New Guinea	•		•	•	
Philippines	•		•	•	•
Republic of Korea	•		•	•	•
Samoa	•		•	•	
Singapore	•	•	•	•	•
Solomon Islands			•	•	
Sri Lanka	•		•	•	•
Thailand	•		•	•	•
Tonga			•	•	
Vanuatu	•		•	•	
Viet Nam	•		•	•	•
Hong Kong			•		
SPEC			•		

EUROPE

Turkey	•				•
Yugoslavia	•				

LATIN AMERICA AND THE CARIBBEAN

Argentina	•		•	•	
Bahamas	•				

Country, Organization, Territory	Training Programs	National Seminars	Regional Seminars	Advice and Assistance: Legislation, Pro- Institution Building	State-of- the-art Search Program
Barbados	•			•	
Bolivia	•		•	•	•
Brazil	•	•	•	•	•
Chile	•		•	•	
Columbia	•		•	•	•
Costa Rica	•			•	•
Cuba	•			•	
Dominican Republic				•	
Ecuador	•	•	•	•	•
El Salvador	•			•	•
Grenada				•	
Guatemala	•			•	•
Guyana	•				
Haiti	•			•	
Honduras	•			•	
Jamaica	•	•			•
Mexico	•		•	•	•
Nicaragua	•			•	
Panama	•	•		•	
Paraguay	•			•	
Peru	•		•	•	•
Saint Vincent and the Grenadines				•	
Suriname				•	
Trinidad and Tobago				•	•
Uruguay	•		•	•	•
Venezuela	•		•	•	•
Andean Group				•	

WESTERN ASIA

Bahrain				•	
Democratic Yemen	•				
Iraq	•			•	•
Israel					•
Jordan	•				
Kuwait	•			•	

Country, Organization, Territory	Training Programs	National Seminars	Regional Seminars	Advice and Assistance: Legislation, Pro- Institution Building	State-of- the-art Search Program
Oman	•				
Qatar	•			•	
Saudi Arabia	•			•	
Syria	•			•	•
United Arab Emirates				•	
Yemen	•			•	
FASRC	•			•	
AIDO					•
Totals 120	95	11	57	96	38

TABLE II

Country, Organization	Project Financing	Training Facilities	Trainees' Expenses	Experts, Lecturers	State-of- the-art Search Program
Algeria		•	•		
Argentina	•	•		•	
Australia	•	•		•	•
Austria		•	•	•	•
Belgium		•	•	•	
Brazil	•	•	•	•	
Bulgaria			•		
Canada	•	•	•	•	
Chile				•	
Colombia				•	
Costa Rica				•	
Czecho- slovakia			•	•	
Denmark				•	
Ecuador		•			
Egypt		•	•		
Finland		•	•		•
France	•	•	•	•	
German Democratic Republic		•	•		•
Germany (Federal Republic of)	•	•	•	•	•
Ghana				•	

Country, Organization	Project Financing	Training Facilities	Trainees' Expenses	Experts, Lecturers	State-of- the-art Search Pro- gram
Hungary		•	•	•	
India		•	•		
Israel		•	•	•	
Italy		•	•	•	
Japan				•	
Mexico		•	•		
Netherlands		•	•		
Norway		•	•		
Philippines		•			
Senegal		•			
Soviet Union		•	•	•	•
Spain	•	•	•	•	
Sweden	•	•	•	•	•
Switzerland	•	•	•	•	
Tunisia				•	
United Kingdom		•	•	•	
United States of America	•	•	•	•	

Country, Organization	Project Financing	Training Facilities	Trainees' Expenses	Experts, Lecturers	State-of- the-art Search Pro- gram
Uruguay				•	
Zambia				•	
Benelux Trademark Office		•	•	•	
CEC			•		
EPO	•	•	•	•	
OAPI		•		•	
RITLA				•	
UNDP	•		•		
CISAC				•	
EBU				•	
IFPI				•	
CDG			•		
CEIPI		•		•	
Max Planck Institute				•	
GEMA			•	•	
MCPS				•	
SIG				•	
SUISA		•	•	•	

Notifications

Paris Convention

Accession

SUDAN

The Government of Sudan deposited, on January 16, 1984, its instrument of accession to the Paris

Convention for the Protection of Industrial Property of March 20, 1883, as revised at Stockholm on July 14, 1967. Sudan has not heretofore been a member of the Paris Union.

