



The objective of Intellectual Property discipline, is the promotion of economic, social and cultural progress of society, through the development and monitoring of global rules and treaties of intellectual property rights which motivate innovation and knowledge creation.

Talal Abu-Ghazaleh

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### ASIP's news

## ASIP Holds Seminar on "Contemporary Issues in Trade Marks"

*Organized by ASIP and in cooperation with the Consultation Centre at the University of Jordan, a seminar was held on "Contemporary Issues in Trade Marks" during 26-27 of February 2005.*



The following fourteen parties participated in the event:

Talal Abu-Ghazaleh Group, the Faculty of Law, Jordan University Centre for Consultation, Technical Service and Studies, the Ministry of Industry and Trade, Jordan Kuwait Bank, Bank of Jordan, the Islamic Bank, Specialized Furniture Co., Al-Sayegh Group, the tobacco company, Al-Ittihad Factories Co, Saba Co, JWAICO, The Department of Real Estate and the Aqaba Special Region Authority.

Around 40 persons submitted papers in the two-day seminar. In the first day, Dr. Kana'an Al-Ahmar, a Syrian practitioner, tackled such topics as: an overview of trademarks, unconventional trademarks, renowned trademarks, assignment, licensing, acquittal, and an overview of the Madrid agreement emitting international registration and the difference between Madrid Agreement of 1891 and Madrid Protocol of 1989.

Mr. Hazem Al-Dimadi, Amman First Instance Judge and head of the Ministry of Justice development department talked about drawing up and enforcing policies (TM protection at both civil and criminal levels) and TM counterfeit.

Other papers were on trademarks and domain names, by Mr. Charles Sha'ban, the executive manager of AGIP Regional Office, unfair competition and TM registration, by Assistant Professor Abdullah Al-Khashroum from the Faculty of Law at Muta University.

Two presentations by German lawyers, Folker Zimch and Christian Kzishoski, were submitted in the second day. The first one was on "Two important princi-



ples for the TM protection: the national file and international registration” was presented by Christian Kzeshosky, who focused on answering the questions: “What about Europe? Would it be better to renew trademarks through international applications than through trademarks systems?”

Talking about the merits users can gain from Madrid system and international registration management was the subject of Mr. Zimch’s presentation.

ASIP executive manager, Mr. Mohammed Jameel Al-Shalabi, in a statement, said the aim of the seminar was to enhance the knowledge and efficiency of Arab practitioners.

“It [the seminar] is a platform for the concerned persons from the Arab countries and from all over the world to discuss trademark issues,” he said.

The seminar is held as a part of ASIP’s educational and training activities which aim to refurbish skills and promote knowledge of Arab practitioners.



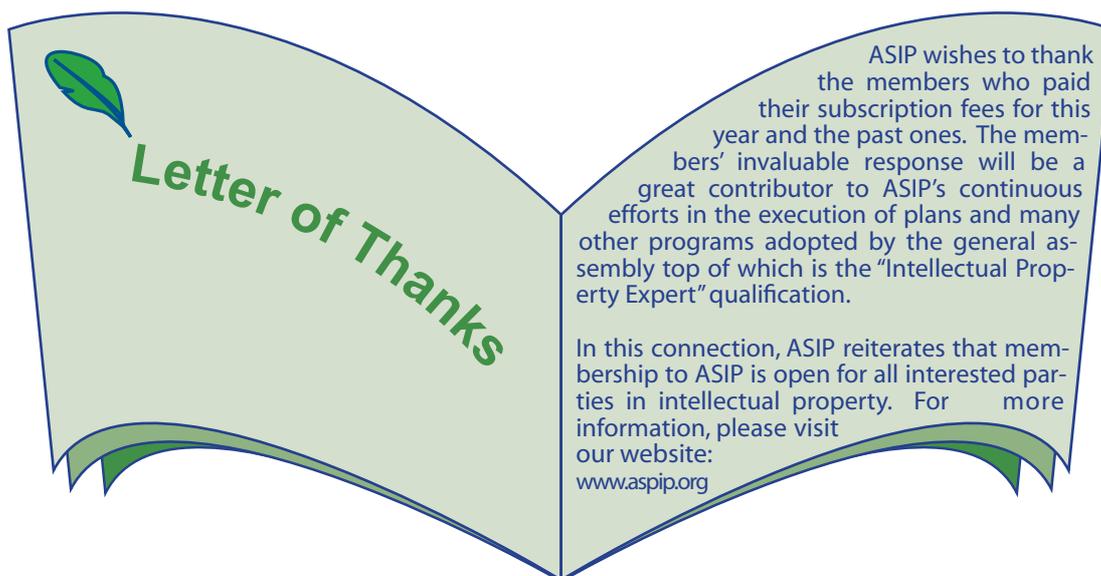
## Growing interest to join ASIP

**More and more specialists and IP interested high ranking persons and interested bodies in the public and private sectors in the Arab world are interested to join ASIP.**

