Date: March 31, 2003
To: Honorable Paul A. Magnuson
Honorable Janet Bond Arterton
Honorable Myron H. Bright
Honorable Lorne Craner
Honorable Ronald S. W. Lew
Honorable George M. Marovich
Honorable Peter J. Messitte
Honorable Vicki Miles-LaGrange
Honorable George C. Paine II
Honorable Robert F. Utter
Honorable Joseph F. Weis, Jr.
Dean Michael K. Young
cc: Honorable J. Clifford Wallace

From: Karen Hanchett
Number of Pages (including cover page): 6

Subject: The International Organization for Judicial Training

Remarks: Judge Wallace asked me to circulate the attached documents to you. If you have any comments or suggestions, please provide them to the judge before he departs for Australia on Thursday, April 3.
To: The President
The Deputy Presidents
Members of the Executive Committee
Committee Chairpersons
Organization Members
Potential Members

Dear friends,

1) The Second International Conference of the Organization for Judicial Training will be held in Canada in the Spring of 2004. Our Executive Committee will meet in Sydney, Australia, in April of this year in order to formalize the Conference’s programme and determine its agenda. The Committee will deliberate and reach decisions both on matters relating to the Organization’s constitution and on the professional, academic content of the lectures and discussions of the 2004 International Conference.

2) The sessions devoted to constitutional affairs will deal with the statutes which were discussed and approved by the Organization’s General Assembly at its First Conference in Jerusalem in March 2002. At that time the floor was cleared for open debate on the aims of the Organization, its membership, its composition and its structure which included its general assembly, its executive committee, its president, its other functionaries, its other committees and its sub-committees.

According to Article 9, the statutes may be amended by a two-thirds majority vote taken at the General Assembly. Any proposal for amendments will be circulated to all members and must be submitted to the Executive Committee for its recommendation at least three months before the meeting of the General Assembly.

Please examine the attached copy of the statutes and let me have whatever comments or suggestions you feel you should make as soon as possible and in time which will enable the Executive Committee to take them into consideration at its annual meeting, which will take place in Sydney.

3) A number of sessions will consist of lectures and study group discussions on the theory and practice of judging. Such matters, for example, as the aims and objectives of judicial education, its substance, its teaching methods and devices and the training of instructors at judicial institutes should all come under review.
You will be doing a great service to our cause if you are prepared to submit your suggestions for the subjects of these sessions as soon as possible and in view of the fact that the number of sessions may be limited, please state the degree of priority which you ascribe to each of the subjects on your list. Your recommendations will all be considered at the Executive Committee's meeting.

4. We should also like to be informed by such institutes or their representatives as would like to add to their knowledge of the following activities:-
   a) The establishment of our organization's website.
   b) The day-to-day operation of the website.
   c) Participation in and editing a newsletter
   d) The formation and operation of a library of books on judicial education.

Yours sincerely

Prof. A. Carmi
Secretary - General
The International Organization for Judicial Training

STATUTES

Article 1: Organization
1. The International Organization for Judicial Training (IOJT) consists of judicial training institutes that have been admitted pursuant to the requirements of these Statutes.

2. English will be the working language of IOJT.

Article 2: Aims, Objectives and Activities
1. The purposes of the IOJT are:
   a) To encourage the establishment of judicial training institutes;
   b) To promote the rule of law;
   c) To consider common issues for the training and education of judges;
   d) To develop machinery for the exchange of judges;

2. The IOJT will achieve these purposes by:
   a) Promoting and advancing co-operation among its members;
   b) Facilitating international exchange of information;
   c) Organizing international, national and local meetings and congresses;
   d) Preparing and distributing professional materials;
   e) Developing educational programs and materials;
   f) Promoting and conducting collaborative research;
   g) Developing consensus statements on issues relevant to IOJT;
   h) Establishing committees to deal with specific issues, and
   i) Pursuing other means harmonious with the purposes of IOJT.

3. The IOJT will advance and promote the study, instruction and training of the art of judging.

Article 3: Membership
1. Judicial training institutes whose goals are consonant with those of the IOJT are eligible for membership in IOJT. A judicial training institute is a local, national or international institute that offers training to potential or active professional judges.

2. The decision to admit a judicial training institute to the IOJT is made by the Executive Committee. Applications by national judicial training institutes will be automatically approved by the Executive Committee. Other applications will be approved by the Executive Committee at its discretion.
3. The participants of the 2002 judicial conference constitute the Founding Body of the IOJT and are regarded as voting members of the First General Assembly.

**Article 4: Structure**
The IOJT will consist of a General Assembly, an Executive Committee, a President, Deputy Presidents, Secretary-General, Treasurer, and Chair of a policy and other committees.

**Article 5: The General Assembly**
1. The General Assembly is the governing body of the IOJT. It is composed of the delegates of Member Judicial Training Institutes. The General Assembly meets every two years. An extraordinary General Assembly may be convened at any time by the Executive Committee or at the request of at least a third of the Member Institutes. Decisions of General Assemblies will be made by a simple majority vote of the Member Institutes present, unless otherwise provided in the following articles. There will be no voting by proxy.

2. The General Assembly:
   a) Determines the policies of the IOJT.
   b) Receives the reports of the President, the Secretary-General, the Treasurer and the Audit Committee.
   c) Elects the President, Secretary-General, Treasurer, and Chair of the Policy Committee for a term of office of two years. They shall constitute four members of the Executive Committee. The fifth member will be appointed by the President and will be the Conference Organization Committee Co-chair from the next conference site.
   d) Elects five Deputy Presidents, one from each of the following regions: Africa, Australasia, Europe, North America and South America, for a term of office of two years.
   e) Authorizes the President to appoint an additional Deputy President as needed.