The Paris Convention as revised will enter into force, with respect to Sudan, on April 16, 1984.

Sudan will belong to Class VII for the purpose of establishing its contribution towards the budget of the Paris Union.

Paris Notification No. 109, of January 16, 1984.

Patent Cooperation Treaty (PCT)**Accession****SUDAN**

The Government of Sudan deposited, on January 16, 1984, its instrument of accession to the Patent Cooperation Treaty (PCT), done at Washington on June 19, 1970.

The said Treaty will enter into force, with respect to Sudan, on April 16, 1984.

PCT Notification No. 41, of January 16, 1984.

Budapest Treaty (Microorganisms)**Ratification****AUSTRIA**

The Government of Austria deposited, on January 26, 1984, its instrument of ratification of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, done at Budapest on April 28, 1977.

The said Treaty will enter into force, with respect to Austria, on April 26, 1984.

Budapest Notification No. 35, of February 1, 1984.

Nairobi Treaty (Olympic Symbol)**Ratification****SRI LANKA**

The Government of Sri Lanka deposited, on January 19, 1984, its instrument of ratification of the Nairobi Treaty on the Protection of the Olympic Symbol, adopted at Nairobi on September 26, 1981.

The said Treaty will enter into force, with respect to Sri Lanka, on February 19, 1984.

Nairobi Notification No. 18, of January 23, 1984.

General Studies

Legal Aspects of Service Inventions in Israel

Y. TSUR*

The aim of this paper is to discuss the different legal aspects of service inventions. Israeli case law on this subject is most scanty and in fact at the time of writing these lines, there are just two decisions on service inventions, one given by the Commissioner of Patents¹ and the other by the President of the District Court of Tel Aviv.²

It must be pointed out that the subject of service inventions is relatively new. The Patents and Trade Marks Ordinance of 1924 did not cover it at all and until the enactment of the Patents Law of 1967, the laws in force, required for decisions on matters of service inventions, were the general rules of the law of contract and English precedents.³ In contrast, the Patents Law devotes an entire chapter (No. 8) to this topic.

A. What is a Service Invention

Section 132(a) of the Patents Law 1967 (hereinafter "The Patents Law") provides as follows:

"An invention by an employee, arrived at in consequence of his service and during the period of his service (hereinafter 'A service invention'), shall, in the absence of an agreement to the contrary between him and his employer, become the property of his employer, unless the employer renounces the invention within six months from the day on which notification under Section 131 is delivered to him."

This Section shows us two things: firstly, what conditions must be fulfilled before an invention will be considered as a service invention and, secondly, who has ownership in the service invention. Thus, for an

invention to qualify as a service invention three positive fundamental conditions must exist:

1. The subject matter must be in an invention, as distinct from that which is not an invention.
2. The invention must be that of an employee, that is, the employee-employer relationship must exist.
3. The employee must arrive at his invention (a) as a consequence of his service (b) in the period of his service.

Let us consider these conditions one by one:

1. Invention

As regards the first of the conditions I set out above, it is immaterial whether the invention is patentable within the meaning of Section 3 of the Patents Law or not,⁴ because in Section 132 of the Law the subject matter is an invention, not a patentable invention. Therefore, in anything relating to the rights of the employee and the employer in the invention, it is possible to apply to the Commissioner of Patents for a decision on the matter of a service invention whether or not a patent application in respect of the invention has been filed.

Therefore, the invention is required to fulfill the conditions that it is a product or process that can be used in industry or agriculture (conditions laid down in Section 3 of the Law). However, it does not have to be new, useful or comprise an inventive step (cumulative conditions which, if fulfilled only change the invention into a patentable invention).⁵ In other words, if the invention is not a product or process and only, for example, a mathematical formula, it is not a patentable invention within the meaning of the Patents Law and questions of whether it is a service invention or who has ownership of it are irrelevant. There will also not be an "invention" if the action of the inventor is limited to the discovery of natural forces. For something to be considered as an invention, the inventor must take steps in

* Commissioner of Patents, Designs and Trade Marks. This study was submitted for publication in 1982 and analyzes the state of the law up to that date.