**ASIP welcomes the following fourteen new members for February from the United Arab Emirates, Saudi Arabia and Jordan:**

<b>Mr. Lutfi Omar Hamdoun</b>	<b>Dubai/UAE</b>	<b>Mr. Odai Sabri Abulhayaya</b>	<b>Dubai/UAE</b>
<b>Mr. Jamal Labeeb Ali</b>	<b>Dubai/UAE</b>	<b>Ms. Sayidah Ameer Batool</b>	<b>Dubai/UAE</b>
<b>Ms. Ameena Abdulhaleem</b>	<b>Dubai/UAE</b>	<b>Ms. Hana Riyadh Sha’sha’a</b>	<b>Dubai/UAE</b>
<b>Ms. Lina Mohammed Shukri</b>	<b>Dubai/UAE</b>	<b>Mr. Yusof Abdulkareem Haddad</b>	<b>Dubai/UAE</b>
<b>Ms. Reem Ghanem</b>	<b>Dubai/UAE</b>	<b>Mr. Abdulaziz Hilal</b>	<b>Dubai/UAE</b>
<b>Ms. Eman Ali Abdullah</b>	<b>Dubai/UAE</b>	<b>Mr. Suleiman Snenah</b>	<b>Dubai/UAE</b>
<b>Mr. Rami Omar Abdulateef</b>	<b>Riyadh/ Saudi Arabia</b>	<b>Mr. Mutasem Al-Dmoor</b>	<b>Amman/Jordan</b>
<b>Mr. Andre Khouri</b>	<b>Amman/Jordan</b>	<b>Mr. Basam Salah Al-Azza</b>	<b>Amman/Jordan</b>
<b>Ms. Nawal Al-Qassar</b>	<b>Amman/Jordan</b>	<b>Mr. Maher Milehm</b>	<b>Amman/Jordan</b>
<b>Mr. Hams Madanat</b>	<b>Amman/Jordan</b>		

ASIP, being proud and pleased to receive new members, kindly ask them to regularly check for ASIP updates online.

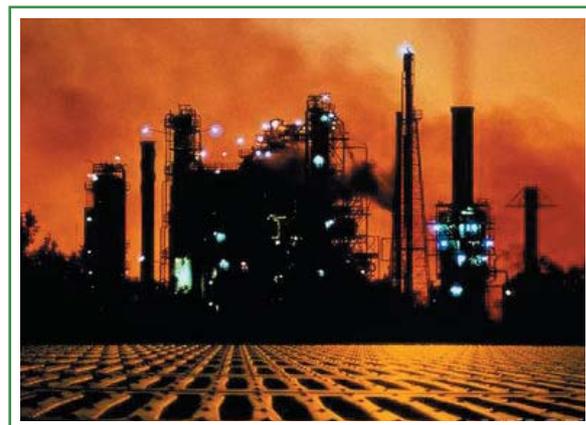


## USPTO experts visit Jordan's Directorate of Industrial Property

Two USPTO experts are currently in Jordan to review procedures and systems adopted by local trademark and patent office at the Directorate of Industrial Property Protection for the sake of developing the same and extending legal assistance in trademark suits, according to Jordan trademark department chairperson, Ms. Zain Awamleh.

In an exclusive press release for AGIP News Agency, Ms. Awamleh said the visit, which came in cooperation with AMIR and USAID in Jordan, is consistent with the Jordan-US cooperation program established between Jordan IP directorate and USPTO.

"The visit started Monday, 21st of February 2005 and will last until next Thursday"; she said. According to her, this visit is the first episode of a number of subsequent ones to be exchanged between the two parties with other USPTO experts to be visiting the Jordan directorate mid March to review Patent related procedures. Three officers from the Industrial Property directorate will in return visit the Washington located USPTO during April 2005.



