

**PREPARATORY COMMITTEE
FOR THE
WORLD TRADE ORGANIZATION**

RESTRICTED
PC/IPL/W/11/Rev.1¹
3 March 1995

(95-0456)

Original: English

**SUB-COMMITTEE ON INSTITUTIONAL,
PROCEDURAL AND LEGAL MATTERS**

COMMUNICATION FROM THE DIRECTOR GENERAL OF WIPO

Revision

The following communication, dated 17 October 1994, has been received by Ambassador Kesavapany, Chairman of the Contact Group, and by the Director-General from the Director-General of the World Intellectual Property Organization.

In its session held from September 26 to October 4, 1994, the General Assembly of WIPO met and considered a document, which I had submitted to it, entitled "WIPO and the WTO and TRIPS Agreements" (document WO/GA/XV/2, copy enclosed).²

After a full discussion, the General Assembly adopted the following Resolution:

"1. Having noted that the preamble of the Agreement on Trade-Related Aspects of Intellectual Property Rights states that the Members of the World Trade Organization desire to establish a mutually supportive relationship between the World Trade Organization and the World Intellectual Property Organization, the WIPO General Assembly hereby also expresses the desire to establish a mutually supportive relationship between the World Intellectual Property Organization and the World Trade Organization.

"2. In accordance with its desire to establish a mutually supportive relationship between the World Intellectual Property Organization and the World Trade Organization, the WIPO General Assembly decides to establish an ad hoc working group open to all Member States of WIPO:

- (i) to advise and cooperate with the Director General of WIPO in his contacts with the competent organs of GATT/WTO;
- (ii) to discuss matters concerning possible cooperation between WIPO and WTO;

¹English only

²Interested delegations can obtain a copy of this document from the GATT Secretariat (office 3014, tel: 739 5115/5114).

- (iii) to consider the establishment of an ad hoc informal WIPO/GATT-WTO Consultation Group on all matters concerning possible cooperation between WIPO and WTO.

"3. The WIPO General Assembly decides that the International Bureau should be at the disposal of any State that expressly asks for advice on questions of compatibility of its existing or planned national intellectual property legislation not only in treaties administered by WIPO, but also with other international norms and trends, including the Agreement on Trade-Related Aspects of Intellectual Property Rights, and that the International Bureau should prepare studies on the implications of the said Agreement on the treaties administered by WIPO."

It goes without saying that the Secretariat of GATT will be invited to participate in an observer capacity in the meetings of the ad hoc working group referred to in paragraph 2 of the above quoted resolution. Enclosed is a copy of the full report of the session of the General Assembly contained in document WO/GA/XV/3.³ That document also covers another agenda item, namely, Matters Concerning the Draft Treaty for the Settlement of Disputes between States in the Field of Intellectual Property, which might be of interest to GATT.

³Interested delegations can obtain a copy of this document from the GATT Secretariat (office 3014, tel: 739 5115/5114).