

## Treaty Membership Chart

Membership	<i>Antigua and Barbuda</i>	<i>Bahamas</i>	<i>Barbados</i>	<i>Belize</i>	<i>Dominica</i>	<i>Grenada</i>	<i>Guyana</i>	<i>Haiti</i>	<i>Jamaica</i>	<i>Montserrat</i>	<i>St. Kitts and Nevis</i>	<i>St. Lucia</i>	<i>St. Vincent and the Grenadines</i>	<i>Suriname</i>	<i>Trinidad and Tobago</i>
WIPO member	x	x	x	x	x	x	x	x	x		x	x	x	x	x
WTO member	x		x	x	x	x	x	x	x		x	x	x	x	x
Berne Convention	x	x	x	x	x	x	x	x	x		x	x	x	x	x
Universal Copyright Convention		x	x										x		x
WIPO Copyright Treaty									x			x			
WIPO PPT									x			x			
Rome Convention			x		x				x			x			
Geneva/Phonograms Convention			x						x			x			x
Trademark Law Treaty															x
Madrid Protocol	x														
Vienna Agreement												x			x
Nice Agreement			x		x							x		x	x
Lisbon Agreement								x							
Hague Agreement				x										x	
Locarno Agreement															x
Strasbourg Agreement														x	x
Budapest Treaty															x
Paris Convention	x	x	x	x	x	x	x	x	x		x	x	x	x	x
Patent Cooperation Treaty	x		x	x	x	x						x			x
Patent Law Treaty								x							
UPOV Convention															x
Brussels Convention									x						x
Nairobi Treaty			x						x						

## **Summary of the Organizations and Treaties in the Excel Spreadsheet:**

**World Intellectual Property Organization (WIPO)** is a specialized agency of the United Nations (UN), created in 1967 to boost international cooperation in Intellectual Property (IP) protection. WIPO administers both the Paris Convention and the Berne Convention (see below), among multilateral treaties.

**World Trade Organization (WTO)** is the only international organization that deals with trade rules between nations. Countries around the world have negotiated and signed many WTO trade agreements.

**The Berne Convention for the Protection of Literary and Artistic Works (Berne Convention)**, adopted in 1886, was the first agreement establishing international standards for use of copyright and the protection of copyrighted works.

### **UNESCO Universal Copyright Convention (UCC)**

United Nations Educational, Scientific and Cultural Organization (UNESCO) developed the UCC as an alternative to the Berne Convention for states that disagreed with provisions of the Berne Convention, but that still wanted to participate in a form of multilateral copyright protection.

**The WIPO Copyright Treaty (WCT)**, adopted by the World Intellectual Property Organization (WIPO) in 1996, provides protections for copyrights in the modern information era. This treaty protects computer programs as literary works, protects the arrangement and selection of material in databases, and provides authors of works with control over rental and distribution of their works. Also, it prohibits circumvention of technological measures that protect works and it does not allow unauthorized modification of rights management information contained in the works.

**The WIPO Performances and Phonograms<sup>1</sup> Treaty (WPPT)**, entered into force on May 20, 2002. This treaty sets out rights for producers of phonograms, and for actors, singers, musicians, dancers, and others who perform literary or artistic works or expressions of folklore. The WPPT is a companion to the WCT, but it prevents unauthorized copying of sound recordings on the Internet—thus bringing IP law into the digital era.

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<sup>1</sup> A phonogram is the fixation of the sounds from a performance or of other sounds, or of a representation of sounds. This does not include cinematographic or other audiovisual works.

**The International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organization (Rome Convention)** was agreed to on October 26, 1961. The Rome Convention covers the protection of performers, producers of phonograms, and broadcasting organizations. For artists, the Convention provides for the possibility of preventing certain uses of their performances without their consent and subject to certain conditions. Phonogram producers enjoy the exclusive right to authorize or prohibit the use of their works. The term of protection lasts at least until the end of a twenty-year period.

**The Geneva Phonograms Convention** is known formally as the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of their Phonograms. The Geneva Phonograms Convention requires member states to protect phonogram producers from the unauthorized reproductions of their works.

**The Trademark Law Treaty (TLT)**, adopted on October 27, 1994, originally aimed to harmonize the trademark laws of the signatory states in many areas including the definition of registrable marks and objectionable marks, the rights conferred by registration and when these rights are exhausted, the treaty also provides for registration of sound marks, opposition procedures, the elimination of the “doing business” requirement for ownership of trademark registrations, and protection of well-known marks. Almost all of the substantive goals of the Treaty were eliminated, thereby leaving a Treaty that only has administrative harmonization today. The TLT has eliminated many procedural difficulties, simplifying the preparation and filing of documents.

