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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

Addendum

European Communities and their Member States

The present document reproduces the updated information on technical and financial cooperation activities relevant to the implementation of the TRIPS Agreement of the European Communities and of Austria, Finland, Germany and Sweden.

Information on technical cooperation activities of other Member States of the European Communities will be distributed as supplements to this document.

EUROPEAN COMMUNITIES

CHINA

EU - CHINA Intellectual Property Rights Cooperation Programme

1. Duration

The first phase of the programme ran from 1992 to 1994 and covered patents and trademarks. The second phase of the programme was signed in May 1996, widening the cooperation to include copyright, enforcement, education and awareness issues. It is envisaged to last for three years.

2. General objectives of the programme

The main objective of the new programme is to support the efforts of the Chinese Government to develop a modern, effective system of IPR protection to international standards by:

- assisting China in the adoption of legislation and implementing regulations in all IPR fields; and
- creating an effective public administration of IPRs and mechanisms for their effective protection, notably with regard to the procedures for the granting of IPRs as well as to the enforcement of these rights.

3. Description of the programme

The programme envisages actions in 3 areas:

3.1. Support to IPR institutions

Building on the experiences and goodwill generated in the pilot projects, technical assistance and training would be provided to:

- Chinese Patent Office - to complement cooperation with the EPO;
- Chinese Trademark Office - to improve transparency of procedures;
- National Copyright Administration of China - to support institutional growth; and
- geographical indications - to establish a structure in this important field.

3.2. Support to the enforcement organs

Administrative as well as judicial routes exist for resolving IPR disputes in China.

- Training for judges and lawyers in these specialist areas would be offered;
- administrative agencies, IP and economic tribunals would be supported via workshops and the establishment of a nationwide information network; and
- customs authorities would also benefit, assisting enforcement at borders.

3.3. Horizontal measures

- Training opportunities would also be offered to IPR agents and attorneys;
- specific actions would encourage and improve IPR teaching in universities;
- analysis of changes required to implement TRIPS would be a priority; and
- actions aimed at increasing public awareness of IPR issues are foreseen.

PHARE

Countries concerned

The programme for the modernization of the intellectual and industrial property in the Central and Eastern European countries (known as the PHARE countries) is drawn up as a regional programme. It covers all PHARE countries (which are currently: Albania, Bulgaria, Estonia, Latvia, Lithuania, Hungary, Poland, the Czech Republic, Romania, the Slovak Republic, Slovenia, Bosnia-Herzegovina and Former Yugoslav Republic of Macedonia). The programme consists of two technical assistance programmes on IPRs: the regional industrial property programme and the regional programme on copyright protection.

A. Regional Industrial Property Programme

1. Duration

The first phase of the programme started in 1992 and has subsequently been extended twice. The third phase of the programme will expire on 31 December 1998.

2. General objectives of the programme

- Improve patent and trademark protection;
- raise the quality of industrial property protection to a level similar to that in the European Union;
- facilitate the accession of the Central and Eastern European countries to the main international conventions on industrial property including the European Patent Convention;
- improve existing national institutions responsible for industrial property systems and help create relevant institutions in countries where no appropriate framework yet exists; and
- promote regional cooperation between the partner countries in the field of industrial property.

3. Description of the programme

The specific objectives of the programme can be summed up in three major points:

3.1 Training

Training courses and seminars for staff of national authorities and patent professionals (judges, attorneys and other specialists).

3.2 Information technology

Development of software to administer patent and trademark procedures.

3.3 Documentation, patent information, inter-office cooperation, technical assistance

- Modernization of documentation centres so as to permit novelty searches at minimum cost in particular by supplementing paper systems with CD-ROMs and on-line access to commercial data-bases;
- promotion of awareness of industrial property in the region through international symposia and the publication of patent specifications and trademarks on CD-ROM;
- development of regional cooperation through an exchange programme involving the offices in the region; and
- technical assistance on project specification, tendering, implementation, legal and institutional advice, work programme and evaluation of results.

B. Regional Programme on Copyright Protection

1. Duration

The programme started on 1 September 1994 and was originally planned to last for two years but has been extended until 31 December 1996.

