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

INFORMATION FROM OTHER INTERNATIONAL ORGANIZATIONS

Communication from the World Intellectual Property Organization

Addendum

The following information has been received from the International Bureau of the World Intellectual Property Organization.

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1. This document contains information on developments in activities of the World Intellectual Property Organization (WIPO) of relevance to matters under discussion in the Group. Reference is made to document MTN.GNG/NG11/W/20, which contains information on such activities which had taken place up to February 8, 1988.

(a) Counterfeiting/effective protection of intellectual property

2. The WIPO Committee of Experts on Measures Against Counterfeiting and Piracy met in April 1988. It considered draft model provisions for national laws, prepared by the International Bureau of WIPO, and made suggestions for their improvement. The documents relating to that session have been made available by WIPO to the Group (see document MTN.GNG/NG11/W/5/Add.6).

(b) Revision of Paris Convention

3. The fifth Consultative Meeting on the Revision of the Paris Convention for the Protection of Industrial Property took place in September 1988. It discussed the possible revision or introduction of Articles 1 (inventors' certificates), 5A (non-voluntary licences in case of non-working of a patented invention), 5quater (importation of products manufactured by a process patented in the importing country) and 10bis (geographical indications).

4. A sixth Consultative Meeting is scheduled to take place in September 1989, following which the Assembly of the Paris Union will discuss and decide on the continuation of the work on the revision of the Paris Convention.

(c) Patent law harmonization

5. The WIPO Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions held its fifth session in June and December 1988, and its sixth session in April 1989.

6. The Committee will hold its seventh session in November 1989.

(d) Trademark law

7. Work has begun on a draft treaty on the harmonization of trademark law. A first meeting of a committee of experts will be convened late in 1989 or in 1990.

(e) Integrated circuits

8. In preparation for the Diplomatic Conference for the Conclusion of a Treaty on the Protection of Intellectual Property in Respect of Integrated Circuits (see the following paragraph), four meetings took place in 1988: a consultative meeting of experts from developing countries, in May; a review meeting on the progress of the preparatory work for the diplomatic conference, in May and June; the fourth session of the Committee of Experts on Intellectual Property in Respect of Integrated Circuits, in November; and a preparatory meeting for the diplomatic conference, in November.

9. The diplomatic conference referred to in the preceding paragraph was held in May 1989 at Washington. It adopted the Treaty on Intellectual Property in Respect of Integrated Circuits. In addition to substantive norms concerning the protection of intellectual property in the layout-designs of integrated circuits and the integrated circuits themselves, the Treaty provides for consultation and settlement procedures, within the framework of WIPO, in case of disputes between States concerning the interpretation or implementation of the Treaty. The Treaty requires five ratifications or accessions for its entry into force.

(f) Biotechnological inventions

10. The WIPO Committee of Experts on Biotechnological Inventions and Industrial Property held its fourth session in October 1988. It discussed a document prepared by the International Bureau of WIPO and entitled "Revised Suggested Solutions Concerning Industrial Property Protection of Biotechnological Inventions."

(g) Model provisions in the field of literary and artistic works

11. The WIPO Committee of Experts on Model Provisions for Legislation in the Field of Copyright held its first session in February and March 1989. It considered proposed standards in the field of literary and artistic works for the purposes of national legislation on the basis of the Berne Convention for the Protection of Literary and Artistic Works.

12. The Committee will hold a second session in November 1989.

(h) Impact of emerging technologies on the law of intellectual property

13. A WIPO Worldwide Forum on the Impact of Emerging Technologies on the Law of Intellectual Property was held in Geneva in September 1988. The Forum examined the interrelationship of advanced or new technologies and the law of intellectual property, and dealt, in particular, with the following technologies: biotechnology; computer technology (including microchips, computer programs and the use of computers in creating, storing or recording information, sounds and images); new techniques of reproduction and communication (especially reprography and the transmission of audio and visual programs by satellite and by

cable).

14. Those problems were also examined in a WIPO Forum on the Impact of Emerging Technologies on the Law of Intellectual Property for African and Arab Countries, which was held in May 1989 in Cairo, and will be examined in similar meetings to be held for Asian and Pacific countries in Seoul in August and September 1989 and for Latin American and Carribean countries in Montevideo in December 1989.

(i) International registration of audiovisual works

15. Following two committee of experts' meetings, which took place in March 1988 and in November and December 1988, the Diplomatic Conference for the Conclusion of a Treaty on the International Registration of Audiovisual Works was held in April 1989 in Geneva. It adopted the Treaty on the International Registration of Audiovisual Works. The Treaty establishes an international register with WIPO in which interested parties may have statements concerning their rights in audiovisual works recorded. Statements thus registered must, in the Contracting States, generally be regarded true ("prima facie evidentiary effect"). The Treaty is intended to increase the legal security in transactions relating to audiovisual works and thereby, among other things, contribute to the fight against piracy of such works. The Treaty will enter into force once five instruments of ratification or accession are deposited.