¹ A decision of the Commissioner of Patents given in relation to a dispute between "Yissum Company for the Development of Research of the Hebrew University of Jerusalem," and Dr. Benenson and Mr. Mersel. This decision was given on August 16, 1979, and has not yet been published.

² See the decision of Judge B. Cohen in the T.A. District Court, civil file 560/80 (motion no. 4710/80) given on November 29, 1980.

³ See on this topic "Foundations of the Laws of Copyright, Trade-marks, Patents and Designs," by Dr. Seligsohn, 1963, p.154. For the text of the Patents Law of 1967, see *Industrial Property*, 1969, p.79.

⁴ Section 3 of the Patents Law lays down that an invention which is patentable is "an invention, whether a product or a process, which is new, useful and susceptible of industrial or agricultural application, and which involves an inventive step...."

⁵ On this subject, I should mention that the Patents Law, in contrast to the Patents and Designs Ordinance, 1924, does not define the term "invention," and is content with the definition of "patentable" in Section 3 of the Law. Nevertheless, the definition of "invention" found in the Patents and Designs Ordinance cannot assist us in the need for a definition, because it contains most of the elements of a "patentable invention."

his activity that depend on his will and are not a consequence of natural forces.

There is a question whether, for example, an invention can be considered a service invention if it is concerned with "a method of therapeutic treatment of the human body" or "new varieties of plants or animals except microbiological organisms not derived from nature." On this point Section 7 of the Patents Law laid down that they may not be patented. In my opinion, an invention of this type will be considered as a service invention so long as the subject matter of the product or process can be used in industry or agriculture, despite the fact that the invention is not patentable, because Section 132 is concerned with an "invention" and not a "patentable invention."

2. *Invention of the Employee*

It is a condition that the employee/employer relationship must exist for an invention to be a service invention.

But this employee/employer relationship must be linked to the invention. It is possible that, despite its existence, the relationship of employee/employer will be irrelevant to the subject of the service invention if there was no link between the invention and the work. In connection with the employee/employer relationship, the normally applicable tests are in the framework of labor law. From what we can learn from these judgments, the labor court has abandoned the "supervising test" in favor of the "integrative test." This test, whose source is the judgment of Denning J.,⁶ lays down that a condition of integration in an enterprise is that there should exist a manufacturing enterprise, a service enterprise or another form of enterprise in which integration is possible, that the performed action is necessary to the usual activity of the enterprise and constitutes part of the usual organizational arrangement and, moreover, that there is no external factor. The person who performs the work is part of the organizational system of the plant and therefore is not considered as an external factor. One of the expressions of this integration can be that the removal of that person from his job would harm the usual day-to-day and current activity of the enterprise or service as distinguished from a situation wherein a person acts as an external factor for the benefit of the enterprise or service; the latter merely completes the activity of the enterprise or makes possible the activity of the enterprise.

3. *As a Consequence of his Service and in the Period of his Service*

(a) Section 132 of the Patents Law, in laying down the conditions which govern what inventions are service

inventions, demands that the employee must arrive at his invention "in consequence of his service and during the period of service." In the light of the existence of "and," the conjunction between the words "in consequence of his service" and "in the course of his service," we learn that these conditions are cumulative. In this matter Section 132 differs from Section 131 of the Patents Law, because this Section provides at the start that the employee is obliged to notify his employer in writing about any invention that he arrived at "in consequence of his service" "or" "in the period of his service."⁷

The concept "in consequence of his service" (and in fact also the term "during the period of his service") appears in the Invalidism (Recompense and Rehabilitation) Law (consolidated version), 1952; Section 1 of this Law defines the term "disablement" as follows:

"The loss of a faculty to perform an ordinary action, whether physical or mental, or the diminution of such a faculty with which a discharged soldier is afflicted as a result of one of the following occurring in the period of his service in consequence of his service...."⁸ (my emphasis).