**The Madrid Protocol (Intl Registration of Marks)** is applicable to the countries that are party to the Madrid Agreement or the Madrid Protocol. This Protocol established a system where trademark protection could be established for a number of countries through the filing of a single application with one office, in one language, and with one set of fees in Swiss francs. An international registration has the same effect as a mark registration application made in each of the countries that the applicant has designated. If the trademark office of designated country does not refuse protection of the mark within a specified period (12 or 18 months), then the mark is protected the same as if it had been registered with that national office.

**The Vienna Agreement**, agreed to on June 12, 1973, establishes an **International Classification of the Figurative Elements of Marks**.

**The Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Agreement)** standardizes the classification of goods and services for the purpose of the registration of marks.

**The Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (Lisbon Agreement)** was agreed to on October 31, 1958. The goal of this Agreement is to provide for the protection of appellations of origin; in other words, the “geographical name of a country, region, or locality, which serves to designate a product originating therein, the quality and characteristics of which are due exclusively or essentially to the geographic environment, including natural and human factors.”

**The Hague Agreement on the Protection of Industrial Designs (Hague Agreement)** allows for a single design application to give protection for a design in many countries while preserving the rights of those countries to exclude from protection any designs that do not qualify for protection under their own laws. Thus, an international design application must designate the countries in which the applicant wants to obtain protection. Designated countries can refuse to give an application effect, either in part or entirely, if the application does not meet the requirements for protection under their national laws. Standards for registrability are left to national laws; the Hague Agreement does not establish these standards. As soon as the International Registration has been registered, it will have the same effect as a national design registration in the designated countries that have not refused to give effect to the application.

**The Locarno Agreement Establishing an International Classification for Industrial Designs (Locarno Agreement)** establishes an international classification system for industrial designs. The system consists of 32 classes and 223 subclasses based on different types of products.

**The Strasbourg Agreement on International Patent Classification (Strasbourg Agreement)** harmonizes the international search and recovery of patents and other technical documents.

**The Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (Budapest Treaty)** holds that a member state which allows or requires the deposit of microorganisms as part of its patent procedure must recognize, for such purposes, the deposit of a microorganism with any “international depository authority” regardless of whether such authority is in or outside the member state. This eliminates the need to deposit specimens of the microorganisms in each country in which patent protection is sought.

**The Paris Convention for the Protection of Industrial Property (Paris Convention)** is a treaty that first came into force in 1883. Most countries have joined this treaty, which offers to parties filing patent applications in a member country a priority period within which patent applications can be filed in other member countries. This treaty allows an individual or a corporation a priority period within which to file foreign patent applications in member countries. The priority period is measured from the date of filing the first patent application in a member country.

**The Patent Cooperation Treaty (PCT)** allows an inventor to file one international patent application and seek protection for the invention in over 100 countries. A single filing results in a single search and preliminary examination report. After this point, the relevant national or regional authorities manage the examination of the application. Thus, the PCT system is designed to simplify and decrease the cost of obtaining international patent protection and facilitates public access to information relating to inventions.

**The Patent Law Treaty (PLT)**, adopted on June 2, 2000, was the result of a WIPO initiative. Its aim is to harmonize the formal requirements established by patent offices for granting patents, and to simplify the procedures for obtaining and maintaining a patent. In particular, PLT signatories have agreed to a single internationally standardized set of formal requirements for national and regional offices, standardized forms that all offices will accept, filing date requirements, and procedures to avoid a loss of the filing date because of a failure to comply with formalities, simplified procedures before the patent office, basic principles for implementing electronic filing, and mechanisms to avoid unintentional loss of rights as a result of failure to comply with time limits.

**The International Convention for the Protection of New Varieties of Plants (UPOV Convention)** was revised at a diplomatic conference in Geneva, in 1991. The main differences between the previous text and the revised one are:

- 1) the requirement that after a transitional period, protection will have to be available for all species of plants (the previous version made production a requirement for only thirteen specified genera of plants);
- 2) an extension of protection to harvested material of the protected variety (subject to certain exclusions) and to varieties “essentially derived” from protected varieties; and
- 3) removal of the old requirement that member states had to opt between patent protection and plant variety protection for plants of “one and the same botanical genus or species”

**The Brussels Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite** was done on May 21, 1974.

**The Nairobi Treaty on the Protection of the Olympic Symbol**, was adopted at Nairobi on September 26, 1981.