

Sui Generis Database Draft Treaty Update

The World Intellectual Property Organization (WIPO) did not take further action on the draft "Treaty on Intellectual Property in Respect of Databases." On March 20-21, members of WIPO met only to exchange information regarding the proposal. They did not convene a committee of experts nor schedule additional discussions. It is anticipated that additional information exchange will occur in a WIPO meeting in September 1997.

Prior to the March meeting, Bruce Lehman, Commissioner of Patents and Trademarks, sent a letter to the Director General of WIPO signaling the need to slow down the consideration of a draft database treaty. The letter noted that, "while we remain committed to continuing this process (setting out proposed schedules for further work on the protection of audiovisual performers and database protection), the procedures that you have proposed... are not acceptable to the United States." He further noted that meetings of a committee of experts should not occur until "member countries have had the chance to evaluate the results of the Diplomatic Conference and conduct further consultations on the national level." Michael Kepplinger of the PTO and Shira Perlmutter, Copyright Office, represented the U.S. at the March meeting.

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