2. General objectives of the programme

- Facilitation of the implementation in Central and Eastern Europe of a level of protection for intellectual property (copyright, performing rights and protection against piracy) similar to that in the European Union and to facilitate the accession of the Central and Eastern European countries to international conventions on these issues;
- help to create and develop the cultural industry so as to encourage national and foreign investment in this sector; and
- facilitation and guarantee of the free movement of cultural works and performances between Central and Eastern Europe and the European Union.

3. Description of the programme

The specific objectives of the programme can be summarized in three major points:

3.1 Technical assistance for the reform of the institutional and legislative framework

In the aim at introducing an effective system of legal protection and an adequate institutional framework, assistance will be provided to facilitate the process of reorganizing and

modernizing existing institutions such as performing rights societies, cultural bodies and creative artist societies, cultural industries and bodies combating piracy. Legal experts will help the relevant authorities in drafting and/or reforming relevant laws and regulations, taking into account the legislation of the EU and their member states and the legal assistance will also facilitate accession to international conventions in this field. Furthermore, emphasis will be put on the development of know-how of those responsible for protecting copyright and performing rights as well as the promotion of the awareness amongst the media on the intellectual property issues (press, TV, radio).

3.2 Training and awareness

The training will be aimed at the institutional staff (ministries, magistrates, lawyers, customs, universities) and the staff of the collecting societies. The training will concentrate on language, computer and office automation.

3.3 Documentation and software

The programme will fund the provision of relevant documentation and software, including texts of EU legislation (directives, regulations, proposals and judgments) texts of relevant national legislation of EU member states, texts of articles of association and rules of performing rights societies, materials relating to seminars organized under the programme and books on intellectual property rights.

C. Regional Programme on Intellectual Property Protection II

1. Duration

The programme has been approved by the Commission at the end of 1995 and it will have to be implemented by 31 December 1998. The Intellectual Property Programme II will be implemented with the help of several right holders' organizations.

2. General objectives for the programme

- Enhanced legal assistance to underline the importance of the protection of neighbouring rights, as well as the enforcement procedures;
- creation of mechanisms for the effective protection of neighbouring rights, including the formation and training of collecting societies; and
- fight against piracy.

3. Description of the programme

The specific objectives of the programme can be summarized in three major points:

3.1 Legal assistance

In countries, where local governments have designated a special copyright office to coordinate activities in the field of copyright (Poland, Bulgaria and Romania), these offices will be assisted in collecting all necessary national and international documentation, training of staff members in the area of neighbouring rights protection and establishing communication channels between such offices and relevant enforcement bodies. General

assistance in the PHARE region in conducting the necessary analyses of the local legislation and achieving the necessary compatibility with international instruments.

3.2 Neighbouring rights protection infrastructure

In order to establish the necessary mechanisms for furthering the right of producers of sound recordings, assistance will be given to the legal companies in the PHARE region in creating their own industry groups and establishing collecting societies. These industry groups will serve as centres of legal and professional information, as well as points of contact and exchange with the more experienced European market. The local industry groups are also coordination centres for anti-piracy activities.

3.3. Fight against piracy

The establishment of effective enforcement mechanisms will be based on intensive training of the police, prosecutors and judges and the installation of piracy preventive programmes. The main principles of the enforcement mechanism is well informed and well trained police officers, specially designated to deal with the copyright piracy issues as well as close cooperation between police and prosecutors. The piracy preventive programme contains the installation of source-identifying devices (SID-code), inception of hologram sticker programmes for legitimate production and implementation of manufacturing verification systems, where appropriate.

D. Horizontal Programme on Intellectual Property III

1. Duration

The programme has started on 17 March 1997 and will last until 31 December 1999.

2. General objectives of the programme

The programme is a continuation of the 1994 programme on Copyright Protection and it will complement the 1995 programme on Intellectual Property II. Its main objective is to achieve a level of protection of intellectual property similar to that which exists in the European Union. The programme will basically focus on the promotion of authors' rights and the enforcement thereof.

3. Description of the programme

The Programme has the following components:

3.1 Legal assistance and training

The legal assistance and training will set out to continue the procedure of improving the legislation in the field of intellectual property, e.g. on authors' rights, and to favour the implementation of structures permitting their application. This component will include actions, such as

Missions by EU experts to the CEECs, taking into account the guidelines set out in Chapter 19 of the Annex to the 1995 White Paper on the Preparation of the Associated Countries of Central and Eastern Europe for Integration into the Internal Market of the Union. Priority will be given to the countries where the level of harmonization is not yet sufficient. Missions will also be conducted to countries where the level of harmonization has been

judged as satisfactory, albeit only to inform the legislator in these countries about the problems of intellectual property protection, which will soon be posed by the new technologies of the Information Society related to digitization of carriers.

