



International Association for the Protection of Intellectual Property

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AIPPI Committees

Contents

Q200 – Statutes Committee

After the adoption of six resolutions by the General Assembly to amend the Statutes and eight resolutions by the Executive Committee to amend the Regulations, in Boston, it was felt that the impact of these many changes should now be explained within the broader scope of the governance of AIPPI. In a series of concise articles, we will endeavour to provide an overview of the changes that were adopted.
(Report by Robert Mitchell, Chairman of Q200)

Q94 – GATT/WTO

This is to report on the activities and work of Special Committee Q94 which deals with WTO and the TRIPS Agreement. In my report I will give some information about this committee and its activities and also about recent WTO developments, especially with regard to TRIPS issues.
(Report by Ivan Hjertman, Chairman of Q94)

New approaches to protecting software

For a long time, software developers had relied on copyright law to protect and enforce their rights. But the emergence of patent protection and the rising profile of free software proponents have provided programmers with various tools.
(Report appeared in the AIPPI Congress News of 10 September 2008)

Eco-Patent Commons responds to critics

The Eco-Patent Commons will create a collection of patents on technology that directly or indirectly protects the environment. The patents are pledged by companies and other IP owners and made available to anyone free of charge. The aim is for the Commons to become a resource connecting those who have had success with a particular challenge in a way that benefits the environment and those who are facing similar challenges.
(Report appeared in the AIPPI Congress News of 10 September 2008)

Meeting Reports
41st Congress Boston

Forthcoming Events

Central and Eastern European Seminar on IP

Five years after EU enlargement, 27-28 April 2009, Warsaw

AIPPI invites all IP experts to a seminar on IP issues arising in Central and Eastern Europe. The seminar will be organised with special support of WIPO and the Polish, Ukrainian and German National Groups of AIPPI who organise jointly each spring since 1999 meetings devoted to the current issues in IP. It will be held shortly after the 90th birthday celebration of the Polish Patent Office in the National Library in Warsaw. The two days event will be divided into two parts: the first day will treat among others the current issues of copyright and trademark in EU, and the second day will be specifically devoted to the perspectives of patent system in Europe. Information on the preliminary programme can be found [here](#).

AIPPI Baltic Conference, 2–5 September 2009, Tallinn

The IP leaders of the Baltic States have a long tradition to attract lawyers, patent attorneys and trademark agents as well as judges, scientists and engineers from various countries to exchange their latest experience in intellectual property work at the bi-annual meetings. Year 2009 is not an exception and after 6 years an international Baltic meeting will be held in Tallinn, Estonia.
(Article by Umas Kauler, Secretary of AIPPI Estonia)

AIPPI Forum & ExCo, 11-14 October 2009, Buenos Aires

The organising committee of the AIPPI Forum & ExCo 2009 in Buenos Aires and other members of the Argentine National Group of AIPPI continue to work hard in preparation for next year's event.
(Article by Gastón Richelet, Member of the Communications Committee and National Group Reporter of AIPPI Argentina)

If you are interested in sponsorship for the AIPPI Forum & ExCo in Buenos Aires please access our Sponsorship Prospectus with all information and conditions [here](#).

For further information on IP Meetings please refer to the [AIPPI Master Calendar of IP Events](#).

National Groups

PCT/Madrid Protocol Seminar, 4 November 2008, Buenos Aires

I am pleased to inform our members that on 4 November 2008 the Argentine Agents Association of Industrial

GOs & NGOs

Property (AAPI) held a seminar covering a South American view of the Patent cooperation Treaty (PCT) and of the Madrid Protocol. The seminar was held at and under the auspices of the Universidad Austral in Buenos Aires which, amongst other course offerings, includes a Master in Intellectual Property as well as a center for studies in Intellectual Property. It also had the support of the Argentine Group of AIPPI and the Argentine Chapter of FICPI. During the morning about 70 attendees, including officers from the Patent and Trademark office (INPI) and the Commerce Secretariat, learned about the position of Brazil regarding the Madrid Protocol.

(Report by Sergio Ellmann, Assistant Secretary General of AIPPI)

Recovery rate of patent application filings after accession to the PCT

On 4 November 2008 the PCT/Madrid Protocol Seminar was held at the Universidad Austral in Buenos Aires with the support, among other organizations, of the local AIPPI Group. I only had the chance to attend the afternoon session devoted to the PCT where several presentations were delivered by IP practitioners and non-IP professionals.

(Report by Gastón Richelet, Member of the Communications Committee and National Group Reporter of AIPPI Argentina)

Articles and notes

XIV Work Sessions and Administrative Council of ASIPI,

16-19 November 2008, Miami

The XIV Work Sessions and Administrative Council of ASIPI were held in Miami, Florida, from 16 to 19 November 2008. About 700 people from more than 40 countries participated in the Work Sessions – apparently the first ones in the USA in 20 years.

(Report by the General Secretariat of AIPPI)

Exclusion of computer programmes as such – referral of questions to the Enlarged Board of Appeal of EPO

The President of the EPO has recently referred a point of law to the Enlarged Board of Appeal concerning the application of the exclusion of computer programmes as such under Article 52 EPC.

The reasons given for the referral are divergences in Board of Appeal decisions over the past 10 years. The questions address four issues related to the interpretation of Article 52 (2) and (3) of the EPC.

The members of Q132 are currently reviewing these questions and checking the option to propose comments to be addressed by AIPPI in an amicus curiae brief.

(José Antonio B.L. Faria Correa, Chairman of Special Committee Q132)

[Full report](#) by Thomas Kretschmer.

Spain – Advances in the future modification of the legal protection of industrial design in the community sphere: spare parts

On 12 December 2007, the European Parliament gave a push to the Community project to modify Directive 98/71/CE on the legal protection of designs and models. This is an ongoing unresolved matter: designs of spare parts destined to restore the appearance of complex products is the cause of some concern in some industrial sectors, in particular the automotive sector but also the manufacturing industry for capital assets and consumer goods.

(Report by Pedro Merino Baylos, Estudio Jurídico Baylos, Madrid, Spain)

Spain – Exploitation rights implicated in the assessing of copyright for accessing works on the internet

The Fifteenth Section of the Provincial Court of Barcelona, Spain, specialized in IP, examined the matter of author copyright and explained which rights should be expressly assigned so that a work can be accessible on the web without infringing the author's exclusive rights. The dispute arose because the claimant companies signed a number of reproduction licence contracts for the use of the translation of some IT manuals, authorship of the claimants and the co-defendant who signed those contracts provided the other defendants with the manuals so that they could be 'uploaded' onto particular internet portals.

(Report by María Baylos, Estudio Jurídico Baylos, Madrid, Spain)

Feedback

Take advantage of the opportunity to exchange views and thoughts on the various topics covered in this issue by visiting the **AIPPI Blog** under mail.aippi.org/blog.

Any comments you have as members are invited and welcomed. Please let us have your input on this e-News or on anything relating to AIPPI by e-mail to enews@aippi.org.

Your contribution please!

Readers of this e-News are encouraged to provide us with their contributions for our future editions. Articles should comply with our current [editorial policy and guidelines](#).

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