A very far-reaching judgment consolidated this subject but this is not the place to discuss it. We can obtain from this judgment only one element which is relevant to our subject, which is that in order to decide whether the injury was caused to the soldier "in consequence of his service," the court examines the causal link between the military service and the disability or disease. In this matter the burden of proof falls on the soldier who is claiming rights to show that his disability was caused "in consequence of his service." It should be noted for the sake of completeness that the Invalidism Law, above, widened the category of invalids entitled to compensation under it, since, as a result of court judgments and actual cases that occurred, the Law was amended in 1965. It was laid down in Section 1(a) that:

"An injury occurring to a soldier or a discharged soldier shall be considered as having occurred in the period of his service in consequence of his service also if it was caused on the way to or from his base."

In other words, the legislator widened the term "in consequence of his service." Even if there was a weak causal link between the injury that occurred to the soldier or discharged soldier and his service (e.g., if the soldier were going on leave or returning from it), it is sufficient to found an entitlement to invalidism benefits.

As against this, the National Insurance Law (consolidated version), 1968, changed its approach to the concept of "in consequence of his employment," and laid down in Section 39 a presumption that every accident occurring to the employee during his work would be regarded as an accident occurring "in consequence of the work" if the opposite was not proved.

⁷ In relation to the meaning of Section 131 of the Patents Law, see the discussion below.

⁸ Here, after the words "in the period of his service," neither the conjunction "and" nor the word "or" appears.

⁶ *Stevenson Jordan and Harrison Ltd. v. M. Donald* (1952) T.L.R. 101.

It is clear that these two Laws, of a social character in their substance, were intended to widen the circle of those receiving invalidism benefits. For our subject we can learn from them one thing; the concept of "in consequence of work" or "in consequence of service" is a causal concept depending on the link between the event (in our case, the invention) and the service. Thus we may summarize by saying that the legislator in Section 132 of the Patents Law provided the principle of a causal link.

From the legislation I mentioned above we can learn a further point that the burden of proof of the existence of the causal link between the event and "the service" rests with the party that obtains profit from the existence of the causal link, unless the legislator prescribed otherwise.

We can also learn from Sections 134 and 135 of the Patents Law that the linkage or the causal link between the invention and the service is not required to be strong. Section 134 lays down that in the absence of an agreement determining whether, to what extent, and on what conditions the employee is entitled to remuneration for a service invention, the matter will be decided by the Compensation and Royalty Committee. Section 135 says that the Committee, in giving a decision under Section 134, will take into account, *inter alia*, the following factors:

"...the capacity in which the employee was employed and the nature of the connection between the invention and the employee's work...."

This Section shows us that even if there is a weak causal link between the invention and the employee's work, the employer owns the invention, but the remuneration to which the employee is entitled is higher. From Sections 134 and 135 of the Law we can learn about the requirement of Section 132.

According to Section 135, the nature of the link between the invention and the employee's work will serve as the basis for determining the level of the compensation or royalties. As the connection becomes weaker, the level of compensation rises, and vice versa. The invention will also be a service invention where the connection between the invention and the employee's job is not strong, but still exists.

It is proper to note, to complete the picture, that the Plant Breeders' Rights Law, 1973, has in it a section similar to (but not identical with) Section 132. Section 46(1) of the Plant Breeders' Rights Law, in the chapter headed "Variety Bred During or in Consequence of Service," prescribes as follows:

"(4) Where a worker had bred a variety in consequence of his service, the right to register a breeder's right in such a variety shall accrue to the employer unless otherwise agreed between them or unless the employer waives such above-mentioned right in writing within six months from the date under which the employee's notification under Section 45 is delivered to him."

From reading this Section, we see that the legislator omitted the requirement present in the Patents Law that the service invention has to be in consequence of his

service and in the period of his service. In the Plant Breeder's Rights Law, it is required that the invention be in consequence of his service. That is, it is possible that the invention of a plant will be after the period of service has ended; however, the plant will be considered as having been created in consequence of his service. The reason for this enactment is clear; because of the special characteristics of plant breeding, and because of the large number of years taken by the breeding process and in the nature of things, situations will arise where breeding done in consequence of service will not be during the period of service.