Training of officials on intellectual property, either directly or via Train-the-Trainers methods. Training of academics and judges. With regard to the training of academics, the programme will explore the possibilities of scholarships in institutes in the European Union specialized in authors' rights, such as the Max Planck Institute.

3.2 Support to collecting societies

This component will include actions, such as:

- Training of the management and staff of the different authors' societies will continue to be the main form assistance to authors' societies;
- legal assistance to enforce the application of laws; and
- material support to administration societies of authors' rights, which may include basic equipment, hardware and software to facilitate the distribution of collected royalties.

ASEAN

EC - ASEAN Patents and Trademark Programme

Countries concerned

The programme on technical assistance for the ASEAN countries consists of a regional as well as national components and covers the following countries: Brunei, Indonesia, Malaysia, the Philippines, Singapore and Thailand.

1. Duration

The programme was officially launched on 13 September 1993 and was originally expected to last three years but has been extended until June 1997.

2. General objectives of the programme

- To improve the technical skills and the legal framework in the field of patents and trademarks in the ASEAN region. The main focus consists in the upgrading of skills (institutional strengthening) in the industrial property offices of the region by means of exchanging experts, arranging seminars and workshops;
- to focus on informing local industries and other local users of the benefits they may derive from an improved patent and trademark environment. The European industry is closely involved in this part of the programme; and
- to target decision makers in the region. It will address the European experience in this area and will serve to maintain the political interest in improving the whole industrial property environment.

3. Description of the programme

The programme aims at effective results through sharing of information and experience and by starting a process of regional cooperation in the field of industrial property rights. The regional aspects will contribute to the uniform development of the patent and trademark systems in the targeted countries and limit the amount of "double work" in this highly specialized field. Cost-sharing is feasible through cooperation in the field of documentation, the organization of the granting procedure, publication, etc. which also facilitates the ease with which the European industry can operate in ASEAN.

The more specific activities include:

- Preparation of modernization plans for national offices;
- building a common intellectual property database;
- production of certain common publications and documents;
- finalizing intellectual property rights legislation, including accompanying rules and regulations;
- computerization of administration of patent-granting procedures and services; and
- preparation of common procedures guidelines.

MACAU

EU - MACAU Industrial Property Programme

1. Duration

The programme started in late 1995 and lasted 24 months.

2. General objectives of the programme

- To introduce reforms in the industrial property systems of Macau;
- to prepare and update legislation and accompanying implementation rules and regulations;
- to assist in the setting up and upgrading of the administrative institutions and structures in charge of implementing the new industrial property legislation;
- to upgrade the professional skills of the staff of the local administrative structures;
- to assist in training legal practitioners and enforcement officials; and
- to promote the awareness and teaching of industrial property.

3. Description of the programme

The specific objectives can be summarized in three major points:

3.1 Legislation

The legal assistance will consist of legal advice in drafting legislation especially for patents, utility models, and industrial designs protection with emphasis on harmonization and conformity with GATT/TRIPS. Furthermore, a comparative study will be carried out of the draft legislation of Macau and the international standards and EU regulations.

3.2 Administration

An analysis of the current administrative structures will help to prepare a modernization plan defining the need resulting from the new legislative situation in Macau. This plan will include training for management, training for examination and administrative staff, training for lawyers and staff dealing with legal issues, training for technical staff - EDP and automation and finally the establishment of provisions of IP literature and documentation.

3.3 Enforcement

The target group includes all existing organizations and structures dealing with the enforcement of IP laws and in particular: judges, staff from customs authorities and piracy/counterfeit repression units. Specific training seminars, workshops and colloquia will take place in order to promote the exchange of information and know-how between the relevant structures.

VIETNAM

EU - VIETNAM industrial property programme

1. Duration

The programme started in July 1996 and is expected to last for three years.

2. General objectives of the programme

The main objective of the programme is to strengthen Vietnam's industrial property system by:

- assisting in the improvement of the legal and regulatory framework;
- enhancing the patent and trademark granting administration, as well as upgrading the skills of patent agents;
- improving industrial property public awareness and strengthening enforcement systems; and
- cooperation in ASEAN regional activities in the field of industrial property rights.

