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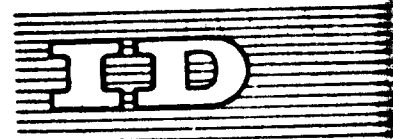
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Expert Group Meeting on the Organization and Administration of Industrial Property Offices ^{1/}

Vienna, 6 - 10 October 1969

**FINAL REPORT OF THE EXPERT GROUP MEETING
ON THE ORGANIZATION AND ADMINISTRATION
OF INDUSTRIAL PROPERTY OFFICES**

^{1/} Organized jointly by UNIDO and BIRPI (United International Bureaux for the Protection of Intellectual Property, Geneva).

We regret that some of the pages in the microfiche copy of this report may not be up to the proper legibility standards, even though the best possible copy was used for preparing the master fiche.

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I. INTRODUCTION

1. The Expert Group Meeting on the Organization and Administration of Industrial Property Offices, organized jointly by UNIDO and BIRPI (United International Bureaux for the Protection of Intellectual Property), was held at UNIDO headquarters in Vienna from 6 to 10 October 1969.
2. The participants included:
 - (a) Experts from IIP (International Patent Office) and OAMPI (African and Malagasy Industrial Property Office) and from the following countries: Austria, France, Hungary, India, Ireland, Switzerland, United Arab Republic, United Kingdom and Venezuela.
 - (b) Observers from the following countries: Austria, Bulgaria, China, Federal Republic of Germany, Ghana, the Holy See, Honduras, Italy, Ivory Coast, Liberia, Poland, Portugal, Republic of Korea, Romania, Spain, Sweden, Thailand, Togo, Tunisia, Union of Soviet Socialist Republics, United States of America.
 - (c) Representatives of UNIDO and BIRPI.

A list of the experts, observers and representatives who took part in the meeting is given in annex 5 of this document.
3. The meeting opened with a speech of welcome by Mr. I.H. Abdel-Rahman, Executive Director of UNIDO (see annex 1).
4. Mr. D. Ekani (OAMPI), Mr. S. Vedaraman (India) and Mr. P. Guérin (France) were unanimously elected Chairman, Vice-Chairman and Rapporteur, respectively, of the meeting.
5. The meeting heard and discussed the reports prepared by expert consultants that figured on its agenda. The work schedule of the meeting will be found in annex 3.
6. The meeting formulated certain conclusions and prepared a series of recommendations (below). The conclusions and recommendations were adopted unanimously at the close of the meeting.
7. At the invitation of the Chairman, participants paid a visit to the Austrian Industrial Property Office.

II. CONCLUSIONS AND RECOMMENDATIONS

8. The meeting adopted the following conclusions and recommendations:

Conclusions

- (i) The protection of industrial property, especially the system of inventor's patents, is one of the most important factors in promoting industrial development.
- (ii) To enable this system to achieve its purposes more rapidly in the developing countries, a number of conditions must be fulfilled, of which the most important is the transfer of technology, including know-how, to these countries.
- (iii) To ensure the effective and fruitful operation of the system of industrial property protection in developing countries, international collaboration in the form of groupings at the regional level is desirable.
- (iv) The structures and procedures of industrial property offices in developing countries should be changed so as to develop a system of investigation which would enable information on the "state of the art" and on the usefulness of the inventions for industrialization purposes to be obtained.
- (v) Co-operation between existing international agencies appears to be necessary, in particular with a view to granting increased assistance to developing countries.

Recommendations

The Expert Group

- (i) Recommends that UNIDO, BIRPI and IIB, as well as OAMPI and all international organizations concerned, should co-operate with a view to ensuring the co-ordination of their efforts so as to render their aid to developing countries more effective;
- (ii) Recommends that the developing countries should consider participating in the drawing up of international conventions in the field of industrial property and should study the advisability of acceding to any such convention, more particularly general conventions intended for universal application and conventions of a technical nature, and to take these into account when adapting national legislation to their needs in the light of the model laws drafted by BIRPI;

- (iii) Recommends that UNIDO, in co-operation with IIB and BIRPI, should assist developing countries with a view to enabling them to assess the technical value and economic usefulness of inventions for which patent protection is sought;
- (iv) Recommends that UNIDO should:
- (a) Take, within the framework of assistance granted to developing countries, all necessary measures:
 - To organize vocational training in the sphere of licensing;
 - To prepare a guide-book on licensing agreements;
 - To prepare a guide-book on the organization and administration of industrial property offices adapted to the needs of developing countries;
 - To increase the number of industrial property training courses;
 - To organize the sending of experts to developing countries;
 - To provide material technical assistance in equipping industrial property offices in developing countries.
 - (b) Take all necessary measures to assist existing or future regional offices, for example OAMPI on an experimental basis;
 - (c) Continue the studies already begun on the establishment of a technology bank;
 - (d) Undertake an immediate survey on the establishment of technological centres for the dissemination and transfer of technology, including know-how, and establish such centres without delay, if practicable.
- (v) Recommends that UNIDO, in preparing its future programmes, should take into consideration the list of recommendations made by the representative of India which will be attached to the report of the Expert Group.
9. The report which follows deals with the main points discussed during the meeting.

III. BRIEF SURVEY OF THE ROLE OF INDUSTRIAL PROPERTY IN INDUSTRIAL DEVELOPMENT

10. Although there are differences of opinion with regard to the legal basis of the industrial property right, which embraces such various rights as those in respect of new inventions (patents) and those in respect of distinguishing marks (trade marks), this right may be roughly defined as a monopoly granted by the State under certain conditions and with certain restrictions decreed and sanctioned by law.

11. In the main, the meeting devoted its attention to a scrutiny of the particular aspect of industrial property that is represented by patents. It is therefore this category of industrial property rights that will be dealt with here, although there may be a few digressions on the subject of trade marks, which the meeting sometimes took up in passing. It should also be noted that the meeting did not confine itself to examining the items on its agenda, but considered that these should be broached in the general context of the industrialization of the developing countries.

12. The essential features of the patent system, as it is generally accepted by countries with industrial property legislation (leaving aside arrangements arising out of the economic system of some countries, especially those with a socialist economy) are as follows:

- A monopoly is granted to the author of a new invention for the exploitation of that invention. This monopoly is territorial and temporary (the legal term of a patent is from 15 to 20 years on the average), and may exclude certain categories (chemical and pharmaceutical products, food). The owner of the monopoly may dispose of it entirely, or only of the right to exploit it (working licence exclusively).
- In return for the grant of a monopoly the invention must be disclosed to the public in such a way that it can be worked once the monopoly expires (invention that has become common property) and must also be worked in the territory where the patent is granted.
- Non-fulfilment of these conditions is punishable by law: nullity, revocation, compulsory licensing.