## Impact of private shareholding companies on intellectual property

**By: Wael Armooti (ASIP Member)**

### 1. Name of the company:

In accordance with article 65 ff, a company may hold the name of a natural person should the same company be intended to make use of a duly registered patent. This would no doubt encourage patentees to register such a company, which would, by nature, show their names or surnames, a feature that is not permissible for other monetary companies like the public holding or limited liability one

It is commonly acknowledged that foreign investors are not keen on showing their names explicitly since the market all over the



globe deals with them as such. My feeling is that the respective Jordanian legislation should have provided for "the investment of trademarks in addition to patents," which would give the opportunity to a whole segment of trademark investors to show their names as part of the company's name. This has, in fact, a special significance owing to the trademark's being the first and the immediate element through which the consumer deals with the product and consequently with the investor.

### **2. Facilitating meeting for the board of managers:**

Article 72/d ff. permits the board of managers of a company to meet via phone or any other means of communication, if this permitted by the respective company's statute, on condition that all members participating in the meeting can hear and converse with each other.

This way of meeting, as a matter of fact, is an easy and advanced one that would enable the investor, in general, to maintain communication with his company and meet with the respective staff through modern communication technology. Thus, international trademark and patent owners can now embark on their investment activities without the need to endure the burdensome traveling from and to their home countries. There is a possibility, I feel, that meetings of general bodies of the company can be likewise held via modern communication technology. There is no harm in doing so insofar as it guarantees the rights of shareholders stipulated by the law.

Opening new horizons for holding meeting procedures is but one way of attracting investments to Jordan, particularly IP and IT related ones.

### **3. In-kind shares:**

The contribution of a shareholder may be in kind rather than in cash. This will include all patents, franchises, technical know-how, licenses and any other in-kind rights recognized by the shareholders (Article 40/a ff.).

The provision in question encourages investors in IP matters as they can choose to get their shares in a company in respect of their knowledge, patents and trademarks. This distinctive feature is not such explicitly available, by contrast, in other types of companies.

### **4. Preference Shares**

According to article 68/a/ ff., a patentee is entitled to asking for more rights than the ones given by ordinary shares as follows:

- The priority of distribution of share profits on the basis of a deduced amount or a given percentage of profits
- The priority to get whole profits for any non-profit year in addition to the determined profit for the same year
- The right to get profits higher than those given for ordinary shares

### **5. Voting Power**

Preference shares have a higher power of voting than that



of an ordinary share. Consequently, the investor, who owns a trademark or a patent would have the leverage to take decisions in the respective company.

### **6. Non-Jordanian Investment Regulation:**

By virtue of the share voting power, the regulation does no longer preclude the foreign investor, for though he may not own more than 50% of the shares in some investments, he may still exercise his power in taking decisions, as previously mentioned.

What I want to say is that all IP discussions should traverse beyond the mere protection of IP rights. We should rather depart from our conventional way of thinking and focus more on creating new horizons for the investment of such rights.

It is this type of companies that enabled us to persuade a giant investor like Microsoft to enter the Jordanian market in terms of various options it stipulated for entering the market. This type of companies as well enabled a creative artist like Hajjaj, the cartoonist, to maintain a partner status in the investment sector.

By no means must this be understood as overlooking the right to protect intellectual property, which does indeed concern us, but it is our duty to think more positively of using these rights whether by bringing the same form abroad or by encouraging local innovators to head for investment.

### **An overview: the number of Jordan registered shareholding companies**

- a- Sixty-two companies are registered in Jordan
- b- Nine registered companies work for the promotion of software and internet programs and systems
- c- Four companies are located in Aqaba
- d- Four companies either affiliated to the government or some of whose shares are owned by the government
- e- Fifth of the above mentioned companies are IP ones



## International News

### Europe calls off vote on patent rules

Financial Express - In a rare move, the European Parliament has demanded that a controversial proposal for a law on software patents be scrapped and that the debate begin anew.

The proposed law is intended to harmonise the patent rules of the 25 countries in the European Union. Current laws do not permit software patents, but some have been registered in recent years.

The decision was roundly welcomed by opponents of software patents, who assert that patent protection hinders innovation by software developers. Groups representing patent holders, who see patents as a way of ensuring that inventors are rewarded for their efforts, were divided over the latest development in the often heated three-year-long debate over the proposal.

Until recently, Parliament, which favors tightly limiting the scope of patent protection for software-related inventions, appeared at loggerheads with the union's 25 national governments. Those countries agreed in principle in May to a version of the proposed law that would have permitted a more liberal software patent regime in Europe. In the last four months, however, some countries have backed away from the agreement.