In addition to the above-mentioned objectives, the programme is constructed with an element of flexibility in order to allow for particular situations, for example under the public awareness and enforcement components, by covering other related areas of intellectual property rights.

3. Description of the programme

The specific objectives of the programme can be summarized in two major points:

3.1. Legal framework and enforcement

The programme will aim at bringing the Vietnamese legislation and enforcement measures in line with the TRIPS Agreement, reduce the level of piracy, introduce proper injunction measures to stop counterfeiting, piracy or import/export of such products and ease the access for local and foreign right holders to bring their cases to the courts.

3.2. Administration of industrial property and information services

The current good record of delivering patents, trademarks and designs should be maintained in spite of the substantial increase of application expected. Applicants should be able to file applications in two different places by the end of the programme and generally the National Intellectual Property Office should be prepared to handle the increased number of inquiries and use of the facilities offered.

TACIS

Countries concerned

The technical assistance programmes on intellectual property rights (known as TACIS) applies to all the countries of the Commonwealth of Independent States (CIS): Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan.

In the field of copyrights, the programme applies mainly to the Russian Federation but also to some extent to Ukraine, Belarus and Kazakhstan. Action might spread to other independent states of the former USSR on the basis of the experience acquired in the Russian Federation. However, all the CIS countries are involved in the technical assistance on industrial property.

I. PROJECT FOR TECHNICAL ASSISTANCE TO THE RUSSIAN FEDERATION ON COPYRIGHT

1. Duration

The contract started in November 1995 and was concluded within a period of two years.

2. General objectives of the programme

- Establish an appropriate legislative environment in the field of intellectual property protection reflecting Russia's intention of having, within five years, a level of protection similar to that in the EU;
- establish an appropriate administrative environment in the field of intellectual property protection, i.e. similar to that in the EU; and
- establish appropriate enforcement mechanisms in the field of intellectual property protection, i.e. similar to that in the EU.

3. Description of the programme

The major activities to be undertaken within the scope of the programme are the following:

- EU expertise to conduct a review of the current system of intellectual property rights existing in the four countries concerned and to prepare a strategic plan for the future legislative, administrative and enforcement structure (six working months);
- EU expertise to provide ongoing assistance to the Ministry of Justice in elaborating appropriate legislation in the field of intellectual property rights that will reflect the Russian Federation's intention to harmonize with the level of protection existing in the EU (12 working months);
- EU expertise to provide ongoing assistance to RAO, the Confederation of Film Makers' Unions, and professional guilds in establishing effective collecting societies (12 working months) including the development of authors' awareness; and
- EU expertise to develop appropriate databases and CD-ROM systems for information services in the field of intellectual property protection (nine working months);
- EU expertise to develop a public awareness campaign concerning the issue of intellectual property protection (six working months);
- EU expertise for conducting training programmes, in selected regional centres, for enforcement officers, i.e. magistrates, police officers, customs officers, etc. (nine working months);
- EU support for study tours for Russian officials to relevant EU based organizations active in the field of intellectual property protection; and
- support for hardware and software.

II. PROJECTS FOR TECHNICAL ASSISTANCE ON INDUSTRIAL PROPERTY

A. Support to patent and trademark protection in the Ukraine

1. Duration

The contract was signed in November 1994 and concluded within a period of 24 months.

2. General objectives of the programme

- Ensure a high level of industrial property protection in Ukraine thus creating the necessary ground for market economy; and
- general strengthening of the administration responsible for the intellectual property system (State Patent Office of Ukraine (SPOU)), patent examination centre, technical library.

3. Description of the programme

The major activities to be undertaken within the scope of the programme are the following:

- Preparation and implementation of a development plan for the SPOU;
- training of the SPOU's staff in questions related to patent and trademark legislation, patent procedure and substantive examination;
- computerization of administration of patents and trademarks registration procedures; and
- establishment of a minimum documentation fund.

B. Support to industrial property protection in Uzbekistan

1. Duration

The contract was signed in February 1995 and concluded within a period of 18 months and was extended to April 1997.