13. From this it follows that the purpose of a patent, from the beginning, has been not only to protect the inventor, but also to place his invention at the disposal of the public. A patent, therefore, was as much a reward for the disclosure of an invention and an incentive to technical progress as a recognition of the inventor's property right over his creation. This concept, moreover, fitted in perfectly with a protectionist policy for domestic industry, thanks to such devices as the imported patent.

14. For these reasons, and although the evidence on this point - still a subject of speculation - is only fragmentary, the patent system, in its modern, nineteenth-century connotation, appears to have been conducive to industrial progress in the western countries that adopted it, and there is no denying that industries were established, and flourished, in the shelter of patents. It must not, however, be overlooked that two factors considerably favoured the contribution of patents to industrial development in the nineteenth and beginning of the twentieth centuries. These were the uniform level of technology across the national frontiers of the western countries, and the relative simplicity of the state of the art. These two circumstances undoubtedly played an important part in the transfer of technology from one country to another, at a time when an innovation of foreign origin specified in a patent could be assimilated and applied immediately.

15. Nowadays, it must be noted, the situation is quite different. Not only is there a wide technological and industrial gap between developing and developed countries, but also the techniques described in patents (which are concerned, in the main, with advanced technology) are now so complicated that they cannot be used in industry without a technical know-how and experience which are lacking in many developing countries, as was pointed out on several occasions during the course of the meeting.

16. The meeting therefore endeavoured to ascertain to what extent industrial property as at present organized can be made to function in such a way as to enable it to continue playing the part it seems to have had originally (adjusting the role of industrial property offices is only one aspect of the problem), and whether, even apart from industrial property rights, there exist other solutions of an economic character that might be likely to encourage the transfer of technical know-how to developing countries.

1/ See, in particular, F. MACHLUP: Die wirtschaftlichen Grundlagen des Patentrechts (The Economic Basis of Patent Law), Weinheim Verlag Chemie 1962.

IV. PRESENT ORGANIZATION OF INDUSTRIAL PROPERTY

A. International organization of industrial property

17. As early as the end of the nineteenth-century the requirements of international trade and of growing industrialization, as also the dissemination of technical knowledge, led Governments no longer to confine themselves to their national legislation and to international private law, but to make arrangements at the international level for the protection of industrial property. The Paris Union Convention of 1883, the latest revision of which was made at Stockholm in 1967, lays down a number of principles that must be observed by the States parties to the Convention. Of these the two most important are the equal treatment of foreigners and nationals, and the right of priority system. All the developed countries, and most developing countries with industrial property legislation, are parties to the Paris Union Convention. Within the framework of the Convention special "agreements" signed by the countries concerned have enabled procedure on both the national and international planes to be simplified (international filing of trade marks, designs and models; common filing and single title under OAMPI; European Convention on Formalities), or have brought about improvements in the organization of industrial property offices (international classification of patents), or encourage the unification of patent laws. BIRPI (United International Bureau for the Protection of Intellectual Property) administers the Paris Union Convention and some of these agreements. Moreover, the World Intellectual Property Organization (WIPO) created at Stockholm in 1967, which will begin to function very shortly, is open to all countries desiring to take part in its work, even if they are not members of the Paris Union. It will be a forum for discussion and a body responsible for technical assistance to developing countries.

18. As a result of the Union Convention common principles have been introduced into national laws and it has been possible, through special agreements, for measures to be taken for simplifying and unifying national regulations with regard to patents. It is obvious that the existence of uniform laws and of the various technical agreements are a great help in increasing the number of patents filed in foreign countries, on account of the lessening or suppression of national demands and particularisms, thus bringing about a wider dissemination of technology.

B. Organization at the national level: examination and registration systems

19. Nevertheless, there are still considerable differences in systems for granting patents and these differences have even been growing more marked in recent years as a result of the attempts being made by some countries to seek solutions other than those provided by registration and preliminary examination systems previously in force. Mixed systems have also been set up combining registration and deferred examination. These various systems have been described by Mr. J.H. Comte (Switzerland) in his paper Novelty Examination of Inventions, (ID/WG.42/5) and there is no need to go over them again. Suffice it to point out that, although the registration system has on its side the merit of simplicity and of costing less, since the patent is granted speedily, without any examination for patentability apart from an administrative examination that requires neither the possession of technical documentation nor a highly specialized staff, the patent granted carries no guarantee of the novelty and usefulness of the invention. Inversely, examination - preliminary or deferred - brings certain guarantees on this head but, on the other hand, requires of the office practising such examination often considerable material and human resources that can be assembled only at great expense. Hence various attempts at recourse to international co-operation in this sphere. These attempts will be described below (para. 25 et seq.).

20. From the above it follows that the organization and administration of national property offices, while having numerous common features, will depend very largely on the system adopted for granting patents. This remark applies also to trade marks, which can be registered with or without examination of prior rights or their compliance with the law). Two reports on these questions were submitted to the meeting (ID/WG.42/7 and ID/WG.42/3).

21. The report submitted by Mr. T.J. Lennon (Ireland) on the Irish Patents Office (ID/WG.42/7) describes the organization of a relatively small industrial property office (to give an idea of its size: this office received 1,595 patent applications in 1967; whereas the patent offices of the United States, Netherlands and Morocco received in the same year 88,164, 17,892 and 449 applications respectively, according to BIRPI statistics), but which offers some interesting features. In the first place

it carries out preliminary examination both of patents and of trade marks and, secondly, it was created fairly recently (1927) after Ireland achieved independence - a situation not unlike that in a number of developing countries. The report by Mr. G.H. Thaler (Austria) on Modern Systems in the Administration of Industrial Property Offices (ID/WG.42/3) was based, on the other hand, on the imaginary case of an office working on the system of registration for patents and examination of trade marks only for compliance with the law. It should be noted that the author of the report deliberately chose these systems because of the bearing they would have on the situation of a newly-created office in a developing country, and for the obvious reasons of simplicity and cost mentioned in paragraph 19 (above), but he did not rule out the idea of adopting a more ambitious system at a later stage. This problem of choosing the system most likely to suit a developing country will be examined later (chapter V, para. 62), but it can be mentioned at this stage that the meeting decided definitely in favour of a system of examination (see Conclusions, point (iv)), although it did not specify what it implied by such a system.

22. Some points in the reports of Mr. Lennon and Mr. Thaler particularly occupied the attention of the meeting. Thus, under a system of examination (although this problem exists likewise under a registration system) the question arose whether legislation (and consequently office documentation) should respect the criterion of absolute or universal novelty as against relative or local novelty for the granting of a patent (see also document ID/WG.42/5 para 3). Although some participants considered that these two notions tended to come to the same thing in practice, because of the speed with which technical information is disseminated, it was pointed out that this was true of developed countries (the United Kingdom was quoted as a case in point) but much more doubtful as regards developing countries, which indeed derive little or no benefit from such dissemination.

23. Again, under a system of examination, a suggestion that outside examiners might be employed to make up for a temporary or permanent shortage of office staff was put forward but not accepted by the participants, who considered that recourse to a specialized international body such as the IIB was preferable (see para. 25).

