



Australian Government

IP Australia

PUBLIC CONSULTATION

*Singapore Treaty on the Law of Trademarks
Patent Law Treaty*

Constitutional Reform of the World Intellectual Property Organization

The Australian Government is considering joining the Singapore Treaty on the Law of Trademarks (Singapore Treaty) and the Patent Law Treaty (PLT) and formally accepting amendments designed to streamline the administration provisions of several other WIPO treaties.

Brief details are overleaf and more detailed papers information are available from <http://www.ipaustralia.gov.au/>

Consultation

Prior to the Government making a decision on joining the Singapore Treaty, the PLT and formal acceptance of the administrative amendments to the WIPO treaties, IP Australia is undertaking a consultation process which will provide input to a National Interest Analysis.

Your comments are invited on the proposals to ratify the Singapore Treaty, accede to the PLT and formally accept the administrative amendments to the WIPO treaties and should be received before **30 June 2007**. (Contact details overleaf)

Confidentiality

Unless it is indicated to the contrary at the time the comments are made, it will be assumed that comments made are not confidential and can be made public, eg placed on IP Australia's website.

Free Information Sessions

Information sessions will be held in various capital cities from 10am.

Canberra 20 June 2007

Sirius Building
Phillip

Brisbane 21 June 2007

1st Floor
Grant Thornton House
102 Adelaide Street
Brisbane QLD 4000

Sydney 22 June 2007

Level 1, Bay 8
Locomotive Workshop
Eveleigh NSW 1430

Perth 25 June 2007

2nd Floor, East Point Plaza
233 Adelaide Terrace
Perth WA 6000

Adelaide 26 June 2007

Innovation House, Technology Park
Mawson Lakes Boulevard
Mawson Lakes

Melbourne 27 June 2007

Mezzanine Level
Emirates House
257 Collins Street

Please advise your attendance as soon as possible to assist@ipaustralia.gov.au

Each session is expected to take from 1 to 2 hours. An additional session may be held on the same day if numbers are sufficient.



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Overview of the Singapore Treaty and PLT

The Singapore Treaty and the PLT harmonise and simplify many formality and procedural requirements relating to the administration of patents and trade marks. These Treaties reduce red tape by regulating the maximum set of requirements which the Office of a Contracting Party may ask for. This makes such procedures more user-friendly, more consistent across countries, less time-consuming and less expensive.

By June 2001 there were fifty four signatories to the PLT. Fourteen countries, including the United Kingdom, are now party to the PLT and ratification is currently under consideration by the US Senate.

The Singapore Treaty will come into force three months after ten States or intergovernmental organizations, with a regional trade mark office, have ratified or acceded to the treaty. Fifty three countries have signed the treaty including the UK and the USA. Singapore is the first country to complete its domestic treaty making processes and ratify the Singapore Treaty.

Constitutional Reform of WIPO

As a result of a process of constitutional reform, the WIPO General Assemblies in 2003 agreed to administrative amendments to a number of treaties including seven to which Australia is a member. The abbreviated names of those treaties are the WIPO Convention; Paris Convention; Berne Convention; Nice Agreement; PCT; Strasbourg Agreement and the Budapest Treaty.

These amendments *do not* impact on IP rights.

They include (a) the abolition of the WIPO Conference, (b) the formalization of the unitary contribution system changes that have been in practice since 1994, and (c) a change in the frequency of the ordinary sessions of the WIPO General Assembly and the other Assemblies of the Unions administered by WIPO from every two years to once a year.

A further amendment to the WIPO Convention sets the term of the WIPO Director General at six years, with the possibility of one only further fixed term of six years.

Comments – Queries

30 June 2007 is the final date for receipt of comments on whether Australia should:

- accede to the Patent Law Treaty;
- ratify the Singapore Treaty on the Law of Trademarks; and
- formally accept the administrative amendments to the WIPO treaties.

Comments or queries about any of these proposals should be directed to:

Ms Joanne Rush
IP Australia
PO Box 200, WODEN ACT 2606
phone: 02 6283 2972
e-mail: joanne.rush@ipaaustralia.gov.au

Comments or queries on the administrative amendments to the Berne Convention may also be made to:

Chris Creswell
Attorney-General's Department
Robert Garran Offices
BARTON ACT 2600
phone: 02 6250 6312
e-mail: chris.creswell@ag.gov.au