2. General objectives of the programme

The programme is designed to ensure a high level of industrial property protection in Uzbekistan:

- strengthening of the administrations responsible for the intellectual property system (primarily the Uzbek Patent Office (UPO)); and
- keeping "a minimum" the administrative and technical activities performed by the UPO and preparing for the advent of the Eurasian Patent Office.

3. Description of the programme

The major activities to be undertaken within the scope of the programme are the following:

- Preparation of law and regulations;
- advice and assistance in streamlining the patent office structure;
- training programme for patent office staff and patent attorneys;
- automation of the patent and trademark procedure;
- documentation and patent information dissemination; and
- industrial property awareness programme.

C. First Part of a Strengthening Programme of Industrial Property Protection in the CIS countries

1. Duration

The contract was signed in December 1996 and concluded for a period of 18 months.

2. General objectives of the programme

- Ensure a high and common level of industrial property protection in the CIS countries, in particular by the setting up of the Eurasian Patent Office;
- assistance to adjustment of regional and national legislation relating to the Eurasian Patent Convention;
- assistance to adjustment of other national legislation relating to industrial property; and
- setting up and development of systems protecting industrial property at a regional level for patents (Eurasian Patent Office) and at national level for other industrial property rights.

3. Description of the programme

EPO propose to divide the programme into two parts:

- advice and assistance for the setting up of the Eurasian Patent Office including technical assistance, training, documentation, drafting of legislation, publication of the patents on CD-ROM, administration of the procedure based on the common software developed under the PHARE regional industrial property protection programme;
- development of national facilities on industrial property including technical assistance, regional and local training, computerization of the administrative and financial management of the proceedings; and
- promote and develop the means for disseminating patent information using modern technology, and promote the use of the industrial property system to potential users in industry, commerce and academic institutions.

AUSTRIA

Technical cooperation activities in the field of industrial property conducted by the Austrian Patent Office in 1996 and the first half of 1997 are summarized below:

1. In cooperation with WIPO

(a) WIPO - Austria - seminars

As in the previous years the Austrian Patent Office hosted in 1996 a three-week training course with priority on patent examination and patent documentation for participants from Egypt, Indonesia, Mexico, Nigeria, the Philippines and Thailand. A similar seminar is scheduled for September 1997.

(b) State-of-the-art search reports for developing countries

Continuing a tradition since 1975 and basing on a new agreement with WIPO out of 1986 patent search reports have been carried out for developing countries. In 1996, 49 reports were prepared for Argentina, Chile, Cuba and Vietnam. In 1997, ten requests have been received so far.

(c) ICSEI - search reports

In 1996, five search reports were prepared for Morocco participating in WIPO's ICSEI (International Cooperation in the Search and Examination of Inventions) programme.

For the time being 11 applications from Morocco, Zimbabwe and ARIPO have been dealt with in the current year.

(d) Activities as PCT - International Searching and International Preliminary Examining Authority

In 1996, the Austrian Patent Office received and handled 291 search requests from Brasilia, the Republic of Korea, Romania, Singapore and Turkey. Out of that number, 121 files have been preliminary examined.

(e) Expert missions

Participating in WIPO's UND-Programme expert missions of staff members of the Austrian Patent Office to Albania (trademarks) and Moldova (technical aid) took place. In 1997, an EDP expert was sent on mission to Belarus.

2. In cooperation with the European Patent Office

(a) WIPO/EPO/APO - seminar

As in 1995 and the years before, a one-week training course for 20 participants from developing countries with priority on patent examination and information was organized and partly conducted by the Austrian Patent Office in cooperation with the European Patent Office.

(b) Expert missions

In the framework of the TACIS programme of the EU, two missions dealing with trademark administration to the Patent Office of Uzbekistan were performed.

3. Bilateral

Continuing its long-lasting cooperation with China, the Austrian Patent Office hosted seminars for Chinese officials and provided patent data.

Experts performed two seminars on patent examination and the use of EDP in patent administration in Peking based on provisions agreed by the sixth Conference of the Mixed Chinese-Austrian Working Group on Questions of Industrial Property Protection.

On the basis of bilateral agreements, training courses on different matters related to industrial property protection for officials from other patent offices are held. In 1996 and during the first half of 1997, 15 training groups from the offices of Slovenia, Hungary, Bulgaria, Romania, Turkey, Uzbekistan, Ukraine and Latvia stayed at the Austrian Patent Office.

