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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

Germany

The present document reproduces information on Germany's technical and financial cooperation activities relevant to the implementation of the TRIPS Agreement, which has been received from the Permanent Mission of Germany by means of a communication dated 11 November 1996.

For the information of the Council for TRIPS, please find the following list of current and future technical cooperation projects with developing countries, falling within the aegis of the Federal Ministry of Justice, and, in terms of the exchange of information, with other states, especially the MOE and NUS states:

GERMAN PATENT OFFICE

Current Projects:

- Training programme for civil servants from developing countries

States concerned in 1996:

Ethiopia, Kenya, Malawi, Mongolia, Nepal, Samoa, Sri Lanka, Trinidad, Tobago, Zambia and Zimbabwe.

Duration:

In 1973, the programme was initiated for an indefinite period. Annual, three-week training events are organized.

Aim:

Modernization of the patent systems and Patent Offices in the developing countries. Training is to provide experts from the developing countries with a knowledge of the structure and organization of an examining patent office and on the administration of the individual types of property rights. Additionally, the participants are to be familiarized with the procedure for the grant of patents and with the work of a patent examiner.

Description of the project:

As a rule, the annual training seminars cover the following areas: patent documentation and classification, extension and care of the search file, basics of the protection of designs, trademarks and employees' inventions, search and drafting of search reports.

- Drafting of search reports for developing countries

States concerned in 1995:

Argentina, Chile, Cuba, Ecuador, Egypt, India, Malawi, Malaysia, South Africa, Viet Nam and Zimbabwe.

Duration:

Indefinite.

Aim:

Informing the developing countries of the state of the art.

Description of the project:

On request, the German Patent Office drafts 100 search reports per year for developing countries free of charge.

- States of Central and Eastern Europe:

Cooperation in the context of the European Commission's PHARE-RIPP project.

States concerned in 1996:

Latvia, Lithuania, Hungary and Romania.

Duration:

The programme was initiated in January 1993 and is intended to continue until the end of 1998.

Aim:

Modernization of intellectual and industrial property rights in the states of Central and Eastern Europe.

Description of the project:

The German Patent Office organizes training for experts from the states of Central and Eastern Europe, in 1996 from Latvia, Lithuania, Hungary and Romania.

- Slovenia:

Support of training in copyright law and industrial property rights.

Duration:

The project was initiated in June 1994 and is intended to terminate in February 1997.

Aim:

Practical training for Slovenian experts in the area of patent, trademark and design rights, as well as copyright.

Description of the project:

The measures consist of experts going to Slovenia and Slovenian experts attending training courses at the German Patent Office. Also, copyright projects have been carried out since 1995. In the autumn of 1996, amongst other things a seminar is being organized on product piracy in the area of copyright law and on the role and practice of the German Patent Office as a supervisory body in accordance with the Copyright Protection Act (Urheberrechtswahrnehmungsgesetz).

- Ukraine:

Cooperation with the State Patent Office of Ukraine in the context of the European Commission's TACIS Project.

Duration:

Cooperation was started in 1994 and is planned to continue until the end of 1996.

Aim:

Practical training of Ukrainian experts in the area of trademark law.

Description of the project:

Cooperation covers both German experts travelling to Kiev and training measures for Ukrainian experts at the German Patent Office.

- China:

Cooperation with the Chinese copyright authority.

Duration:

The project started in 1995 and is intended to be terminated in the autumn of 1996.

Aim:

Support for China in establishing and developing copyright collecting societies.

Description of the project:

Various information trips for Chinese delegations to the German Patent Office, some of several months' duration, in the context of which visits are made to several copyright collecting societies.

A concluding measure is to be the journey to China planned in the autumn of 1996 by a delegation of the German copyright collecting societies.

- Thailand

Project to further the system of industrial property rights.

Duration:

Implementation of the project was commenced in November 1995. The project is intended to last for four years.

Aim:

Modernization of Thai legislation and of the administrative procedure in the area of industrial legal protection and of improving public access to patent information.

Description of the project:

The measures consist of experts being sent to Thailand and of residential courses at the German Patent Office. Since April 1996, as a long-term measure, a German expert has been working on coordinating the measures at the Department of Intellectual Property in Thailand.

- Exchange of the results of search and examination

States concerned:

China, Croatia, Hungary, Mongolia, Russian Federation, Slovenia, Slovak Republic and Thailand.