We can add to all these reasons the substance of what is written in Section 137 of the Patents Law. This Section is concerned with the duty of notification to be borne by a State employee, soldier, police officer or the employee of a State agency or enterprise designated by the Minister of Justice by order, or any other person receiving his wage from those aforementioned bodies, who invents an invention during the period of his service, or within one year after the termination of his service. Also, this invention must be within the scope of his functions, or of the work of the unit in which he was employed, and he must notify it to the State Service Commissioner or to another public servant as may be prescribed. In Section 137, the words "within the scope of the functions he exercised or of the work of the unit in which he was employed"—(referring to the State employee, the soldier or the police officer) parallel the words "in consequence of employment" in Section 132, and support the wide meaning inherent in the concept of "consequence of employment."⁹

(b) The term "period of service" is not a problematic concept and the idea behind this term is that wherever employee-employer relations exist, as within the meaning of those links in section (2), above, those links do not exist in the context of the "period of employment" if the period in question or the relations have not started or have ended.

We have already seen that, in relation to soldiers, police officers and State employees, the legislator widened the definition in laying down Section 137. It was already mentioned above that if a person in these categories invents an invention within the scope of his functions or the work of the unit in which he is employed within the period of his service or one year after the termination of his service, he must inform the

⁹ Section 137 of the Patents Law prefers a wide interpretation for the term "employee"; therefore, in the definition of employee for the purpose of "a service invention" there is included "a person who receives his wage" from the State, from the army or from the police, or from a State agency or enterprise designated by the Minister of Justice by order. On this point, it is noteworthy that the Minister of Justice issued such an order on May 21, 1968 (see the Patents Order, designating agencies and enterprises pursuant to Section 137 of the Law, 1968), which designated the following agencies and enterprises for the purpose of Section 137: the National Insurance Agency; the Employment Service; the Broadcasting Authority; the Agency for Safety and Hygiene; the Authority for the Rebuilding and Clearing of the Rehabilitation Regions.

State Service Commissioner, or another public servant as may be prescribed. This is the only extra requirement that the legislator has laid down for State employees, soldiers and police officers. Other inventors are governed by Section 132.

B. Ownership of the Service Invention

Section 132 of the Patent Law shows the conditions to be fulfilled, which were mentioned above, if property in the invention is to vest in the employer. There are three situations where it will not so vest:

1. If the invention is not a service invention, as described above.
2. If there was an agreement between the employer and the employee that property in the invention would vest in the employee.
3. If the employer renounced the invention within six months from the day he was notified of it, in accordance with Section 131.

The requirement that property in the service invention vests in the employer applies in all the legislation above. For our purposes we shall discuss the different aspects related to the Israeli Patents Law. The broad rule is in Section 76:

"A person who files a patent application shall be regarded as the owner of the invention so long as the contrary is not proved."

Therefore, if an employee files a patent application, he will be considered as the owner of the invention¹⁰ until the employer proves the contrary, that is, that the invention is a service invention, but there could be circumstances in which the employer doesn't know in time that his employee has made a service invention, or he knows but fails to react in time (i.e., after six months have elapsed from the day the employee notified him of his invention). The question arises whether an employer thus placed has lost title to the invention.

When an employee applies for a patent for his invention (a service invention) the employer is able to oppose the employee's application under Section 30 if he does so within three months from the day the application was published in accordance with Section 26 of the Patents Law. The grounds of opposition in this case are based in substance on Section 31(3), which prescribes the following grounds: that "the opponent and not the applicant, is the owner of the invention."

At the same time, the fact that the employer is registered as the patent owner does not prevent the indication (on the invention) of the employee's name as the

inventor. As the Patents Law is also interested in the moral¹¹ dimension of the patent right, it provides that the name of the inventor shall be put on his invention.

Section 39 of the Law requires as follows:

"An inventor, for whose inventions a patent has been applied for, or his survivors, may request that his name be indicated in the specification, the register, and the patent certificate...."