C. International co-operation for the application of national systems

24. As already mentioned, procedures for the granting of patents, particularly those calling for a system of examination, require offices equipped with considerable resources: a staff of highly specialized technicians and lawyers, and a documentation constantly augmented by the extraordinary proliferation of technical publication. However, not only are the resources of some patent offices inadequate for carrying out their tasks in these circumstances, but also pure common sense demands that where no solution exists one should be sought in international co-operation for the purpose of ensuring proper resources at less cost. Indeed, several solutions have been found or contemplated. The first was to obtain the collaboration of a specialized body or, in its absence, to create one.

25. Thus, 1947 saw the foundation of the International Patent Office (IIB) the organization and functions of which are described in the report of its Director-General, Mr. Finniss (ID/WG.42/4). At present IIB is carrying out examinations as to novelty in order to implement the legislation of various countries (France, Netherlands, Switzerland and Turkey) - examinations which the patent offices of those countries could not have undertaken without the employment of resources beyond their individual means and which they could not have obtained except at a cost much higher than that of their financial participation in IIB.

26. Then, in 1962, came the establishment of the African and Malagasy Industrial Property Office (OAMPI) by a certain number of French-speaking African countries. Although these countries have chosen the registration system, the creation of national patent offices was still considered relatively too expensive for their individual resources, hence the establishment of a common office for all the member States, which issues a single title that is valid in the territory of each of them. Mr. Ekani, Director of OAMPI, had described in his report the organization and administrative structure of his Office (ID/WG.42/6), but it is worth dwelling on some of its original features.

27. Whereas IIB, through technical agreements concluded with the offices of the States parties to the international agreement which set it up, "takes over" a more or less important part, according to the particular case, of those States' regulations in respect of patents, for the implementation of which the national administrations retain responsibility, OAMPI assumes full responsibility, on behalf of its member States,

for such implementation. For each member State it acts as a national office for the application of legislation common to the States parties to the international agreement (Libreville Agreement of 1962) which defined its aims and organization and of which this legislation forms an integral part. Moreover, whereas IIB is partly financed by the subscriptions of its member States, OAMPI has an independent budget whose resources are drawn entirely from taxes levied on the various formalities that have to be carried out by the applicants for or the owners of industrial property rights.

28. It should be noted that although the uniform legislation of OAMPI constitutes the national legislation of its member States, the law nevertheless preserves the legal and economic prerogatives of those States in regard to the exploitation of the documents of title issued by the Office (infringement, non-working). Thus, should an abuse of a monopoly take place in the territory of a member State, the legal authorities of that State are empowered to impose penalties (compulsory licensing), having due regard to the national economic interest, which may differ from that of other member States, even if the abuse exists likewise within the territorial jurisdiction of those States.

29. The agreements of 1947 and 1962 establishing IIB and OAMPI respectively were concluded as "special agreements" under the terms of the Paris Convention of 1883. Some of their features, and one of their principal aims (to ensure the protection of industrial property at less cost to States and applicants for patents) reappear in some projects at present under study, such as the project for a European Patent and the project for a Patent Co-operation Treaty (PCT) drawn up on the initiative of BIRPI. Only the PCT project, which may be of interest to developing countries, was mentioned in the course of the meeting.

30. The PCT plan will also constitute a "special arrangement" under the terms of article 15 of the Paris Convention. It is designed to facilitate protection in several countries, named by the applicant, by means of a single patent application in one country (international application). This application will be the subject of an international examination as to novelty by the competent bodies (various patent offices working on the system of examination, and IIB) on the basis of uniform standards of novelty and documentation. The international application and the report of

the international examination will be published, as a rule, within eighteen months from the priority date of the application. These reports and the international applications will be sent to all the countries named by the applicants, and the national procedures for the grant of patents will then follow their normal course. The PCT plan makes provision for the States parties to the treaty and the applicants for patents to obtain, in addition, a preliminary report of the examination for patentability in respect of the invention for which an international patent application has been filed, to be prepared by certain patent offices using the examination system, and IIB. The advantages of the PCT plan are substantial: a single application for protection, a single examination as to novelty, a single preliminary examination for patentability, and a very quick international disclosure of the subject matter of the invention. For developing countries the PCT plan offers States and applicants for patents the opportunity of being well briefed, at less cost, on the usefulness of patent applications, and also the advantage of being able to limit the grant of a monopoly to inventions that warrant the issue of a patent, without being themselves obliged to set up an expensive preliminary examination system.

V. THE PROTECTION OF INDUSTRIAL PROPERTY IN DEVELOPING COUNTRIES

31. We have seen that the protection of industrial property seems to have contributed to the industrialization of the developed countries, but it must also be noted that industrial property rights have their origin in that very industrialization and have developed alongside it. In developing countries, however, or at least in most of them, the protection of industrial property was accepted as a responsibility regardless of the level of industrialization. Whereas the lawmaker is often led to translate facts into law, industrial property legislation, on the contrary, was introduced in these countries in the hope that it would play a helpful role in their future industrialization.

32. The participants made it clear that, viewed from this angle, the role of industrial property rights finally turned out to be, for the immediate future, less important than many people thought, and that therefore, if the problem of industrial development was to be solved, one must look beyond the necessarily limited purview of

such legislation. The Secretary-General of the United Nations came to the same conclusion in a report on The Role of Patents in the Transfer of Technology to Developing Countries, in which he said: "In the final analysis, the question of patents must be seen - and dealt with - in the broader context of facilitating the transfer of patented and unpatented technology to the developing countries, and enhancing the ability of the latter to adopt and use such foreign technology in the implementation of their development programmes".^{1/}

33. With these reservations, the meeting had good grounds for considering that the protection of industrial property in developing countries could first help to create a favourable climate for investments of foreign capital and technology, and then be used, subject to certain limitations and conditions, as a component of an industrialization policy. Finally, and apart from the question of industrial property rights, the meeting recommended that steps should be taken to encourage the transfer of the technical know-how contained in patents to the developing countries.

A. The protection of industrial property as a means of encouraging investment

34. The effect that the protection of industrial property in developing countries can have on foreign investment, as regards both investments of capital and technological investments, was the subject of a report by Mrs. Rondón de Sansó (Venezuela) entitled Industrial Property Offices as an Element in the Investment Climate (ID/WG.42/11). This question was also dealt with by Mr. Rizk (United Arab Republic) in his report on the Working of Protected Inventions in the Country as an Instrument of Industrial Development (ID/WG.42/8), which dealt particularly on the climate of confidence that must be created in order to attract the private capital which is the source of technological investment (see his report, pp. 5-9).

35. Examination of these reports, to which we shall return later, enabled the meeting to pick out a certain number of factors capable of exerting an influence on foreign technological investments, which, it was assumed, would be preceded or accompanied by applications for patents in the country concerned. It should be noted in this connexion that some participants considered that the filing of trade marks could also be of importance in this domain (see document ID/WG.42/11, especially pp. 8 and 9).