Duration:

Indefinite.

Aim:

Reciprocal provision of information regarding the registration of industrial property rights, for which a priority of the other country has been claimed.

Description of the project:

The German Patent Office has agreed with the Offices in the countries named that the results of search and examination will be exchanged on a regular basis.

- International exchange of specifications

States concerned:

Algeria, Argentina, Australia, Belarus, Brazil, Bulgaria, Canada, China, Colombia, Croatia, Cuba, Czech Republic, Egypt, Estonia, Hungary, India, Indonesia, Israel, Japan, Kazakhstan, Kyrgyz Republic, People's Republic of Korea, Republic of Korea, Latvia, Lithuania, Mexico, Moldova, Mongolia, Norway, Philippines, Poland, Romania, Russian Federation, Slovak Republic, Slovenia, Thailand, Tunisia, Turkey, Ukraine, United States, Uzbekistan and United Arab Emirates.

Duration:

Indefinite.

Aim:

Reciprocal provision of information on publications in the area of copyright law and industrial property rights.

Description of the project:

The German Patent Office exchanges patent specifications and other publications with the states named.

Intended Projects:

- Turkey

Support of industrial property rights.

Duration:

The project is intended to begin in January 1997 and to last for four years.

Aim:

Modernization of the administrative procedure for all types of protection rights.

Description of the project:

The measures consist of experts being sent to the Turkish Patent Office at the Turkish Patent Institute, and of residential courses for Turkish experts at the German Patent Office.

GERMAN FOUNDATION FOR INTERNATIONAL LEGAL COOPERATION

Current Projects:

- Bulgaria:

Cooperation with the Bulgarian association of patent specialists and the Bulgarian privatization agency.

Duration:

Cooperation was initiated in 1993 for an indefinite period.

Aim:

Advising in privatization of intellectual and industrial property and in economic assessment of industrial property rights in the context of the privatization of enterprises.

Description of the project:

The German Foundation offers seminars in Germany and in Bulgaria which, amongst other things, deal with the legal framework for copyright and industrial property rights and the latest developments at European and international level in the area of intellectual and industrial property rights, as well as of the protection of biotechnological inventions.

- Russian Federation:

1. Cooperation with Russian patent institutions

Duration:

Cooperation was started in 1993 and is of a long-term nature.

Aim:

Support in the implementation of the new Russian law on patents, trademarks and utility models.

Description of the project:

The German Foundation is carrying out seminars which are focused on the following areas: general significance of industrial property protection in market economies, the practice of the patent grant procedure, as well as legal and contractual problems in the area of patents, questions on trademark and design law, questions of jurisdiction for patent matters and of proceedings before patent courts, legal protection of computer programs, procedures for the registration of trademarks with the German Patent Office, and proceedings before the Federal Patent Court in trademark-related cases.

2. Cooperation with the Russian Centre for Private Law

Duration:

The cooperation was started in 1995 and is intended to continue until further notice.

Aim:

Advising in preparing and reforming statutory provisions for the protection of copyright and of industrial property rights.

Description of the project:

At the request of the German Foundation, draft regulations are appraised by experts of the Federal Patent Court, the Max Planck Institute for Foreign and International Patent, Copyright and Competition Law, and the Bar. Furthermore, discussions take place between experts, recently concentrating on implementing property rights, copyright and technical property rights.

- Ukraine:

Cooperation on the preparation of a new Ukrainian Civil Code.

Duration:

Cooperation started in 1993. No end is scheduled.

Aim:

Support in the reform of legal provisions on copyright and industrial property rights.

Description of the project:

The German Foundation gives support by providing advice, preparing appraisals, as well as organizing meetings of experts and specialist seminars.

Intended Projects:

- Lithuania:

Cooperation with the Lithuanian Patent Office.

Duration:

15 through 22 September 1996.

Aim:

Providing information on the objection procedure in the area of industrial property rights.

Description of the project:

Meetings between experts from the Lithuanian Patent Office and from the German Patent Office and the Federal Patent Court.

- Czech Republic:

Cooperation in the context of the European Commission's PHARE programme.

Duration:

The start and duration of cooperation have not yet been scheduled.

Aim:

Harmonization of Czech legal provisions in the area of copyright and industrial property rights with European Community law.

Description of the project:

Advisory measures by German experts are planned. No details are yet known.