Sections 40 and 41 prescribe the procedure for registering an inventor's name. It is interesting to note that the inventor cannot attach conditions or waive the right to indicate his name on his invention. Such condition or waiver has no validity.¹²

C. The Duties Imposed on the Employee Towards his Employer

The duties owed by an employee to his employer are as follows:

1. The duty to provide notification to the employer of an invention made in consequence of his service and during the course of his service with that employer.
2. The duty to disclose details of the invention to his employer.
3. The duty to help the employer in obtaining protection for the service invention.
4. The duty of confidentiality.

While the first three duties are interdependent and interlinked, the fourth is independent of these three.

5. Apart from the foregoing obligations, anyone who is in that category of employee covered by Section 137 has the further duty that he must not file a patent application abroad, save under special conditions prescribed in Section 138.

We will discuss these duties one by one.

1. In part A, above, we saw the duty of notification that falls on the employee to notify his employer about any invention he arrives at in consequence of his service or in the period of his service. This duty falls on the employee even before it is known whether his invention really is a service invention and its purpose, as we saw above, is to protect the employer.

2. An additional duty, derived from the employee's duty to notify his employer, is the duty to disclose details of the invention, which is found in Section 139 of the Patents Law, and reads as follows:

"A person who has delivered, or was obligated to make, a notification under this Chapter shall disclose to his employer, at any time, all the particulars of his invention, and any further particular relevant to the purposes of Section 132, 135, or 140."

¹⁰ The term "owner of an invention" is defined in Section 1 of the Patents Law as follows: "the inventor or a person deriving title under him, that is to say, a person entitled to the invention by law or by transfer or by agreement." There is a distinction between "owner of an invention" and "patentee." A "patentee" is defined in Section 1 as "the person registered in the Register as the person to whom the patent has been granted or to whom the ownership of the patent has passed."

¹¹ In this context, I use the concept "moral" in the current meaning of this term in the laws of copyright.

¹² Section 42 of the Patents Law provides as follows: "A stipulation by which the inventor waives the right to request the indication of his name shall be void."

Section 139 discusses the obligation to give notification under Section 131. This Section requires that the employee-inventor who arrives at his invention in consequence of his service or in the period of his service must give his employer all the details of his invention and any further relevant particulars, regardless of whether it has been determined to be a service invention or not. If his invention is found to be a service invention, the employee is required to inform his employer of the details so that the Compensation and Royalty Committee can decide on the recompense due to the employee for his invention, as prescribed in Sections 134 and 135. Furthermore, the employee is under a duty to give details of the invention to the employer.

3. An obligation derived from the duty of the employee to disclose details (stated above) is the duty to assist the employer in obtaining protection for the service invention (a duty found in Section 140). Therefore, the employee has to do everything required of him by the employer for the sake of receiving protection for the invention in the employer's favor, and to sign any document required therefor. The end of the Section lays down that if the employee does not cooperate and refuses to assist as aforesaid, then the Commissioner of Patents, after giving the employee an opportunity to cause his claim to be heard, may allow the employer to sign the documents, or do all that is required, so that he receives a patent in his own name in respect of the service invention.

4. An obligation that is self-contained, and independent of the other duties mentioned above, is the duty of confidentiality. This obligation falls equally on the employee and the employer (and also, in fact, on anybody to whom details have been given of the invention that the employee made). Section 141 prescribes on this point that so long as a patent application for a service invention has not been filed, the employee, the employer, or any person to whom the matter has been confided, shall not disclose particulars of the invention. The reason for prescribing this is obvious; if details of a service invention are disclosed, its registration as a patent will be harmed, as it will not then be "new" according to Section 3 (nor will it meet the criteria in Section 4). There is no sanction in support of this Section, save for the sanction that a patent will not be awarded in respect of the invention. On this point, it will be noted that in fact the employee and employer have a common interest in keeping details of the invention secret so long as a patent has not been granted in respect of it. Thus if a patent has not been granted, and a dispute arises as to whether the invention is a service invention or not, every party is interested, and hopeful that they will receive ownership of the patent. On the other hand, if the invention is not a service invention, then only the employee has an interest in not disclosing details of it, while the employer has no interest in it.