### Google loses trademark case in France

ZDnews



A French court on Friday ruled against Google in a trademark infringement case brought by Louis Vuitton Malletier, in the latest legal setback to the search giant overseas.

The Paris District Court has sanctioned Google and its French subsidiary from selling search-related advertisements against trademarks owned by the luxury fashion designer, which sued the search giant in early 2004. The court charged Google with

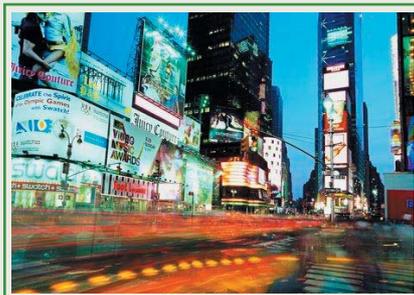
trademark counterfeiting, unfair competition and misleading advertising. Google was ordered to pay \$257,430 (200,000 euros).

The ruling comes on the heels of another French court order against Google, in a case brought by European chain Le Meridien Hotels and Resorts. In that lawsuit, the court said Google infringed on Le Meridien's trademarks by allowing the hotel chain's rivals to bid on keywords of its name and then appear prominently in those related search results.

### New York seeks to trademark a new slogan

Being known around the globe as "The Big Apple", the New York city has filed an application with the U.S. Patent and Trademark Office to trademark several new slogans describing the city, including "The World's Second Home".

If the application is accepted, the city will



have the exclusive right to use the catchphrase or slogan for purposes of promoting tourism and trade in the city.

"The World's Second Home" phrase has already been used by the NYC2012 Olympic-bid committee.

## University president put on eBay

Associated Press- An Ohio State University student has put school president Karen Holbrook on the online auction site eBay, saying in the ad that she will ruin the undergraduate experience.

Bidding started at a penny on Saturday and the seven-day auction had 64 bids from 19 bidders topping out at almost \$100 million Monday morning.



## Fakes seized in anti-piracy raids



British police seized thousands of counterfeit DVDs worth £640,000 following a raid on a store in Tottenham north London.

Among the seized items were imported ID cards and DVDs thought to be fake in addition to a sum of money.

Two men have been charged while nine other people have been bailed.

## Fake batteries seized – Saudi Arabia



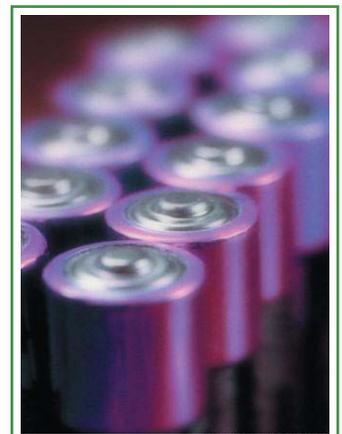
Saudi Ministry of Commerce (MoC) said its Eastern Region branch has seized 6,000 fake batteries at a warehouse in Al-Dammam city.

The faking involved the replacement of the Chinese origin indicating labels with Italian ones that were attached to the re-chargeable batteries used for telecommunication devices, electric bikes and cars.

MoC, in a statement, said the counterfeit took place in three locations: one for faking, another for marketing and still another one for managing the business.

All tools used in the fake were arrested in the raid in addition to the fake labels and 6,000 batteries.

The fakers, who were arrested, used to remove the China indicating label and replace it with another one showing Italian origin.





## WIPO NEWS

# Overview of the activities of the SMEs division in 2004

### ARTICLES

#### Intellectual Property Issues in Advertising

For a business, communicating the value of its product or service to potential customers is a prerequisite for making a sale and earning a profit. In a highly competitive business environment, savvy businesses are devising new ways to market their wares in a cost-effective manner. They do so by relying on various creative and innovative advertising techniques. While doing so, they face a number of challenges. Amongst these challenges, quite a few concern intellectual property issues, which are discussed at some length in this comprehensive article. Find out more

#### International Trade in Technology: Licensing of Know-How and Trade Secrets

Nowadays, outsourcing of a range of business operations is considered a normal way of doing business for reducing lead times and maximizing profits. In a globalizing world, even offshore outsourcing, or simply, "offshoring", is on the rise, as a variety of businesses in technology rich countries are contemplating shifting, or have actually shifted, many of their labor-intensive production activities to low labor cost countries; this process of shifting inevitably requires mutual cooperation in the transfer of relevant technology to enterprises in the recipient countries. In practice, however, companies, which were the earlier beneficiaries of local outsourcing in technology rich countries, are hesitant to transfer their trade secrets and know how to enterprises in the low wage countries, where IP protection systems are often weak or non-existent, especially when it comes to protection of trade secrets and know-how. The article explains the potential role of licensing of trade secrets and know-how as a practical business option for a win-win solution for all concerned. Find out more