^{1/} E/3861/Rev.1 - para. 311.

36. The points taken up by the meeting were of a varied character, but may be grouped under three main headings: substantive law of industrial property, procedure (which involves the organization and administration of patent offices), and the cost of protection.

(1) Industrial property law

37. As regards the substantive law of industrial property, it was stated that legislation tending to weaken the effect of a patent because of too many restrictions placed on the monopoly in a country's economic interest (compulsory licensing, revocation, etc.) could only discourage technological investment, since the monopoly would always be liable to withdrawal. This opinion was not shared by other participants, who considered that legal restrictions attached to patent law had little or no effect on the number of foreign applications for patents (see the report on Technical Assistance as a Means of Improving the Administration of Industrial Property Offices, by Mr. Vedaraman (India), ID/WG.42/10, page 7).

38. The general question arose of ascertaining whether the protection systems currently in use in newly independent developing countries, most of which have been copied from the legislation of the former colonial Power, are in fact capable of meeting the country's needs. No really satisfactory answer could be given to that question, probably because there has not yet been enough time to build up experience on this point, as also regarding the application of the "model laws" drafted by BIRPI for the developing countries (see Recommendations, point (ii)). The most that can be said is that, from the psychological point of view, legislation not too far removed from that of the former colonial Power, with which potential applicants are already familiar, give such applicants more confidence in the protection afforded and make procedural matters easier for them; this is bound to have a favourable effect on the number of foreign applications.

39. Finally, the desirability of accession by developing countries to the Paris Convention was the subject of one of the meeting's recommendations (Recommendations, point (ii)). It seems likely that recognition of the principles of the Paris Union particularly those of equal treatment for foreigners and nationals, and the right of priority, will encourage foreign technological investment without placing obstacles in the way of measures taken, outside the industrial property domain, to encourage the transfer of technology.

(2) Procedure

40. The meeting recognized that the satisfactory operation of the industrial property office of a developing country is in itself a guarantee vis-à-vis foreign technological investments (see ID/WG.42/11, pp. 8-10). Satisfactory operation, however, depends on the presence of a number of factors relating to the organization and administration of the Office. The meeting was not able to examine all these factors, which are common to all such offices throughout the world and have been detailed in the above-mentioned reports on the organization of industrial property offices (ID/WG.42/7 and ID/WG.42/3), but concentrated on some of these factors that presented special problems for developing countries. It also recommended that a guide-book should be prepared on the organization and administration of industrial property offices adapted to the needs of developing countries (Recommendations, point (iv) (a), third sub-paragraph).

41. Apart from the question of novelty examination of applications for patents, which has already been mentioned (see paras. 19-23) and will be taken up again later, the following supplementary problems were discussed: assembly and classification of documentation, recruitment and training of staff, equipment.

(a) Documentation

42. The problem of documentation has several facets: its purpose, character, classification and cost. As regards its purpose, a distinction should be drawn between documentation designed simply for the information of the public and that intended to serve as a tool of the office: methods of use differ in the two cases. Thus, a card index of trade marks used for a preliminary examination by the office, or even simply for official publication purposes, must be assembled with an eye to the demands to be made on it, which might not be the same as those made on a card index prepared only for the use of the public. The character of the documentation will likewise depend on its purpose, and also upon the legislation in force. Thus, whereas documentation for trade marks would consist almost exclusively of trade marks already registered with the office, documentation in respect of patents would consist, not only of patents granted within the territorial jurisdiction of the country concerned, but also - especially under an examination system - of those issued

abroad, and would have to call upon the vast international fund of scientific and technical periodicals (see document ID/WG.42/5), pp. 7 and 8). In assembling such documentation, linguistic considerations must also be borne in mind (working language of the office, language of the country concerned, etc.), and a choice would have to be made between several documentation sources of varying usefulness and employing different languages.

43. Without even mentioning questions of classification and cost, it is clear that the assembling of documentation already raises difficult problems for a developing country. In that connexion one must be careful to notice that some of the provisions of industrial property legislation could have substantial implications that the office might not be in a position to meet (kind and scope of examination, languages used, etc.) without recourse to outside assistance.

44. The classifying of the documentation, for whatever use it is intended, is of prime importance and requires much care and labour, often at a high level of specialization. The meeting's attention was drawn to the existence of classification systems that considerably lighten this kind of work. Thus, BIRPI has drawn up a plan for the international classification of distinguishing marks. The international classification of patents worked out by the Council of Europe and already adopted by many countries will shortly become a truly universal classification, established by an agreement concluded under the terms of the Paris Union Convention. A diplomatic conference will be convened for that purpose, probably in 1970, on the initiative of BIRPI and the Council of Europe.

45. As already mentioned, the assembling of documentation, especially in respect of patents, raises many problems. The cost is obviously substantial, despite exchange systems put into practice by patent offices, and can be prohibitive for a developing country. To the extent that the office is not in a position to procure such documentation, solutions such as those suggested in the report in document ID/WG.42/10 (pp. 12-13), or recourse to a specialized body, such as IIB, or else the creation of regional intergovernmental centres, would seem to deserve study (see paras. 67-69). Some of these solutions, however, would mean that the country resorting to them would thereby deprive itself of the possibilities that the existence of such documentation in its own territory would open up. The problem must therefore be examined carefully, as a whole, particularly as regards guarantees of utilization and continuity offered by documentation institutions.

(b) Staff

46. The recruitment and training of administrative staff for industrial property offices was dealt with in some reports, especially those contained in documents ID/WG.42/6 and ID/WG.42/10. From the discussions that took place at the meeting it was apparent that the training of experienced staff is a heavy task for such offices, which sometimes have very limited possibilities of recruitment, or must take ethnic considerations into account (as in the case of OAMPI, a regional office).

47. In this domain, training courses carried out, as part of technical assistance, in the industrial property offices of the developed countries, notably courses run under the auspices of BIRPI, are essential. The meeting included among its recommended measures (Recommendations, (iv) (a), fourth sub-paragraph) an increase in the number of industrial property training courses. Moreover, although the subsequent job assignments of personnel who have attended the courses obviously fall within the exclusive province of their Governments, it is desirable that such personnel should be assigned to industrial property offices, or should not be later withdrawn from them. Indeed, it would be a pity if the skills acquired through these training courses were not put to full use in the countries that could benefit from them.

48. Side by side with the organization of training courses, or if necessary as a replacement for them, the sending of industrial property experts to developing countries (Recommendations, (iv) (a), fifth sub-paragraph) can help to improve the training of the office staff or even enable such training to be carried out on the spot. If it is necessary to make a choice between these two methods, say for financial reasons, it is worth noting that on-the-spot training, undertaken by an expert, may for the time being be more effective for the office, particularly if such training is given when the office is set up, or at the beginning of its activities (see document ID/WG.42/6, p. 10). Knowledge acquired by persons attending courses in the industrial property offices of developed countries sometimes needs to be re-examined when it is applied in the offices of developing countries, on account, in particular, of legislative and procedural differences.

