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**Council for Trade-Related Aspects
of Intellectual Property Rights**

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TECHNICAL COOPERATION ACTIVITIES: INFORMATION FROM DEVELOPED COUNTRY MEMBERS

Supplement

Spain

The present document reproduces information on Spain's technical and financial cooperation activities relevant to the implementation of the TRIPS Agreement, which has been received from the Permanent Mission of Spain by means of a communication dated 4 November 1996.

1. Spanish technical cooperation in the area of industrial property

- (a) Spain has a long tradition of industrial property technical assistance to developing countries, and has been carrying on activities to this end since 1982.
- (b) The beneficiaries of this cooperation are basically the Spanish-speaking, that is to say Latin American, countries. Spain has signed 18 bilateral memoranda with these countries.
- (c) Spanish cooperation is financed from the general budget of the Spanish Patents and Trade Marks Office (OEPM), which covers the technical cooperation personnel costs and other expenditures for various activities.
- (d) In general, it is preferred to provide technical assistance activities (personnel training, sending of experts for specific projects, seminars, exchange of information etc.) rather than "direct" financing such as, for example, the provision of electronic office machinery.

2. Detailed description of the technical cooperation

(a) Multilateral cooperation

The main forums used by Spain to provide development aid in the area of intellectual property are two international organizations: the World Intellectual Property Organization (WIPO) and the European Patent Office (EPO).

(i) Cooperation with WIPO

WIPO offers an extraordinarily wide range of cooperation activities. Spain participates in the following activities:

- Specific training: On request from developing countries and WIPO, OEPM has also provided two-week training courses for experts. Two courses are held in Madrid every year.

One of these courses is devoted to theoretical and practical training of 16 patent examiners, each trainee being assigned an OEPM tutor. OEPM funds the travel and subsistence costs of seven trainees.

The other course is aimed at the executive officials of Latin American industrial property offices, and fundamentally provides instruction on general legal aspects of industrial property and international treaties in this area.

Spain's participation in these annual training programmes dates back to 1976.

- Information and/or training visits: At the request of WIPO, every year OEPM receives delegations of experts of all levels from developing countries. These are one or two-day visits designed to demonstrate the structure or functioning of OEPM, including mechanisms for the examination of protection applications and the specific administrative and financial issues of concern to an industrial property office.
- Participation in courses and seminars organized by WIPO: The courses and seminars organized by WIPO every year in Geneva notably include the WIPO Academy, to which an OEPM official is sent in order to lecture on international aspects of industrial property.

(ii) Cooperation with the European Patent Office (EPO)

These technical cooperation activities focus exclusively on patents. The EPO establishes its own programme of work, but it also cooperates in programmes funded by the European Union.

(iii) Cooperation with WIPO and EPO

There are some tripartite cooperation programmes in which the OEPM, WIPO and EPO participate, such as the cooperation programme with China.

This programme concerns the comprehensive modernization (trade marks, patents, organizational aspects etc.) of China's industrial property office.

(b) Bilateral cooperation

This is the most important technical cooperation carried out by Spain in the industrial property area. The bilateral memoranda, which date back some 15 years, are periodically updated to include new activities and focus on the new needs of the countries concerned.

Broadly speaking, the cooperation activities are the following:

- (i) Sending of experts to Latin American offices for the following tasks:
 - Assistance in adjusting legislation to the TRIPS Agreement;
 - assistance in carrying out patent examinations, including search reports on prior art;

- assistance in creating ad hoc industrial property databases;
- assistance in organizational structuring of industrial property offices, including the drafting of standards;
- assistance in rationalizing procedures for granting of trade marks;
- assistance in outreach activities (organization of seminars, exhibitions, inventors' fairs, etc.);
- assistance in activities relating to international patent classification (IPC) and classification of products and services for the purposes of the international nomenclature for the registration of marks established under the Nice Agreement.

(ii) Organization of information visits

These cases concern on-site training of staff from Latin American countries with which a cooperation memorandum has been signed. Depending on the training needed, OEPM tutors are assigned for "à la carte" activities adapted to the trainees' needs.

Some 10 such visits are received every year.

(iii) Exchange of patent documents and CD-ROMs with Latin American countries

The purpose of the exchange of patent documents between OEPM and Latin American industrial property offices is the functioning of the Spanish-Language Patent Documentation Centre.

A list of the bilateral memoranda signed with Latin American countries is annexed.

Bilateral Memoranda Signed with Latin American Countries

Country	Initial Agreement	Updated
Argentina	12.11.1982	
Bolivia	12.11.1982	
Brazil	16.6.1983	19.12.1988 13.4.1989 6.10.1989 29.12.1993
Colombia	12.11.1982	
Costa Rica	20.1.1983	26.6.1995
Cuba	12.11.1982	19.12.1995
Chile	12.11.1982	24.1.1995
Ecuador	12.11.1982	
El Salvador	12.11.1982	31.10.1984
Guatemala	16.9.1986	
Honduras	1.1.1983	
Mexico	22.4.1982	7.6.1985 27.7.1994
Nicaragua	1.10.1984	
Panama	12.11.1982	
Paraguay	12.11.1982	
Peru	12.11.1982	
Uruguay	12.11.1982	9.5.1995
Venezuela	12.11.1982	