### CASE STUDIES

#### TRAMEX LTD: Creating an IPR Research and Management Company

For TRAMEX limited, an Irish SME, which is manufacturing electronic instrumentation products, a focus on intellectual property is central to its strategy for success in foreign markets. TRAMEX created a separate company to oversee its research activities and manage its intellectual property assets, so as to make sure that its intellectual property assets are well protected and strategically used. Find out more

#### Sweet Smell of Success With an Invention

97% of inventions/patents never make a profit. Even for the remaining three percent, the pathway to successful commercialization is often very tough and challenging. For many inventors, the choice is never easy between licensing an invention to others or becoming entrepreneurs themselves, considering the different skills and the substantial burden of time and money associated with setting up and running a business. However, those who plan properly and persevere, the benefits/profits of running your own business may be substantial. The story of Eric Teng, on Scripps Howard news service, provides a very good illustration of the challenges an inventor actually faced and overcame during the successful commercialization of his invention. Find out more.

#### Who Owns the Copyright

Ownership of copyright over the creative output of a person may not always be easy to determine. In today's business environment, where an increasing number of professionals make a living by offering their creativity for hire, it is critical to understand the value of ownership of copyright over one's creative output. While Gary M. Schober addresses this issue based on the US Copyright law, the article will enable the reader to ask the right questions so as to obtain the relevant information in her/his own national context. Find out more

#### The Cutting Edge Apparel Business Guide

The Guide has a very user-friendly module on basics of IP for entrepreneurs in the apparel business; it deals with questions such as why should they take keen interest in intellectual property issues and what exactly does IP law protect. Find out more

#### Taking Intellectual Property Seriously

Whether you own or run a large or small company, integrating intellectual property strategy into your company's business strategy is increasingly becoming a core concern of forward-looking businesses. In this article, Erik Sherman provides an insight into the financial losses that a company may incur if it does not effectively use its IP assets. It also highlights the importance of developing and implementing a broad IP strategy, covering patents, copyright, trademarks, trade secrets, etc. Find out more



## RESEARCH/NEWS

### Exchanging Value: Negotiating Technology Licensing Agreements. A Training Manual

The World Intellectual Property Organization (WIPO) and the International Trade Centre UNCTAD/WTO have jointly prepared a training manual for negotiating technology licensing agreements. The manual is entitled "Exchanging Value: Negotiating Technology Licensing Agreements." The manual's main focus is on the identification and acquisition, or transfer, through licensing, of technology that is owned by another by virtue of an intellectual property right. The manual is practically oriented, as it is based on material used and tested in a number of workshops held in South Africa, Qatar and India. The 178 page (A 5 size) manual may be purchased from WIPO's website at <http://www.WIPO.int/ebookshop> or from ITC's website at <http://www.intracen.org/eshop>

#### Making Intellectual Property Work for your Business

The Canadian Intellectual Property Office- CIPO- has developed a new online toolkit on IP for business. It explains, in plain language, how to make effective use of IP as a part and parcel of business strategy. It can also be used to obtain information on why IP is useful, and how to apply for IP protection in Canada. It has a number of success stories of companies, which have benefited from deploying an effective IP strategy. Find out more

### The Research Page at IP Wales

It has a number of downloadable papers and presentations in PDF format. These include a recent research report entitled, "Financing Welsh SMEs & Commodification of IP Rights," which examines the role of intellectual assets in raising finance. Though focused on SMEs in Wales, it provides very useful insights for readers in other national contexts for using IP assets to obtain finance. Find out more

## FORTHCOMING EVENTS

#### National Seminars on IP for SMEs in Nepal and Bhutan

Two WIPO National Seminars on Enhancing Awareness and Building Capacity of SMEs to benefit from the IP System will be held in Katmandu (Nepal) on January 27 and 28, 2005 and in Thimphu (Bhutan), January 31 and February 1, 2005. For further information, contact WIPO's SMEs Division at [sme@WIPO.int](mailto:sme@WIPO.int).