FINLAND

1. General remarks

The activities of Finland relating to technical and financial cooperation relevant to the implementation of the TRIPS Agreement have continued in forms largely similar to those carried out in previous years. The most extensive multilateral cooperation activities have taken place within the framework of the annual WIPO training programmes for civil servants from developing and least-developed member countries. As regards bilateral cooperation, it is of a great interest for Finland to assist and support Russia to create a new and an effective industrial property rights system. This cooperation has taken place within the mutual cooperation agreement concluded by the National Board of Patents and Registration of Finland and the City of St. Petersburg of Russia.

The present technical and financial cooperation activities relating to intellectual property rights are introduced below.

2. Cooperation relating to industrial property rights

2.1 Multilateral cooperation

2.1.1 Human resources

The National Board of Patents and Registration of Finland (hereinafter referred to as the Patents Board) organizes training courses within the framework of the WIPO Training Programme. The training courses provide information about the system of intellectual property rights in general and especially in the Nordic countries, as well as an introduction to the organization and functions of the Patents Board. Participants in the training courses have come from Asia, Africa and Latin America. At the end of September this year, a Ghanian and a Sudanese will start their two-week training course provided by the Patents Board.

The representatives of the Patents Board have also given lectures in industrial property rights courses organized by other member countries. Last May, the Director General of the Patents Board lectured in a seminar organized by WIPO and the Patent Office of South Korea within the framework of the United Nations Development Programme.

2.1.2 Technical assistance

The Patents Board has annually completed several "state-of-the-art" searches consisting of compilation of published patent documents for the purposes of the developing countries' patent offices at the request of WIPO. These searches may be broad reviews of the relevant technical field or detailed reports on the recent development in a particular field of technology. Last year the number of completed "state-of-the-art" reviews was 12. This year there have not so far been any requests for such reviews by WIPO.

2.2 Bilateral cooperation

The Patents Board and the Mayor's Office of the City of St. Petersburg have a mutual cooperation agreement concerning industrial property rights. This cooperation agreement was concluded in the interest of further development and protection of industrial property rights and was renewed for a further three years in January 1997. The focus of the cooperation has

been on education and exchange of information relating to industrial property rights, their legal protection and commercialization.

Lectures and training on industrial property rights were also provided by representatives of the Patents Board in St. Petersburg in January 1997 within the framework of the above-mentioned cooperation.

Financial support for the St. Petersburg cooperation project has been applied for by the Patents Board, the application is currently being reviewed by the Ministry for Foreign Affairs of Finland.

The Patents Board has also trained visitors from several foreign patent offices: in December 1996 there were visitors from Hungary and Russia and in May 1997 from the Czech Republic.

3. Cooperation relating to copyright and neighbouring rights

The Ministry of Education and Culture organizes as well as finances, in cooperation with WIPO, training courses for officials from developing countries. These courses have been carried out jointly with the collecting societies and the Finnish Copyright Society. The participants in the courses will be provided with an introduction to the Finnish and Nordic solutions concerning intellectual property legislation, collective administration of rights and questions relating to enforcement. The courses have been arranged on an annual basis and will be held this year in October with several participants from African and Asian countries.

Training courses relating to copyright issues will be arranged also in the future in Finland, subject to the undertakings of WIPO in the field of technical cooperation and requests as well as factual needs of the developing country members of the Organization.

GERMANY

Technical Cooperation with developing countries under the aegis of the Federal Ministry of Justice

Federal Patent Court:

- Advice on legal matters

Countries:

Chile, China, Cuba, Mexico, the Republic of Korea, Thailand, Turkey, third countries.

Duration:

Unlimited.

Aims:

To provide an insight into how a patent court is set up, organized and operates.

Description:

Under the legal advice programme the Federal Patent Court regularly receives groups of visitors (judges, administrative lawyers, inspectors, patent lawyers and scholarship holders) including from developing countries.

German Patent Office:

Projects completed in 1996.

- Ukraine

Cooperation with the State Patent Office of Ukraine as part of the European Commission's Tacis project.

Duration:

The project ran from 1994 until November 1996.

Aims:

Practice-oriented training on trademark law for Ukraine experts.

Description:

Cooperation included visits by German experts to Kiev and training of Ukraine experts at the German Patent Office.

