

No. 964

**WORLD INTELLECTUAL PROPERTY
ORGANIZATION (WIPO), AFRICAN REGIONAL
CENTRE FOR TECHNOLOGY (ARCT), AFRICAN
INTELLECTUAL PROPERTY ORGANIZATION (OAPI)
and INDUSTRIAL PROPERTY ORGANIZATION
FOR ENGLISH-SPEAKING AFRICA (ESARIPO)**

Co-operation Agreement. Signed at Geneva on 22 July 1985

Authentic texts: English and French.

Filed and recorded at the request of the World Intellectual Property Organization on 21 November 1986.

**ORGANISATION MONDIALE DE LA PROPRIÉTÉ
INTELLECTUELLE (OMPI), CENTRE RÉGIONAL
AFRICAIN DE TECHNOLOGIE (CRAT),
ORGANISATION AFRICAINE
DE LA PROPRIÉTÉ INTELLECTUELLE (OAPI) et
ORGANISATION DE LA PROPRIÉTÉ INDUSTRIELLE
DE L'AFRIQUE ANGLOPHONE (ESARIPO)**

Accord de coopération. Signé à Genève le 22 juillet 1985

Textes authentiques : anglais et français.

Classé et inscrit au répertoire à la demande de l'Organisation mondiale de la propriété intellectuelle le 21 novembre 1986.

COOPERATION AGREEMENT¹ AMONG THE WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO), THE AFRICAN REGIONAL CENTRE FOR TECHNOLOGY (ARCT), THE AFRICAN INTELLECTUAL PROPERTY ORGANIZATION (OAPI) AND THE INDUSTRIAL PROPERTY ORGANIZATION FOR ENGLISH-SPEAKING AFRICA (ESARIPO)

The World Intellectual Property Organization (WIPO) (hereinafter referred to as “WIPO”), the African Regional Centre for Technology (ARCT) (hereinafter referred to as “ARCT”), the African Intellectual Property Organization (OAPI) (hereinafter referred to as “OAPI”) and the Industrial Property Organization for English-Speaking Africa (ESARIPO) (hereinafter referred to as “ESARIPO”), (hereinafter referred to as “the Four Organizations”),

1. Being aware (i) of the importance of industrial property and technological innovation in general to the development objectives of developing countries in Africa, (ii) of the importance of industrial property for the transfer, acquisition and development of technology and industrialization through, among other things, adequate access to and use of technological information contained in patent documents, (iii) that, because of the lack of adequate administrative infrastructure in the field of industrial property in developing countries, it has not been possible, so far, for the countries to take full advantage of the possibilities offered by industrial property, in particular, in the use of technological information contained in patent documents and related literature,

2. Recognizing the practical advantages of dealing with some aspects of industrial property at a regional or subregional level in order to achieve better results and a more efficient administration of the scarce resources available, in the light of the increasing demands made on those resources,

3. Desirous of serving better their member States through close cooperation among the Four Organizations in the field of the dissemination and use of patent information and documentation and transfer, acquisition and development of technology for the benefit of the African continent as a whole and of all and each of its individual States,

Hereby conclude the present cooperation agreement:

Article I. OBJECTIVES

The Four Organizations shall, through cooperation among them, endeavour to increase their usefulness to their member States in their technological development efforts.

To that end, the Four Organizations shall, in particular, cooperate in

- (i) Providing technological information contained in patent documents
- (ii) Strengthening negotiating capabilities for transfer of technology arrangements where such technology is related to industrial property rights.

¹ Came into force provisionally on 22 July 1985, the date of signature, and definitively on 13 December 1985, after it had been endorsed by the Governing Bodies of all the Parties, in accordance with article VIII.

Article II. TECHNOLOGICAL INFORMATION

In the field of technological information contained in patent documents

- (i) WIPO shall advise and assist ESARIPO and OAPI to enrich the patent documentation centers they maintain;
- (ii) WIPO shall facilitate the training of the staff of ARCT, OAPI, ESARIPO, responsible for the processing and dissemination of technological information in the field of industrial property and patent documents;
- (iii) ESARIPO and OAPI shall, at the request of ARCT and on conditions that will be agreed upon in each case, furnish technological information that may be derived from the patent documentation centers that ESARIPO and OAPI maintain, or if necessary from other patents or industrial property offices.

*Article III. STRENGTHENING NEGOTIATING CAPABILITIES FOR
TRANSFER OF TECHNOLOGY*

In the field of transfer and acquisition of technology arrangements where the technology is related to industrial property rights,

- (i) WIPO shall facilitate the training of specialists nominated by ARCT, OAPI or ESARIPO whose task is to negotiate licensing agreements or other arrangements or agreements of transfer and acquisition of technology in the name of the governments, or any industrial enterprise, in Africa;
- (ii) WIPO shall facilitate the training of the staff of ARCT, ESARIPO and OAPI responsible for advisory services in the field of transfer and acquisition of technology.

Article IV. MEANS OF ACTION

The following shall be among the means destined to achieve the objectives mentioned in Article I, above :

- (i) Manuals, guides and other publications, serving as reference or teaching material, jointly prepared by two, three or all four of the Four Organizations, for the benefit of African countries,
- (ii) Training courses, seminars and workshops, jointly organized by two, three or all four of the Four Organizations, for the benefit of African countries.

Article V. JOINT CONSULTATIVE COMMITTEE

In order to plan, implement and evaluate the activities carried out, or to be carried out, under the present Agreement, representatives of the Four Organizations shall meet at least once a year in what will be called the "Consultative Committee of WIPO, ARCT, ESARIPO and OAPI." The meetings shall be held in turn in Dakar, Geneva, Harare and Yaoundé.

Article VI. EXCHANGE OF PUBLICATIONS

Each of the Four Organizations shall furnish free of charge to the others copies of its publications of interest to the others.

Such exchange of publications shall include, in particular, the furnishing by WIPO of a set of the PCT Gazette and of the microfilms of published PCT applications by WIPO to the patent documentation centers of ESARIPO and OAPI.

Article VII. REPRESENTATION AT MEETINGS

Subject to the applicable rules of each of the Four Organizations and any bilateral agreement between any two of them, each Organization shall invite the others to participate, as observers, in its meetings of interest to the others.

Article VIII. DURATION

This Agreement shall enter into force when the competent Governing Bodies of all Four Organizations have endorsed it. Pending such endorsement, the Secretariats of the Four Organizations shall apply this Agreement on a provisional basis.

This Agreement shall remain in force until it is amended or replaced by a new Agreement or is terminated through denunciation. Any of the Four Organizations may denounce this Agreement, subject to a notice of six months. Denunciation by any one Organization shall not necessarily cause the termination of the Agreement among the remaining signatories.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have affixed their signatures to two originals, in English and French, of this Agreement, both texts being equally authentic.

For the World Intellectual
Property Organization:

ARPAD BOGSCH
Director General

For the African Intellectual
Property Organization:

GÉRARD MEYO-M'EMANE
Director General a.i.

For the African Regional Centre
for Technology:

D. BABATUNDE THOMAS
Executive Director

For the Industrial Property Organization
for English-Speaking Africa:

J. H. NTABGOBA
Director

July 22, 1985