#### Small and Medium Enterprises International Conference & Exhibition

The Conference, which will be held in Dubai, United Arab Emirates, from January 31 to February 1, 2005, will address a wide range of issues of relevance to SMEs, including licensing of IP in the context of technology transfer and innovation. Find out more

WIPO's INSME International Training Program on Intellectual Property and Management of Innovation in Small and Medium-sized Enterprises

The WIPO INSME Training Program on Intellectual Property (IP) and Management of Innovation in SMEs will be held from May 11 to 13, 2005, at the WIPO headquarters in Geneva, Switzerland. The objective of the training program is to provide participants with knowledge and Intellectual Property Rights insight in process of innovation in SMEs. Participation is open to officials from public sector, private intermediary organizations interested in IP and innovation issues, chamber of commerce, trade institutions and other SME support institutions involved in innovation issues. Those interested in participating in the program may contact Mr. Marco Marzano de Marinis, Associate Legal Officer (e-mail: [marco.marzano.de.marinis@WIPO.int](mailto:marco.marzano.de.marinis@WIPO.int)) or INSME (e-mail: [secretariat@insme.it](mailto:secretariat@insme.it)). A course fee has to be paid. The exact amount will be indicated on the INSME website and the forthcoming events page on the SMEs website very soon.

## PRESENTATIONS MADE AT RECENT EVENTS

Asian Regional Workshop on Intellectual Property (IP) for Managers and Staff of Small and Medium-Sized Enterprises (SMEs) and SME Support Institutions, Shanghai, China, December 15 to 17, 2004.

Download/view the program and presentations made at the Workshop organized by the World Intellectual Property Organization (WIPO) in cooperation with the State Intellectual Property Office (SIPO) of the People's Republic of China and with the assistance of the Japan Patent Office (JPO) and the Korean Intellectual Property Office (KIPO).

### Conference on Intellectual Property Rights for SMEs, Istanbul, Turkey, January 10 to 11, 2005

Download/view the program and presentations made at the conference, which was organized by the World Intellectual Property Organization (WIPO), jointly with the Turkish Patent Institute (TPI), and with the assistance from the Technical Assistance Information Exchange Office (TAIEX), Enlargement Directorate-General, Commission of the European Union (EU).



## WIPO marks filing of one millionth pct application

The World Intellectual Property Organization (WIPO) paid tribute on Friday to the world's innovators on the occasion of the filing of the one millionth international patent application under the Patent Cooperation Treaty (PCT). WIPO Director General, Dr. Kamil Idris, welcomed this milestone in the 26-year history of the PCT, noting that it reflected a remarkable acceleration in the pace of technological progress.

"One million international patent applications trans into one million pieces of technology that have entered the public domain for the benefit of society at large. This reflects the contribution that the intellectual property system makes to spurring technological development and expanding the pool of public knowledge," Dr. Idris said. The Director General observed "While it took 22 years to receive the first half million PCT patent applications, it took only 4 years to top the one million mark, reflecting an astonishing acceleration in the pace of technological development and unprecedented use of the international patent system." He added "This is a strong indication of the strategic importance of patents to business and broad-based recognition that the PCT offers a smart business solution for companies seeking international patent protection." The PCT facilitates the process of obtaining patent protection in more than 120 countries through the filing of a single international application.

Dr. Idris said some of the world's foremost innovation-based companies have recognized the strategic value of the PCT in their business planning. "These companies use the PCT to bolster their patenting strategies and remain competitive in the global marketplace," he said. The Director General also noted that companies in the developing world are making greater use of the PCT, in particular in China, Brazil, India, and the Republic of Korea, as well as individual inventors around the world.

At a ceremony to mark the filing of the millionth PCT application, in the presence of the representatives of several big users of the system, Mr. Francis Gurry, Deputy Director General, said "This milestone in the history of the patent system is testimony to the increasing importance of intellectual property at a time when wealth generation is shifting away from physical to intellectual capital." He said "The patent system is the best system that is available to encourage innovation which leads to improvement in the quality of life. Without the patent system companies would seek to retain their competitive advantage through secrecy and the public domain would be the poorer."

Mr. Gurry, who oversees the work of the Office of the PCT, paid tribute to the founders of the PCT, describing them as visionaries. He also said the millionth achievement would not have been possible without the dedication and professionalism of WIPO's staff. Addressing the future of the system, Mr. Gurry said "we are in for challenging and exciting times for the PCT for the next million applications."