On-going projects

- Training programme for officials from developing countries

Countries involved in 1997:

Democratic People's Republic of Korea, Egypt, Sri Lanka, Trinidad and Tobago.

Duration:

The programme was launched in 1973 for an unlimited period. Three-week long training courses are run each year.

Aims:

Modernization of patent systems and patent offices in developing countries. The training aims to give experts from developing countries information about how an examining patent office is set up and organized and about how the different types of property rights are administered. Participants should also become familiar with the procedure for awarding patents and with the activities of a patent examiner.

Description:

The annual training seminars generally cover the following subjects: patent documentation and classification, structure and up-keep of search files, principles of law pertaining to utility models, trademarks and employee inventions; search procedures and drafting of search reports.

- Further training measures in cooperation with WIPO

Countries involved in 1996 and 1997:

Albania, Democratic People's Republic of Korea, Gambia, Sierra Leone and Sudan.

Duration:

Unlimited.

Aims:

Information on issues concerning trade marks and patents.

Description:

Within the framework of WIPO-funded country projects and study visits the German Patent Office welcomes groups of visitors and provides them for example with information about patent and trademark procedures, patents and patent documentation.

- Drafting of search reports for developing countries

Countries involved in 1996:

Botswana, Chile, Malawi, Malaysia, Panama, South Africa, Chinese Taipei, Zimbabwe.

Duration:

Unlimited.

Aims:

To provide developing countries with information on the state of the art.

Description:

Each year the German Patent Office produces one hundred search reports free of charge for developing countries which request term.

- Cooperation with the European Patent Office

Countries:

Various Asian, Latin American and African countries.

Duration:

Unlimited.

Aims:

Information on issues relating to industrial property rights.

Description:

The German Patent Office, in collaboration with the European Patent Office and WIPO, organizes seminars on different subjects relating to industrial property rights each year.

- Cooperation with the countries of Central and Eastern Europe

Cooperation within the framework of the European Commission's Phare-Ripp project.

Countries involved in 1997:

Hungary, Latvia, Lithuania, Macedonia, Poland and Romania.

Duration:

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

Aims:

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

Description:

The German Patent Office runs training course for experts from the countries of Central and Eastern Europe.

- Croatia

Project: "Improving protection of industrial property in Croatia".

Duration:

The project was launched in July 1997 and is planned to run for three years.

Aims:

Modernization of protection of industrial property in Croatia.

Description:

The German Patent Office will primarily be acting in an advisory capacity and offer training. As a first measure three members of staff from the Croatian Patent Office have received training on the patent examination procedure.

- Slovenia

Assistance with training in the areas of copyright law and protection of industrial property.

Duration:

The project began in June 1994 and officially ended in February 1997. However cooperation with the Slovenian Patent Office will continue.

Aims:

Practice-oriented training of Slovenian experts in patent, trademark and utility model protection and in copyright law.

Description:

Measures consist of German experts spending time in Slovenia and Slovenian experts receiving training at the German Patent Office.

- China

Cooperation with the Chinese copyright authorities.

Duration:

The project was launched in 1995 and is expected to end in October 1997.

Aims:

To assist China in setting up and developing performing rights societies.

Description:

Information visits (some of several months' duration) by delegations from China to the German Patent Office, including visits to different performing rights societies. The concluding part of the project is a visit by a delegation from various German performing rights societies to China, scheduled for October 1997.

- Thailand

Project to improve the protection of intellectual and industrial property.

Duration:

The project was launched in November 1995 and is scheduled to run for about four years.

Aims:

Modernization of Thai legislation and administrative procedures applicable to intellectual and industrial property; improving public access to information concerning patents.

Description:

Measures consist of German experts spending time in Thailand and training visits to the German Patent Office. Since April 1996 a German expert has been on long-term secondment to the Department of Intellectual Property in Thailand and coordinates the various measures there. In 1997 a symposium on utility model law was held in Bangkok and training was given in Munich on the subject of copyright and product piracy.

- Turkey

Promotion of industrial property protection.

Duration:

The project began in January 1997 and is scheduled to run for four years.

Aims:

Modernization of the administrative procedures applicable to all types of right.

Description:

Since January 1997 a German expert has been on long-term secondment to Ankara. Training is also provided in Germany and Turkey on trademarks, patents, utility models and on information and documentation.

- Exchange of search and examination results

Countries:

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

Duration:

Unlimited.