Nevertheless, we can say that in fact a general duty of confidentiality falls on the employee and the employer by virtue of what is said in Section 165(b) of the Patents Law, forbidding anybody from disclosing any information reaching him by way of the performance of the provisions of the Law and which has not been made accessible to the public, save as required, for carrying into effect the provisions of the Law or for filing a criminal action thereunder. A person who contravenes Section 165(b) falls under the authority of Section 193(a) of the Law, which prescribes a maximum penalty of two years imprisonment or a fine of up to 2,000 Israeli shekels for a person who publishes or passes information contrary to certain Sections of the Law, including Section 165.

5. An employee who is a State employee, soldier, police officer, or an employee of a State agency or enterprise designated by the Minister of Justice by order, or a person receiving his wage from any of these bodies (as stated in Section 137) is under an extra duty above and beyond those imposed on an ordinary employee outside the scope of this section. According to Section 138, he is forbidden to file an application for a patent or apply for another form of protection abroad unless one of the following circumstances exist:

1. he had received advance permission therefor from the State Service Commissioner or from another public servant empowered in that behalf; or
2. within six months from the date on which he invented his invention (under Section 137) it has not been decided that the rights in the invention have passed, wholly or in part, under Section 132 or by agreement, to the State or State agency or enterprise where he worked.

D. The Employee's Compensation for the Service Invention

An employee whose invention is a service invention as a consequence of a contract with his employer or because he arrived at his invention as a consequence of his service and within the period of his service, and ownership is waived, will be entitled to compensation for his invention. As a rule, the employee and the employer can reach an agreement on the royalties due to the employee. This can be done by way of a lump sum payment or royalties. If there is no agreement between them, the Compensation and Royalty Committee must decide. The Committee consists of three people appointed by the Minister of Justice, and the bench comprises a Judge of the Supreme Court (the chairman), the Commissioner of Patents, and a member of the teaching staff of an institution of higher education within the meaning of the Council for Higher Education

Law 1958.¹³ According to Section 135 of the Patents Law, this Committee must take into consideration, *inter alia*, the following factors in reaching its decision on the compensation to which the employee is entitled:

- “(1) the capacity in which the employee was employed;
- (2) the nature of the connection between the invention and the employee's work;
- (3) the initiative displayed by the employee in making the invention;
- (4) the possibilities of exploiting the invention and its actual exploitation.
- (5) expenses which according to the circumstances were reasonably incurred by the employee in order to secure protection of the invention in Israel.”¹⁴

¹³ See Sections 109 and 135 of the Patents Law.

¹⁴ A similar provision exists in Section 49 of the Plant Breeders Law 1973.

It is obvious that, as a rule, the stronger the link between the invention and the employee's initiative, the greater the compensation to which the employee is entitled, and that if the possibilities of exploitation are greater, the employee's compensation will also increase.

The compensation to which the employee is entitled for his invention is similar to maintenance in the respect that no decision on it is final, and it is possible to reconsider the matter if circumstances that existed at the time of the first decision have changed and if the Committee is requested to reconsider the matter in relation to compensation. Section 136 of the Patents Law does not entitle the Committee to award costs against the applicant, unless it is of the opinion that there were no grounds for the request.

Calendar of Meetings

Calendar

WIPO Meetings

(Not all WIPO meetings are listed. Dates are subject to possible change.)

1984

February 27 to March 24 (Geneva) — Revision of the Paris Convention for the Protection of Industrial Property — Diplomatic Conference, Fourth Session

April 2 to 6 (Paris) — Joint International Unesco-WIPO Service for Facilitating the Access by Developing Countries to Works Protected by Copyright — Working Group on Model Contracts Concerning Co-Publishing and Commissioned Works (convened jointly with Unesco)

April 9 to 13 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on General Information

May 3 to 11 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Groups on Planning and on Special Questions

May 7 to 11 (Geneva) — Committee of Experts on the Harmonization of Certain Aspects of Patent Law

May 14 to 25 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on Search Information

May 21 to 24 (Geneva) — Conference on Inventors (convened jointly with the International Federation of Inventors' Associations)