Industry representatives highlighted the importance of the PCT to their business strategies and the critical role of the intellectual property system in stimulating innovation. They agreed that the additional time that the PCT provides to make final foreign patent filing decisions has effectively served their business needs.

Speaking on behalf of Philips Electronics, the biggest all-time user of the PCT, Mr. Ruud Peters, Chief Executive Officer of Philips' Intellectual Property and Standards, said "We file patents through PCT every day and constantly experience its many benefits. The PCT provides the global community of inventors with a uniform, efficient, single filing system that - immediately upon filing - provides protection in more than 120 countries. From the day of filing, inventors have 30 months to decide if they want to go ahead with the more costly application for a national patent in one or more countries. That's 18 months more than the 12 months they usually get if they file directly with a national patent office."

Mr. Peters said this extension was valuable to his company as it allowed more time to assess the commercial opportunities associated with the invention. "For all these reasons and a few more, PCT is a great tool for inventors in their endeavor to transform their ideas and discoveries into intellectual property rights. These intellectual property rights, in turn, help innovation, the goal we all want to achieve."

Speaking on behalf of Procter & Gamble (P&G), which has ranked fourth biggest PCT user since 1995, Mr. Timothy B. Guffey, Senior Patent Advisor, Global Patent Services, said the PCT has become a cornerstone of P&G's patent portfolio management program. He said the additional eighteen months that the PCT provides to make final foreign patent filing decisions "has allowed Procter & Gamble the additional time necessary to gather the technical, business and patenting information needed to make sound, fully informed decisions." Mr. Guffey said "In our opinion, the Patent Cooperation Treaty is the greatest tool for efficient global patenting and patent portfolio management to be made available to applicants since the Paris Convention in 1883."

"P&G has realized many benefits from our practice under the PCT," Mr. Guffey said, noting that the ability to reserve national phase entry options in all 124 PCT member states for the full 30 month period has allowed the company to enter the national phase in countries that were not of commercial interest at 12 months, but were of interest at 30 months. PCT publication has served P&G well "as a global vehicle to put our inventions- available-for-license before the world business community." He said "These benefits have made the use of the PCT the most cost effective and advantageous filing route for our global patent practice."



Dr. Yoshihisa Fukushima, Director, Corporate Intellectual Property Division, Matsushita Electric, said that as “technology, products and services have come to circulate across national borders...the value of the PCT system is increasing.” He said that the PCT “offers an extremely beneficial system for companies with strategies to acquire patents globally.” Dr. Fukushima added that “For companies striving to survive severe competition, the PCT system is indispensable in acquiring patent protection globally. As a result of this kind of strategic patent acquisition, the cost for acquiring patents in multiple countries has been reduced, therefore the value of this system continues to grow.”

Mr. Song Liuping, speaking on behalf of Chinese telecommunications firm Huawei Technologies, outlined his company’s intellectual property strategy saying it was of fundamental importance in supporting Huawei’s research and development efforts, which amounted to more than 360 million US dollars in the past three years and occupied over 46% of the company’s 23,000 staff in countries around the world. “Since the founding of the intellectual property rights department in 1995, Huawei’s unceasing R&D efforts and investment have paid off.” By the end of 2004, Huawei had filed more than 5,000 domestic patent applications, of which 1,300 have been granted. He said that as of 2002, Huawei topped the list of domestic patent applications made by Chinese enterprises, and ranked fourth among developing country users of the PCT. Owing to the advantages offered by the PCT, he projected that Huawei would file between 200 to 500 PCT applications annually.

Mr. Kat tae Han representing Samsung Electronics emphasized the importance of patents in today’s marketplace and the role the international patent system in helping companies meet their business objectives. He applauded WIPO’s endeavor to continually improve PCT services and said that “through these kinds of efforts...we are pretty sure that the PCT system will be the best patent system.”

Mr. Donal O’Connell, Director of Intellectual Property Rights at

Nokia, said that his company valued the PCT and welcomed WIPO’s efforts to build greater flexibility and efficiencies into the system to accommodate the needs of the user community.