49. The meeting discussed the part played by agents representing applicants for patents at the patent office. If they are not actually members of the office staff,

although their connexion with the office may come within the framework of government regulations (approved patent agents), it is nevertheless advisable to see that they receive a professional training. On this point, the particulars given in the report by Mr. Palos (Hungary) on the Administration and Organization of Industrial Property Offices in Centrally Planned Economies (ID/WG.42/9, p. 8) very much interested the meeting.

(c) Equipment

50. The meeting recommended that material technical assistance should be given to developing countries in equipping their industrial property offices (Recommendations, (iv) (a), sixth sub-paragraph). It would seem that assistance of this kind should cover both the traditional office and filing equipment required for a service such as an industrial property office (see document ID/WG.42/6, pp. 9 and 10), and also help of a technical kind in the most rational use of modern equipment (microfilm, punched cards, offset publications, etc.). The use of automation (data processing machines and computers, perhaps) can also be envisaged, as one of the participants suggested, but it necessarily involves, by its nature and cost, a full-time utilization that does not appear feasible at present in industrial property offices in developing countries, taken individually; it could, however, be considered if groupings on the regional level justify the use of such methods. In any case, it seems that the technical assistance of experts in office management would be very useful in all matters to do with equipment.

(3) Cost of protection

51. The cost of the protection of industrial property in a given country appears to be an important factor from the point of view of foreign enterprises when deciding whether protection should be sought in that territory. This factor is taken into consideration especially by big industrial undertakings whose policy leans towards securing the widest possible territorial protection.

52. On this subject the report given in document ID/WG.42/11 contains interesting information about Latin America, but the statistics supplied did not enable the meeting to arrive at any conclusion, except that there seemed to be "some connexion between high costs and a restriction of the volume of applications" (see the document mentioned above, pp. 11-15).

53. The discussions that took place on this point during the meeting showed that the cost of protection must be reckoned not in absolute but in relative terms, according to the economic strength of the country for which protection is requested. Consideration of the size of the territory concerned also comes into play, as may be seen from studies on systems involving single filing for several countries, such as the systems provided for in the Libreville Agreement (OAMPI), the PCT plan and the European Patent project.

54. Moreover, factors other than those of official tax rates and patent agents' fees enter into the calculation of the real cost of protection. We refer, in particular, to the internal expenses of enterprises wishing to take advantage of such protection. These expenses are in proportion to the importance of the administrative and technical tasks (preparation of the application, translations, correspondence with the patent office or the patent agent) involved in the procedures required by the office. Thus, a relatively simple and rapid registration system is much less burdensome for an enterprise as regards its internal operation than is an examination system. In the light of what is said in paragraph 53 it may be useful for a developing country to take this into account when introducing or amending industrial property legislation.

B. The protection of industrial property as part of an industrialization policy

55. The protection of industrial property within the framework of a developing country's industrialization policy particularly occupied the attention of the meeting, from whose discussion on this subject a number of points emerged.

56. The meeting first noted that although the number of applications for patents varied considerably from one country to another (Brazil, 8,178; India, 5,190; Venezuela, 1,883; United Arab Republic, 724; OAMPI countries, 437; Kenya, 104; Ghana, 76: according to BIRPI statistics, 1967), more than 75 per cent of these, and even, in some cases, all of them, were of foreign origin. Moreover, although it is difficult to verify the accuracy of this, it seemed that the great majority of these patents were not being worked in the countries that had issued them.

57. It was also suggested that these patents perhaps covered sectors of technology that were of little or no importance for the industrialization of the countries granting protection, or else that they might be in respect of inventions whose novelty was open to question.

58. Finally, it was noted that a patent could not be worked without possession of the requisite "know-how" - that is to say, in most cases, without the technological assistance of the owner of the patent - and also that the negotiation of licenses with the patentee for the working of his patent ran into many difficulties.

(1) Non-working - Remedies

59. No really satisfactory reason was put forward to explain the contradiction between the application for protection and the non-working of the patent issued. The United Nations report already quoted, on The Role of Patents in the Transfer of Technology to Developing Countries (see, in particular, chapter V, "Foreign patents without transfer of technology: Importation of patented products and processes") adopted the hypothesis of protection being sought for importation purposes only. Indeed, it seems that we may have here the main reason for the non-working of a patent in the territory of a developing country, although it is possible to envisage other considerations: protection with a view to possible future use, acquired habits, a tendency to seek - even if there is no need - the widest possible territorial protection when this is not too expensive.

60. However, that may be, and to the extent that one regards the working of a patent, for instance within the framework of an industrialization plan, as necessary, two policies can be followed:

- (1) The penalize non-working by giving effect to the various statutory provisions on the subject that are to be found in all industrial property legislation: revocation, compulsory licensing, licence of right, confirmation patent. These possibilities, which are analysed in detail in the above-mentioned United Nations report, are nevertheless theoretical, since even if a country's industrial potential enabled a patent to be worked, its actual working might still depend on the goodwill of the owner of the patent in view of

the need to the "know-how" without which the patented technology could not be put to use (see document ID/WG.42/10, p. 6 et seq). Moreover, it was pointed out during the meeting that some of these measures, such as the confirmation patent (see United Nations report, para. 281) had not produced the results expected.

- (2) To urge the patentee to work his patent, either himself or by granting a licence. This method of approach to the problem may not lead to its direct solution but seems nevertheless to offer some prospect of making a solution easier.

61. In the light of these considerations the meeting put forward several proposals designed to encourage the working of patents in developing countries, basing these, in particular, on suggestions in documents ID/WG.42/7 (pp. 8 and 9) and ID/WG.42/9 (p. 9). These steps would be taken with a view to following the progress of patents that had been issued, in order to ascertain whether they were being worked or not, and to encourage their exploitation when the patents were for inventions useful for the country's economy, as, for example, those relating to the processing of raw materials. This task could be entrusted to a specialized governmental agency (industrialization office) in liaison with the patent office, or could even be carried out by the patent office itself, to the extent that it is able to take on such economic functions, which lie outside the domain of industrial property. In this connexion the meeting noted with interest that BIRPI was conducting an inquiry on national agencies, governmental or private, concerned with promoting the commercialization of inventions. It is obvious, however, that before such an agency can be set up many legal and technical problems will have to be solved, especially the problem of examining applications for patents from the standpoint of their usefulness for the national economy.

(2) Examination of patents or applications for patents

62. The question of the examination of applications for patents, which is the subject of document ID/WG.42/5, has already been mentioned. It was agreed that, for developing countries, examination is desirable, but difficult to carry out: difficulties in assembling documentation and keeping it up to date, problems of recruiting

and training examiners. On this second point the United Nations report (para. 303) is also worth quoting: "It would be ... wrong to devote some of the ... scarce scientific resources to the building up of patent offices examining claims for patents to the detriment of other uses for those resources".