June 4 to 8 (Geneva) — Committee of Experts on Private Copying of Works Protected by Copyright (convened jointly with Unesco)

June 18 to 22 (Geneva) — Group of Consultants on Legislative Provisions for Publishing Contracts (convened jointly with Unesco)

September 17 and 19 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on Developing Countries

September 18 to 21 (Geneva) — Permanent Committee for Development Cooperation Related to Industrial Property

September 18 to 21 (Geneva) — Permanent Committee on Patent Information (PCPI) and PCT Committee for Technical Cooperation (PCT/CTC)

September 24 to 27 (Geneva) — Ordinary Sessions of the Coordination Committee of WIPO and the Executive Committee of the Paris and Berne Unions

October 15 to 19 (Geneva) — Nice Union — Preparatory Working Group

October 22 to 26 (Geneva) — Committee of Experts on the Question of Copyright Ownership and its Consequences for the Relations between Employers and Employed or Salaried Authors (convened jointly with Unesco)

November 5 to 9 (Geneva) — Committee of Experts on Biotechnological Inventions

November 19 to 23 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Groups on Special Questions and on Planning

November 26 to 30 (Paris) — Committee of Experts on Copyright Problems Related to the Rental of Material Supports of Works (convened jointly with Unesco)

November 26 to 30 (Geneva) — International Patent Classification (IPC) Union — Committee of Experts

December 3 to 7 (?) (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on General Information

December 10 to 14 (Paris) — Committee of Experts on the Intellectual Property Aspects of the Protection of Folklore at the International Level (convened jointly with Unesco)

1985

September 23 to October 1 (Geneva) — Governing Bodies (WIPO General Assembly, Conference and Coordination Committee; Assemblies of the Paris, Madrid, Hague, Nice, Lisbon, Locarno, IPC, PCT, Budapest, TRT and Berne Unions; Conferences of Representatives of the Paris, Hague, Nice and Berne Unions; Executive Committees of the Paris and Berne Unions; Committee of Directors of the Madrid Union; Council of the Lisbon Union)

UPOV Meetings

1984

April 4 and 5 (Geneva) — Administrative and Legal Committee

April 6 (Geneva) — Consultative Committee

May 15 to 17 (La Minière) — Technical Working Party on Automation and Computer Programs

June 11 to 15 (Bet Dagan) — Technical Working Party for Vegetables

June 26 to 29 (Lund) — Technical Working Party for Agricultural Crops, and Subgroups

August 6 to 10 (Hanover) — Technical Working Party for Ornamental Plants and Forest Trees, and Subgroups

October 8 to 11 (Valencia) — Technical Working Party for Fruit Crops, and Subgroups

October 16 (Geneva) — Consultative Committee

October 17 to 19 (Geneva) — Council

November 6 and 7 (Geneva) — Technical Committee

November 8 and 9 (Geneva) — Administrative and Legal Committee

Other Meetings Concerned with Industrial Property

1984

European Patent Organisation: June 5 to 8 and December 4 to 7 (Munich) — Administrative Council

Inter-American Association of Industrial Property: May 16 to 19 (Montreal) — VIII Congress

International League Against Unfair Competition: March 23 (Frankfurt am Main) — Seminar on "Protection of Software and Firmware in 1984"; September 27 to 30 (Milan) — Congress

International Vine and Wine Office: April 9 to 29 (Montpellier) — Séminaire international supérieur de viticulture

Pharmaceutical Trade Marks Group: March 8 and 9 (Jersey) — 28th Conference — "Who?, What?, Whither?, Why? The Present and Future Role and Organisation of the Trade Marks Department in Industry"

Royal Patent and Registration Office: June 13 to 15 (Stockholm) — Symposium on the Centenary of the Swedish Patent System

Union of European Practitioners in Industrial Property: June 5 to 8 (Dijon) — "Congrès de Bourgogne"

1985

International Federation of Industrial Property Attorneys: June 3 to 7 (Augsburg) — World Congress

1986

International Association for the Protection of Industrial Property: June 8 to 13 (London) — XXXIII Congress