The overall top 20 filers from 1995 to 2003 have been : Koninklijke Philips Electronics N.V. (Netherlands), Siemens Aktiengesellschaft (Germany), Robert Bosch GmbH (Germany), Procter & Gamble (United States), Telefonaktiebolaget L M Ericsson (Sweden), Matsushita Electric Industrial Co. Ltd. (Japan), BASF Aktiengesellschaft (Germany), Motorola Inc. (United States), E.I. Du Pont de Nemours and Company (United States), Sony Corporation (Japan), Bayer Aktiengesellschaft (Germany), Minnesota Mining and Manufacturing Company (United States), The Regents of the University of California (United States), Intel Corporation (United States), Henkel Kommanditgesellschaft auf Aktien (Germany) Unilever (Great Britain/Netherlands) 3M Innovative Properties Company (United States), Infineon Technologies AG (Germany), Nokia Corporation (Finland), and Qualcomm Incorporated (United States).

Dutch electronics giant Philips has systematically topped the list of largest users since the PCT began operations in 1978, having filed 11,000 PCT applications since 2000 – the year which registered the 500,000th PCT application.

The PCT makes it easier for companies and inventors to obtain patent rights in multiple countries without risking loss of patent rights that may arise in the process of complying with the rules and regulations established by individual national patent systems which, together with a number of regional systems, make up the international patent landscape.

The largest users of the PCT system have originated from the United States of America, Japan, Germany, the UK and France. That said, the numbers of PCT applications from several developing country members continue to show a marked increase, most notably in India and the Republic of Korea which enjoyed double-digit growth in 2003.

## The Comoros accedes to WIPO’s patent cooperation treaty

The Comoros became the 125th Contracting State of the Patent Cooperation Treaty (PCT) when it deposited its instrument of accession at WIPO on January 3, 2005. The Treaty will enter into force for the Comoros on April 3, 2005.

The accession by the Comoros means that in any international application filed on or after April 3, 2005, the Comoros (coun-

try code: KM) will automatically be designated, and, as the Comoros will be bound by Chapter II of the Treaty, will automatically be elected in any demand for international preliminary examination filed in respect of an international application filed on or after April 3, 2005. Also, as of that date, nationals and residents of the Comoros will themselves be able to file PCT applications.



## WIPO Conference on Dispute Resolution in International Science and Technology Collaboration

The application and management of intellectual property in the field of scientific and technological research has assumed a decisive significance in the quest of research enterprises and institutions to protect their investment. Research activities have become more than ever before subject to a complex variety of cooperative international conventions held between varied partners from the public and private sectors alike. Research centers, universities, business circles, novice companies and venture financiers are just examples.

Depending on the extent of complexity of the contracted terms, there might sometimes arise IP and IT related disputes owing to the complexity of relationships between the different parties.

WIPO's Arbitration and Mediation Centre has taken the initiative to hold an international conference to examine the practical options available for settling such disputes. The event is to take place in Geneva during 25-26 April 2005.

In view of the increasing complexity of IP-IT related disputes and the rise of costs ensuing from international judicial procedures, more interest has arisen to bring about more effective alternatives for dispute resolution. The available alternatives, like arbitration and mediation, do attract universities and research centers particularly in the public sector in light of their meager resources and due to the fact that their existence is contingent on the protection of their intellectual property rights constructively and cost effectively.

The conference will host speakers from leading institutions in the field of scientific and technological cooperation to discuss the various means to ensure the organization of cooperation activities in fields most amenable to disputes and come up with recommendations on the various methods of resolving such disputes.



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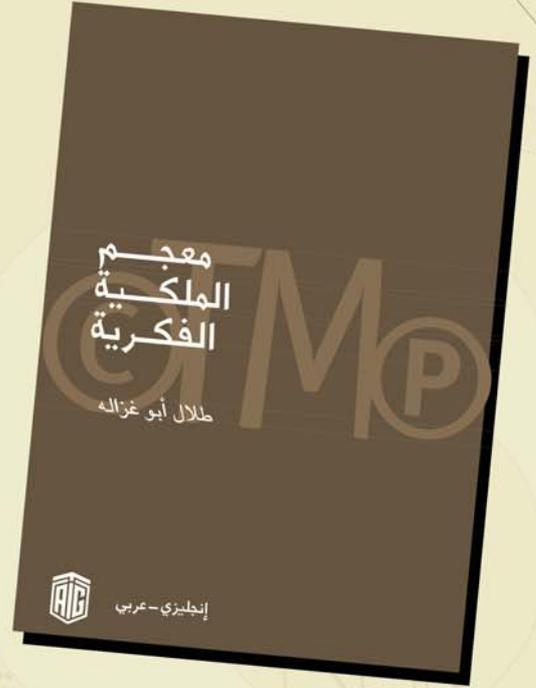
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