63. That is why it was suggested during the meeting that this examination, which would be carried out with the assistance of IIB, should be limited to selected applications for patents intended to be worked in industrial sectors whose development was to be encouraged (see documents ID/WG.42/5 and ID/WG.42/4 and the United Nations report, para. (9)). This examination could be made as part of a broader study of the state of the art in those sectors.

64. The meeting did not discuss the procedure for carrying out such examination at the national level. It did, however, consider a procedure that would be based on a registration system and the selection of patents important for the economic development of the country in question. The selection would be made by the "industrialization office" with the assistance of IIB. Examination of the patents for novelty would be compulsory before the negotiation of licences or before any legal proceedings. On the international level there could be no question as to the usefulness of a system such as the PCT plan (see para. 30), to which developing countries could adhere.

(3) Licences and know-how

65. When a patent of foreign origin was capable of being worked, it seemed that developing countries experienced difficulties, especially in regard to duration and fees, in obtaining the licence and know-how from the owner of the patent.^{1/} One of the participants revealed, moreover, that the transfer of know-how raised problems with regard to the secrecy to be observed by the recipient, which was often of longer duration than the patent licence agreement.

^{1/} On this subject see Report of the United Nations Conference on the Development of Petrochemical Industries in Developing Countries, Teheran 1964 (ST/TAC/SER.C/83, pp. 117 et seq).

66. This question, several features of which are discussed in the United Nations report (see, in particular, chapter IV: Production of Patented Products and Use of Patented Processes within the Developing Country) was not examined as a whole by the meeting, but some suggestions were made, particularly with regard to the preparation of a guide-book on licensing agreements, and to the establishment of a technology bank (Recommendations, (iv) (a), second sub-paragraph, and (iv) (c)). The technology bank project will be considered below (para. 70). The meeting also drew attention to the extreme importance, for developing countries, of having access to know-how, whether or not the technology in question was legally protected.

C. Technical assistance to developing countries within the framework of regional or international co-operation - establishment of specialized international agencies

67. The meeting agreed that the technical assistance that might be placed at the disposal of developing countries for the purpose of promoting their industrialization policies, especially in respect of the matters discussed in paras. 55 to 66 (remedies for the non-working of patents of foreign origin, examination of patents and patent applications, licences and know-how), could not be really effective unless it was carried out within the framework of regional and international co-operation, and through the medium of specialized international agencies (Conclusions, points (iii) and (v)).

68. Thus it was emphasized that, if the traditional tasks of a patent office could be combined with new tasks of an economic character designed to enable the patent office to act as an "industrialization office", it would be desirable for such an agency to be established on a regional basis. Although the problem of establishing regional offices was different for countries already possessing an industrial property office, those countries could nevertheless consider setting up a single filing system for patent applications by the method of creating regional industrial property centres. Until such centres could be created, it would be well to "take all necessary measures to assist existing or future regional offices, for example OAMPI on an experimental basis". (Recommendations, (iv) (b)).

69. The technical assistance that IIB can offer to developing countries, as regards both novelty examination of patents and patent applications and examination of the state of the art in particular industrial sectors, and also with regard to the training of examiners, would be more effective if it took the form of co-operation with a number of countries grouped in a regional organization, or of collaboration with a specialized international agency such as a technology bank.
70. The meeting welcomed the UNIDO project to set up, in co-operation with the International Association for the Protection of Industrial Property (AIPPI), an international agency that would facilitate the use of patented technology in developing countries by taking responsibility for licence fees, subject to a nominal charge to be paid by the licensee. This agency would also catalogue patents not being worked and not protected in developing countries, so as to place the technology they contain at the disposal of these countries by means of "guarantee certificates" granted by the international agency for the working of the patent in these countries, on the basis of confirmation or importation patents.
71. The meeting supported the continuation of the study on the project for a technology bank (Recommendations, (iv) (c)), which could also be responsible for drawing up licence agreements in developing countries. Some participants, however, had reservations about the proposed "guarantee certificates" system, which, by creating a new document of title, would give rise to weighty legal problems.
72. The meeting also expressed great interest in the suggestions put forward by some of the participants regarding the transfer of technology to the developing countries. These suggestions (see annex 2 of this report) should be studied in detail in order to ascertain the very important implications they may have in various domains, especially the legal domain, as regards both industrial property law and the competent international organizations.
73. On several occasions the meeting showed its full awareness that these various proposals and possibilities raised many problems, particularly in the area of finance, but it considered that the spirit of understanding which had permeated all the discussions gave grounds for hope that satisfactory solutions would be found.

ANNEX 1

OPENING ADDRESS
BY MR. I.H. ABDEL-RAHMAN, EXECUTIVE DIRECTOR OF UNIDO

It gives me great pleasure to welcome you to this Meeting on the Organization and Administration of Industrial Property Offices in developing countries.

The subject matter is well known to you, having had long years of valuable experiences in this field of operation, as public officers, concerned directly with patent offices.

The patent office is one of the instruments which could contribute to industrial development in the developing countries. This is why UNIDO is devoting special attention to this subject and is trying with your help to define ways and means through which its limited resources can be most effective towards this end.

There is enough evidence that patents systems have had a favourable effect on industrialization by encouraging research or invention, and inducing inventors to register their new solutions of technical problems thereby putting them in the stream of active development.

The patents system is also considered to constitute an inducement to invest in new productions and the protection of inventions is considered one of the elements to establish a favourable investment climate.

In many developing countries the patents law and patent office structure have been established relatively a long time ago.

With the economic and social changes occurring in these countries there is a definite need for modernizing the system and updating both patent law and office.

Some developing countries have devoted some attention to the organization of patent offices, their staffing, training of personnel and supplying with adequate resources. Others have still to make a start.

This meeting will be devoted to discussing various organizations of patent offices and recommending the most suitable of them to developing countries, together with the requirements to establish and administer an appropriate patent system.

In the organization of this meeting UNIDO is happy to have the benefit of the long standing experience of BIRPI and its co-operation.

I should also like to thank the experts who prepared discussion papers and are giving their time to collaborate with UNIDO in developing activities in this field for the benefit of the developing countries.

UNIDO is at an early stage in the development of its programme in the field of industrial legislation, patents and licensing. We are aware of the vastness of the task. I hope that this is the beginning of a programme of fruitful co-operation with yourselves and your organizations. May I again extend to all of you my best wishes for success in your deliberations and an agreeable stay in Vienna.

