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Negotiating Group on Trade-Related Aspects
of Intellectual Property Rights, including
Trade in Counterfeit Goods

MEETING OF NEGOTIATING GROUP OF 13 JULY 1990

Chairman: Ambassador Lars E. R. Anell (Sweden)

Note by the Secretariat

1. The purpose of the meeting was to hear a report from the Chairman on the progress of his consultations on the basis of the composite draft text circulated informally to the Group earlier and to consider the further work of the Group, in particular in connection with the preparation of its profile for submission to the Group of Negotiations on Goods. An opportunity was also given for participants to raise any matter relevant to the work of the Group and for representatives of international organisations attending the meeting to inform the Group of recent activities of their organisations.

2. The Chairman reported to the Group on the further informal consultations he had held since 9 July on the basis of the draft composite text. These consultations had focused in detail on Part III of the text which dealt with standards. So far, the Sections dealing with copyright and related rights, trademarks, geographical indications, industrial designs and patents had been discussed. The consultations had been fruitful, particularly in clarifying the texts before the Group and in distinguishing between those differences of a mainly drafting character and those of a more substantial nature, which would need to be the subject of negotiations in the Group in the Autumn. While the consultations had been positive and held in a very constructive atmosphere, he struck a cautionary note: the consultations had not served to narrow significantly the gap on points where there were differences of substance. The number of such points, their complexity and the extent of the gap between participants in respect of many of them were such that the task of reaching an agreement in the Autumn remained a formidable one.

3. The Chairman then turned to further arrangements for the work of the Group. He indicated that he would pursue his informal consultations over the weekend. On the basis of these consultations, he would then prepare a draft profile, which he hoped would be considerably simpler and clearer than the draft composite text, while still making clear the major options and the major differences of position that would have to be the subject of further negotiations. The draft profile would be available two days before the next meeting of the Group, which would take place on Friday 20 July. In response to a comment, the Chairman confirmed that the draft profile would be prepared and tabled under his responsibility and would not commit any participant.

4. The representative of Unesco, informing the Group of recent activities of Unesco in the copyright area, stated that in 1989 Unesco had helped one Latin American country to organise a nationwide symposium for discussion of a possible revision of its national law on copyright and neighbouring rights, and had helped to

draft such a comprehensive law. At the end of that year Unesco had also held, in Chile, a regional training course for judges and magistrates from Latin America. Unesco considered this function important because of the absence of teaching of copyright in many countries. For the same reason, Unesco had developed programmes for teaching at different levels. In June 1990 a meeting had been held for Arab States on the development of teaching in those countries. He added that the basis for these actions was Universal Copyright Convention ("U.C.C.") and that twenty-four countries were party only to this copyright convention - i.e. were not members of the Berne Union. Further, sixty countries were members of Unesco but not party to any international copyright convention. Unesco's action was therefore to invite them to join the U.C.C., since the level of standards in it was lower than that of those in the Berne Convention.