Aims:

Mutual information concerning registration of industrial property rights for which priority has been asserted in the relevant partner country.

Description:

The German Patent Office has entered into agreements with the relevant offices in the above-mentioned countries to engage in regular exchanges of search and examination results.

- International exchange of literature

Countries:

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

Duration:

Unlimited.

Aims:

Mutual information about literature on copyright and industrial property rights.

Description:

The German Patent Office exchanges patent specifications and other publications with the above-mentioned countries.

German Association for International Judicial Cooperation e.V.

Ongoing projects

- Bulgaria

Cooperation with the Bulgarian Association of Patent Experts and the Bulgarian privatization agency with respect to industrial property rights and copyright.

Duration:

Cooperation commenced in 1993 for an unlimited period.

Aims:

Advice on the privatization of intellectual and industrial property rights and with economic assessment of industrial property rights within the framework of company privatizations.

Description:

The Association organizes seminars in Germany and Bulgaria - the latest one was held in Sofia from 10 to 13 October 1997 - covering subjects such as the statutory bases for copyright and industrial property rights, latest European and international developments in the field of intellectual and industrial property rights and the protection of biotechnological invention.

- Bulgaria, Czech Republic, Hungary, Poland, Romania and Slovak Republic

Symposium on the alignment of national law with European Community law.

Duration:

16 to 20 October 1996.

Content:

Issues related *inter alia* to copyright and protection of industrial property at European level.

Description:

The symposium, which the Association conducted in Budapest, was aimed at members of national parliaments and their staff and at Ministerial representatives concerned with the practical aspects of aligning national law on European Community law.

- Lithuania

Cooperation with the Lithuanian Patent Office with respect to industrial property rights.

Duration:

Cooperation began in 1996 and is planned to continue in 1997.

Aims:

Discussion of issues related to trademark and patent law.

Description:

Working visits and seminars bringing together experts from Lithuanian and German Patent Offices and of the Federal Patent Court. A seminar is scheduled to take place in Vilnius on 8 and 9 October 1997.

- Russian Federation

1. Cooperation with Russian patent institutes

Duration:

Cooperation began in 1993 and is scheduled to continue in the long term.

Aims:

Assistance with implementation of the new Russian patent, trademarks and utility models legislation.

Description:

The Association holds seminars focused on the following subjects: general status of industrial property rights in market economies, practical aspects of the patent issue procedure and legal and contractual problems in the patents field, issues of trademark and utility model law, issues concerning the patent jurisdiction and patent court procedure, legal protection of computer software, procedures for registering trademarks with the German Patent Office and Federal Patent Court procedure in trademark cases.

2. Cooperation with the Russian Centre for Private Law

Duration:

Cooperation began in 1995 and will continue indefinitely.

Aims:

Advisory function in the drafting or revision of statutory rules for the protection of copyright and industrial property rights.

Description:

Once drafted the rules are assessed at the Association's request by experts at the Federal Patent Court, the Max Planck Institute for foreign and international patent, copyright and competition law and the Association of Lawyers. Moreover, talks are held at expert level, the latest of which concentrated on assertion of protective rights, copyright and technical rights of protection.

- Ukraine

Cooperation in the drafting of a new Ukrainian Civil Code.

Duration:

Cooperation began in 1993; no completion date has been fixed.

Aims:

Support in the reform of statutory rules on copyright and industrial property rights.

Description:

The Association provides support in an advisory capacity, produces expert reports, organizes meetings between experts and runs specialist seminars.

Future projects

- Czech Republic

Cooperation under the European Commission's Phare programme.

Duration:

Starting and completion dates have not yet been fixed.

Aims:

Alignment of Czech copyright and industrial property law on European Community law.

Description:

Advice will be provided by experts from Germany. No further details are known at this stage.

SWEDEN

IP/C/W/34/Add.3 is still basically relevant. The following information might, however, be added:

"The activities, in particular in the copyright field, have increased during the last year. An increasing number of people (20 in 1997) from developing countries have taken part in the Stockholm courses financed by Sweden, and the Swedish International Development Agency (SIDA) has spent more money on the funding of the courses than before.

In the programme more attention has been given to issues relating to the TRIPS Agreement and its proper implementation. The constructive cooperation with the World Intellectual Property Organization in the organization of the courses has proved to be very effective."