



The working methods of the AIPPI

The main task and function of the AIPPI is *comparative law work* in the field of intellectual property law and its interfaces with other legal fields. The results of this work are the *Resolutions of the AIPPI* on specific issues of intellectual property law. These Resolutions find their way through a variety of routes into the legislative process at national and regional level. In addition they constitute important principles in the negotiation or revision of multinational international treaties and are valuable sources in academic or practical work in the field of intellectual property law.

The starting point for the comparative law work of the AIPPI is a list of numbered questions (the so-called “Qs”) devised each year by the International Programme Committee. The relevant Qs are then given to the country and regional groups of the AIPPI, which draw up what are known as country reports. In order to facilitate the preparation of these reports, the Reporter General Team issues working guidelines to the country and regional groups.

The country reports consist of the most precise record possible of the current position in relation to legislation, expert opinion and legal precedent in the sphere of interest of a specific country or regional group. Depending on the question, a forecast of planned revisions of the relevant statutory provisions or a summary of the doctrine and discussion in relation to any legislative deficiencies in the relevant legal field will also be required. The response to the questions by the country and regional groups is a fundamental task and must satisfy high academic requirements.

The processing of the Qs is allocated within the country and regional groups to expert committees (“Q groups”), in which a wide variety of working methods may be used. In the Swiss country group the normal procedure is to appoint a chairperson for each Q; the Qs are then allocated among the members, with the members of each Q-group being recruited from volunteers who have a special interest in the Q concerned. The normal task for the chairpersons of the Q-groups is to devise a concept in response and to submit this to the Q-group for discussion. The result of the discussion is incorporated in the country report, which is then passed on by the chairpersons via the Secretariat of the Swiss country group to the General Secretariat of the International Association.

On the basis of the country reports, the Reporter General Team draws up a “Summary Report” that summarises the legal position based on the opinions of the country and regional groups and which identifies the areas which require harmonisation and the realistic scope for harmonisation. On the basis of this, a multinational panel of experts (the “Working Committee”) appointed by the International Association compiles a synthesis of the situation with a recommendation in the form of a draft resolution. Finally, in a democratic procedure, the AIPPI Executive Committee votes once a year on the drafts and adopts the corresponding AIPPI resolutions.

The AIPPI resolutions therefore owe their legitimacy to the painstaking academic groundwork carried out in the country and regional groups and the unique procedure at international level of comparing legal systems. Of crucial importance in this work is the field work of the country and regional groups and the quality of the country reports that they produce.

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