ANNEX 2

FINAL RECOMMENDATIONS OF MR. S. VEDARAMAN

1. An immediate review by UNIDO of the measures taken on the part of developed countries to encourage and assist the holders of patents and non-patented technology to facilitate the transfer to developing countries of technology both patented and non-patented including new technology at reasonable cost or
2. UNIDO should facilitate outright purchases by developing countries of appropriate technology (both patented and non-patented).
3. UNIDO should immediately set up Regional Technological transfer centres.
4. UNIDO to facilitate exploitation of patents should draw up model agreements for transfer of technology both patented and know-how or unpatented technology.
5. UNIDO should acquire the latest technology in such critical areas of social and economic importance as food and agriculture and transfer it to developing countries.
6. UNIDO should develop the association of industrial property experts (scientists and technologists) of the developing countries from the earliest stages in the process of transfer of technology so that the technology is absorbed within the indigenous research and development of the country concerned.
7. This meeting should form right now a permanent sub-committee of some experts to finalise appropriate institutional arrangements in connexion with these aspects of the transfer of technology.
8. The Secretary-General of the UN has reached the conclusion that none of the existing bodies is "exclusively geared" to the particular issue of the transfer of operative technology to developing countries and hence my suggestion to form such a body under UNIDO immediately.
9. UNIDO should persuade the developed countries to encourage the transfer of knowledge and technology to developing countries by permitting the use of industrial patents on the best possible terms which will enable products manufactured in developing countries to compete effectively in world markets.

10. UNIDO should also promote the elimination of restrictive trade practices relating to market distribution and price fixing which are imposed by enterprises in developed countries in granting licences for the use of patents and trade marks in developing countries.
11. UNIDO should provide guidance to industrial entrepreneurs in developed countries, investment opportunities on the export industries of the developing countries and familiarize them with the needs of patented know-how of the particular developing countries.
12. UNIDO must have a separate section offering technical training in industrial property matters to persons in the industrial property offices of developing countries.
13. UNIDO must have a separate section dealing with the modernization of patent offices by providing mechanical equipment, such as a computer, microfilming machines, technical documentation to be collected and spread over the various regions of the world.
14. UNIDO should survey the expired patents and make a list of the most outstanding ones and try to get the know-how and publish a gazette informing them of the availability to all developing countries.
15. We are aware some of the above recommendations are well within the purview of UNIDO. However, these may be passed on to the concerned people as all the delegates feel that all the above items are essential.

ANNEX 3

PROGRAMME OF THE MEETING

Monday, 6 October

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| 10 a.m. Registration | <u>Conference Room 709</u> |
| 11 a.m. Opening address | Mr. I. H. Abdel-Rahman
Executive Director |
| Election of officers | |
| Adoption of the agenda | |
| 2.30 p.m. Management of industrial
property offices | <u>Introduced by:</u>
Mr. J. J. Lennon, Controller
of Patents, Designs and
Trade Marks (ret.), Consultant
and Hearing Officer, Patents
Office, Dublin, Ireland. |

Tuesday, 7 October

- | | |
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| 9.30 a.m. Administration of industrial
property offices as an
element of the investment
climate | <u>Introduced by:</u>
Mrs. H. Sansó, Legal Adviser,
Patent Office, Caracas,
Venezuela. |
| 2.30 p.m. Working of protected inven-
tions in the country as an
instrument of industrial
development | <u>Introduced by:</u>
Mr. M. A. Rizk, Director of the
Patents, Industrial Designs and
Models Registration Office,
Cairo, United Arab Republic. |

Wednesday, 8 October

9.30 a.m. Modern office systems in the administration of industrial property offices

Introduced by:
Mr. G. H. Thaler, President,
Austrian Patent Office,
Vienna, Austria

2.30 p.m. Novelty examination of inventions

Introduced by:
Mr. J. L. Comte, Federal Office
of Industrial Property, Berne,
Switzerland.
and
Mr. G. Finnis, Director General,
International Patent Institute,
The Hague, Netherlands.

6 p.m. UNIDO reception

Thursday, 9 October

9.30 a.m. Experience of the regional industrial property office at Yaoundé (OAMPI)

Introduced by:
Mr. D. Ekani, Director of
OAMPI

2.30 p.m. Administration and organization of industrial property offices in centrally planned economies

Introduced by:
Mr. G. Pálos, Legal Adviser,
National Office for Inventions,
Budapest, Hungary.

Technical assistance as a means of improving the administration of industrial property offices

Introduced by:
Mr. S. Vedaraman, Controller-
General of Patents, Designs
and Trade Marks, Bombay, India.

Friday, 10 October

9.30 a.m. Discussion of draft report including conclusions and recommendations

ANNEX 4

LIST OF DOCUMENTS PREPARED FOR THE MEETING

I. Information Papers

Plan of meeting	ID/WG.42/1
Provisional agenda and work schedule	ID/WG.42/2/Rev.1
Provisional list of participants	ID/WG.42/12
List of documents	ID/WG.42/13
Programme	ID/WG.42/14

II. Issue Papers

Modern systems in the administration of industrial property offices	ID/WG.42/3
The International Patent Institute and the developing countries	ID/WG.42/4
Novelty examination of inventions	ID/WG.42/5
Experience of a regional industrial property office	ID/WG.42/6
Management of industrial property offices: Irish Patents Office	ID/WG.42/7
Working of inventions in the country as an instrument of industrial development	ID/WG.42/8
Administration and organization of industrial property offices in centrally planned economies	ID/WG.42/9
Technical assistance as a means of improving the administration of industrial property offices	ID/WG.42/10
Industrial property offices as an element of the investment climate	ID/WG.42/11

ANNEX 5

LIST OF PARTICIPANTS

I. Experts

Mr. Jean-Louis Comte

Chief of Section I.a and President of a Patents Section,
Federal Office of Industrial Property,
Berne, Switzerland.

Mr. Denis Ekani

Director of the African and Malagasy Industrial Property Office,
Yaoundé, Cameroon.

Mr. Guillaume Finniss

Director-General,
The International Patent Institute,
The Hague, Netherlands.

Mr. Philippe Guérin

Legal Adviser, attached to the Directorate of the
National Institute of Industrial Property,
Paris, France.

Mr. John Joseph Lennon

Consultant and Hearing Officer, Patents Office,
Dublin, Ireland.

Mr. George Pálos

Legal Adviser,
National Office for inventions,
Budapest, Hungary.

Mr. Mohamed Abdelmonem Rizk

Director of Registration Office (Patents, Industrial
Designs and Models Controllate),
Gizeh, United Arab Republic.

Mrs. Hildegard Rondón de Sansó

Legal Adviser in the Patent Office,
Caracas, Venezuela.

Mr. Gottfried Hanne Thaler
President of the Austrian Patent Office,
Vienna, Austria.

Mr. Subramaniam Vedaraman
Controller-General of Patents, Designs and Trade Marks,
Bombay, India.

II. International organizations

International Association for the Protection of Industrial Property (AIPPI):
Mr. Fritz Schönherr, Executive Vice-President of the Austrian National
Group, Vienna, Austria.

International Patent Institute (IIB): Mr. Robert Weber, Chief of Division,
The Hague, Netherlands.

