



UNICE

Union of Industrial and Employers' Confederations of Europe
Union des Confédérations de l'Industrie et des Employeurs d'Europe

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1998

**UNICE HAILS JOINT INITIATIVE BY WTO AND WIPO
TO ASSIST DEVELOPING COUNTRIES MEET THEIR YEAR 2000 COMMITMENTS
ON INTELLECTUAL PROPERTY**

UNICE, the Union of Industrial and Employers' Confederations of Europe, warmly welcomed today's launch of a joint initiative by the World Intellectual Property Organization (WIPO) and the World Trade Organization (WTO) to provide technical assistance to developing countries to enable them to implement the WTO TRIPS Agreement fully by 1 January 2000, when their transition period ends.

Dirk Hudig, Secretary General of UNICE, hailed the move: "This is fully consonant with the call which UNICE and the Intellectual Property Committee (IPC) of the United States jointly made last May for an intensification of efforts to ensure proper and timely implementation by developing countries of the WTO TRIPS Agreement. In my view, the programme announced today by the two world organisations may be instrumental in alleviating the concern we expressed at the time that a large number of those countries which have chosen 'developing country' status under the TRIPS Agreement will not by the year 2000 have adopted the laws and regulations that will bring them into compliance with their obligations under the Agreement."

UNICE sees the announcement by WIPO and WTO as a positive development and urges developing countries to take advantage of the intellectual-property-related expertise these two international organisations can mobilise on their behalf. The joint initiative will build on existing cooperation between the two bodies in the provision of technical cooperation for the developing countries with respect to the TRIPS Agreement.

Says Dirk Hudig: "UNICE has consistently stressed that the value of the TRIPS Agreement is in its timely and proper implementation. We therefore strongly support this initiative and pledge our cooperation in facilitating any efforts to ensure full TRIPS implementation on 1 January 2000".

Mr Hudig added, "As UNICE and the IPC stressed in their May joint statement, we are concerned that failure by a substantial number of developing countries to implement their TRIPS obligations in a proper and timely fashion will seriously call into question the viability of the WTO as a body that can develop and enforce international rules. If these countries fail to have their intellectual property laws and regulations in place by that date, we must expect WTO to be overburdened with dispute settlement cases. This may seriously overload the system and we must avoid that outcome."

A copy of the 5 May 1998 joint UNICE / IPC statement is attached.

Jérôme CHAUVIN (32- 2- 237 65 51)

**DEVELOPING COUNTRY IMPLEMENTATION OF
THE WORLD TRADE ORGANIZATION'S AGREEMENT
ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS
("TRIPS")**

UNICE - IPC JOINT STATEMENT

On 1 January 2000, the transition period for implementation of the TRIPS Agreement by developing countries will expire. UNICE and the IPC are concerned that a large number of developing countries will not by that date have adopted the laws and regulations that will bring them into compliance with this Agreement.

While continuing to monitor TRIPs implementation in developed countries, UNICE and IPC have also started to scrutinise the intellectual property situation in developing countries for the purpose of advising US and European governments whether these countries will be in full compliance with their TRIPs obligations by 1 January 2000. UNICE and the IPC firmly hope that developing countries will implement the Agreement on time.

UNICE and the IPC are concerned that a failure by a substantial number of developing countries to implement TRIPs in a proper and timely fashion will seriously call into question the viability of the WTO as a body that can develop and enforce international rules. This is particularly true with regard to newly industrialised countries, which are of critical importance to US and European economies. Equally important, such a failure will delay the introduction of effective protection for intellectual property in many developing countries for years to come.

UNICE and the IPC believe that industry and governments should cooperate to facilitate proper TRIPs implementation and enforcement by developing countries by 1 January 2000. In this regard, UNICE and the IPC call on the European Commission, and the US and European governments to intensify their current efforts to ensure proper and timely TRIPs implementation by developing countries.

UNICE and IPC pledge to work with their respective governments and to support the WTO and the TRIPS Agreement.

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IPC
The Intellectual Property Committee
of the United States
2300 M Street, NW
Suite 800
Washington, DC 20037

UNICE
The Union of Industrial and Employers'
Confederations of Europe
40 rue Joseph II
1000 Brussels