

Von: newsletter.jurinfo
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Betreff: Newsletter no. 8/2003 «Legal Information»

Dear Madam, Dear Sir,

We have the pleasure of sending you herewith no. 8/2003 of our Newsletter «Legal Information». We hope you will enjoy reading it.

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1. Briefing Note of the WTO on Art. 27.3(b) TRIPS

Briefing Note by the WTO-Secretariat on the review of the provisions of Article 27.3(b) of the TRIPS Agreement of September 2003.

http://www.wto.org/english/thewto_e/minist_e/min03_e/brief_e/brief06_e.htm

2. 5th WTO Ministerial Conference (Cancún, Mexico, 10-14 September 2003)

The document below is a short report on the outcome of the 5th WTO Ministerial Conference which took place in Cancún, Mexico from 10 to 14 September 2003. The Conference was concluded without having reached any substantive results or decisions. The report includes a short evaluation of this disappointing outcome from an intellectual property perspective and in regard of some of the ongoing WTO negotiations on intellectual property issues in the Doha Round.

<http://www.ige.ch/D/jurinfo/pdf/j110110d.pdf>

<http://www.ige.ch/F/jurinfo/pdf/j110110f.pdf>

"Where now after Cancún?" – Speech on the state of affairs in regards to TRIPS and public health, the access to genetic resources and traditional knowledge as well as geographical indications, held on the occasion of the Conference "Industrial Property - Quo vadis?" organised by the European Commission in cooperation with the Italian Presidency of the European Council in Ischia (Italy), October 5 through 7, 2003.

<http://www.ige.ch/E/jurinfo/pdf/Ischia.pdf>

3. The patenting of biotechnological inventions – neither work of the devil nor a wonder drug!

Patent law is neither work of the devil nor a wonder drug! It aims at the advancement of research in all fields of technology for the benefit of society - and it has proven to be successful for decades. Note of information of October 16, 2003, in German:

http://www.ige.ch/D/jurinfo/pdf/Info1_d.pdf

4. Act on embryonic research

The National Council has accepted a change in Article 2 of the Patent Law as a result of its 18 September, 2003 secondary consultation regarding the embryonic research act (now referred to as the Stem Cell Research Act). The change more clearly delineates the limits of patentability for stem cell research applications and thus creates more transparency. Unaltered unhuman embryonic stem cells and stem cell lines may not be patented. For more details see the report in

German: http://www.ige.ch/D/jurinfo/pdf/EFG_d.pdf

in French: http://www.ige.ch/F/jurinfo/pdf/EFG_f.pdf

5. Partial revision of the copyright law: Final report of the Institute on the activities of the working parties of September 30, 2003

As part of the revision of the Copyright Law with a view towards ratification of the WIPO Treaties of 1996, several working groups were created to study issues not directly connected to the implementation of the treaty. The results of their work, which took place between June 2002 and September 2003, are now summarized in a report by the Institute of Intellectual Property.

Report in German: http://www.ige.ch/D/jurinfo/pdf/Schlussbericht_d.pdf

6. Countries Granting a Right of Priority to Swiss right holders in the Area of Trademarks, Designs and Patents

List: http://www.ige.ch/E/jurinfo/pdf/Prior_e.pdf

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Yours sincerely,

Federal Institute of Intellectual Property
Felix Addor
Executive Board Member
General Counsel