III. Observers

Austria: Mr. Kurt Springer, Austrian Patent Office, Vienna, Austria.
Mr. Thomas Lorenz, Austrian Patent Office, Vienna, Austria.

Bulgaria: Mr. Dimo Kamburov, First Secretary and alternate represen-
tative to UNIDC, Vienna.

China: Mr. Kuo-Chu Toh, Technical Counsellor for Economic Affairs,
Permanent Mission to the United Nations at Geneva.

Federal Republic
of Germany: Mr. Ulrich C. Hallmann, Administrative Adviser in the
German Patent Office, Munich.

Ghana: Mr. Hopefield Kofi Yomekpe, Consul-General of Ghana in
Switzerland, Geneva.

Holy See: Monsignor Giovanni Moretti, Vatican City

Honduras: Mr. Ewald Kloser, Consul of Honduras, Vienna.

Italy: Mr. Giorgio Ranzi, Director-General, Ministry of Industry,
Rome.

Ivory
Coast: Mr. Amoakon-Edjampan Thiémélé, Counsellor of the Permanent
Mission in Geneva.

Liberia: Mr. Henry B. PaaSewe, Archivist, Department of State, Monrovia.

Poland: Mr. Bogdan Janicki, Chief of Section for Co-operation with Foreign Countries in the Polish Patent Office, Warsaw.
Mr. Tadeusz Jarno, Deputy President of the Polish Patent Office, Warsaw.

Portugal: Mr. Jorge Vanzeller Garin, Lisbon.

Republic of Korea: Mr. Dong Kyu Park, Third Secretary, Korean Embassy in Austria.

Romania: Mr. Constantin Virgil Negoita, Expert in the National Council for Scientific Research, Bucharest.

Spain: Mr. Ernesto Rúa Benito, Chief of Section, Spanish Industrial Property Office, Madrid.

Sweden: Mr. Claës Ugglä, Chairman, Board of Appeals, Royal Patent Office, Stockholm.

Thailand: Mr. Sakdichai Bamrungphong, alternate representative to UNIDO, Royal Thai Embassy, Vienna.
Mr. Montri Jalichandra, Third Secretary, Royal Thai Embassy, Vienna.

Togo: Mr. B. K. A. Claude Johnson, Chief of the Industrial Property Division, Ministry of Industry, Lome.

Tunisia: Mr. Hassouna Ben Ali, Director of the Ministry of Industry and Commerce, Tunis.

Union of Soviet Socialist Republics: Mr. Ilyin, Deputy Chief of Department, State Committee on Inventions and Discoveries.

United States of America: Mr. Martin Hartmann, Office of International Patent and Trademarks Affairs, U.S. Patent Office, Washington.

IV. Secretariat

United Nations Industrial Development Organization:

Mr. Azmi A. Afifi,
Acting Director, Industrial Services and Institutions Division

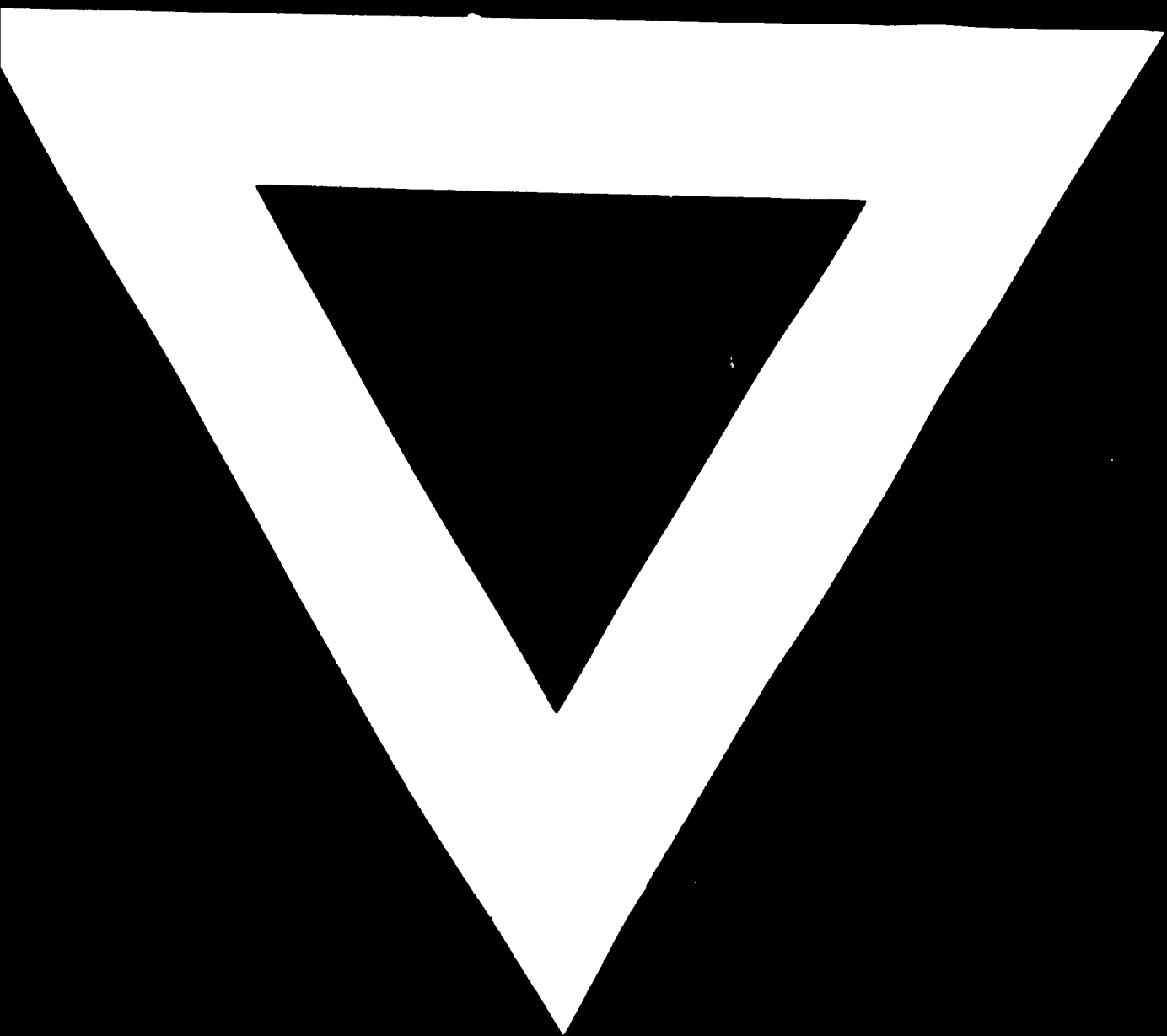
Mr. Vladimir Dolezil,
Industrial Development Officer, Industrial Services and Institutions Division

United International Bureaux for the Protection of Intellectual Property:

Mr. Joseph Voyame,
Vice-Director

Mr. Klaus Pfanner,
Head of the Industrial Property Division





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