**Article 6: The Executive Committee**
The powers of the IOJT between the General Assemblies are vested in the Executive Committee. The decisions will be made by a simple majority vote in the minimum presence of three members. In the case of parity of votes, the President has a casting vote. The Executive Committee shall determine its procedure and mode of voting. Unless the Statutes designate otherwise, the Executive Committee shall appoint all committees, including a three member nominating committee.

**Article 7: The President**
The President chairs all meetings of the General Assemblies and the Executive Committee. The President is responsible for the implementation of the decisions of these bodies. The President convenes the General Assembly and the
Executive Committee and decides upon the agenda of their meetings. The President represents the Organization in all official matters.

**Article 8: Assets**
The assets of the IOJT will be utilized solely to meet its financial liabilities. Organization members, members of the Executive Committee, the various committees and other officers will not be personally liable for debts incurred by the Organization.

**Article 9: Amendments of the Statutes**
The Statutes of the IOJT may be amended by two-thirds majority vote taken at the General Assembly. Any proposals for a change of the Statutes will be circulated to all Members and has to be submitted to the Executive Committee for its recommendation at least three months before the meeting of the General Assembly.

**Article 10: Dissolution**
1. The dissolution of the IOJT will be decided by the General Assembly at the request of the Executive Committee, or at the request of more than one half of the Members. The General Assembly will, with two-thirds majority, order the dissolution of the Organization.

2. All sums remaining within the funds of the IOJT after liquidation will be distributed equally among the Members.

*Document with signatures of participants is attached.*
Your Honour Judge
Lord Hoffmann
House of Lords
Strand
UK - LONDON SW1A OPW

Your Honour Judge
Lord Justice Aldous
Royal Courts of Justice
Strand
UK - LONDON WC2A 2LL

Your Honour Judge
Robin Jacob
Royal Courts of Justice
Strand
UK - LONDON WC2A 2LL

Your Honour Judge
Peter Meier Beck
Bundesgerichtshof
X Zivilsenat
P.O. Box 1662
D - 76125 KARLSRUHE

Your Honour Judge
Klaus Grabinski
District Court of Düsseldorf
D - 40225 DUSSELDORF

Your Honour Judge
Marie-Françoise Marais
Président de Chambre à la
Cour d'Appel de Paris
2, avenue Méhul
F - 92500 RUEIL-MALMAISON

Your Honour Judge
Alain Girardet
Vice President
Tribunal de Grande Instance
de Paris
France

Your Honour Judge
Alexandra Kiers
Court of Appeal
NL - s'Gravenhaage

Your Honour Judge
Du Pen
Arrondissementrechtensbank
NL - s' Gravenhaage

Milan, March 31, 2003
Your Honour Judge
Johannes Willems
European Patent Office
Erhardtstraße 27
D – 80331 MUNICH

Your Honour Judge
Massimo Scuffi
Corte d'Appello di Milano
Via Freguglia
20122 MILANO MI

Your Honour Judge
Mario Barbuto
Presidente
Tribunale di Torino
10100 TORINO TO

Your Honour Judge
Geremia Casaburi
Sez. II
Tribunale di Napoli
80110 NAPOLI NA

Your Honour Judge
Arthur J. Gajarsa
Court of Appeal for the
Federal Circuit
717 Madison Pl., N.W.
Washington, D.C. 20439
USA

Your Honour Judge
Randall R. Rader
Court of Appeal for the
Federal Circuit
717 Madison Pl., N.W.
Washington, D.C. 20439
USA

C.c.:
Mr. Felix Addor
Institut Fédéral
Propriété Intellectuelle
Einsteinstrasse 2
CH – 3003 BERN

C.c.:
Mr. J.J. Brinkhof
STIBBE
Stibbe Tower
Strawinskylaan 2001
NL – 1077 ZZ AMSTERDAM
Since a sufficient number of years I have tried to incite public institutions, mostly in Italy (and also in other Mediterranean countries) to set up a sort of a permanent Academy of judges for judges, to exchange experiences in patent law matters.

The idea is very simple: some judges specialised in patent law (e.g., 20 to 30) should convey for about a week every year and discuss three or four patent cases that have been decided in order to check whether there is a common understanding.

The reaction to this project has been rather favourable, if not enthusiastic. But clearly either myself or the public institutions do not have the ability to carry the project into completion.

I wonder whether an informal organisation, having however a minimum of structure and visibility, could do a better job. To this aim both myself and Giovanni Casucci (known to most of you, I suppose), with the facility of the Milan Politecnical Institution, are prepared to act in a secretarial function, to try to bring the project into maturity. What we have in mind is very simple.

1. We should obtain your opinions on the feasibility of the project and your availability to spend few days (for instance, in July or August or September, in a non-totally unpleasant locality – e.g., Venice, Capri, but not Milan, of course!) to discuss a case decided by you or by your colleagues in your or in other European countries.

2. We then would present these opinions and a more detailed program to some public institution, in a Mediterranean country (of course, I think of Italy first).

3. To set up a permanent secretarial office, for instance at the Politecnico of Milan.

4. Then to press the authority to organise the Academy.
Dr. Casucci and myself would greatly appreciate comments from you.

We want also to mention that this project is different from the biennial meeting of judges expert in patent law, as well as with programs of legal education of judges in the various countries. The aim of the program would be to give a common basic understanding to various European judges, where every person could, in turn, teach and learn from the others.

Yours,

Prof. Avv. Mario Franzosi
(Scientific Committee)
franzosi@franzosi.com
Writer private address:
Via Brera, 5
I-20121 Milan
ph. +3902 8590.9200
fax +3902 867.306