

Special Union for the International Classification for Industrial Designs (Locarno Union)

Committee of Experts

Eleventh Session

Geneva, October 8 to 12, 2012

REPORT

adopted by the Committee of Experts

INTRODUCTION

1. The Committee of Experts of the Locarno Union (hereinafter referred to as “the Committee”) held its eleventh session in Geneva from October 8 to 12, 2012. The following members of the Committee were represented at the session: China, France, Germany, Hungary, Latvia, Mexico, Netherlands, Norway, Romania, Russian Federation, Spain and Sweden (12). The following States were represented by observers: Cameroon, Canada, Colombia, Israel, Japan, Lithuania, Saudi Arabia and Sudan (8). Representatives of the following international intergovernmental organizations took part in the session in an observer capacity: Benelux Office for Intellectual Property (BOIP) and European Union (EU). The list of participants appears as Annex I to this report.

2. The session was opened by Mr. Antonios Farassopoulos, Head, International Classifications and Standards Division, who welcomed the participants on behalf of the Director General.

OFFICERS

3. The Committee unanimously elected Mr. Patrice Clément (Netherlands) as Chair, and Mrs. María Belinda Fernández (Spain) and Mrs. Chen Shuhui (China) as Vice-Chairs.

4. Mr. Antonios Farassopoulos (WIPO) acted as Secretary of the session.

ADOPTION OF THE AGENDA

5. The Committee unanimously adopted the agenda, which appears as Annex II to this report.

DISCUSSIONS, CONCLUSIONS AND DECISIONS

6. As decided by the Governing Bodies of WIPO at their tenth series of meetings held from September 24 to October 2, 1979 (see document AB/X/32, paragraphs 51 and 52), the report of this session reflects only the conclusions of the Committee (decisions, recommendations, opinions, etc.) and does not, in particular, reflect the statements made by any participant, except where a reservation in relation to any specific conclusion of the Committee was expressed or repeated after the conclusion was reached.

PROCEDURE FOR ADOPTION OF AMENDMENTS AND ADDITIONS TO THE NINTH EDITION OF THE LOCARNO CLASSIFICATION

7. Discussions took place on the understanding that:
 - i. for amendments and additions to the Locarno Classification (hereinafter referred to as the "Classification") not entailing a transfer of goods from one class to another, a simple majority of the countries of the Locarno Union was required under Article 3(4) of the Locarno Agreement;
 - ii. for the transfer of goods from one class to another, unanimity among the countries of the Locarno Union was required under the same Article 3(4).
8. The Committee noted that countries of the Union not represented at the session or not having expressed their vote during the session or within the period prescribed by the Rules of Procedure of the Committee were considered to have accepted the decisions of the Committee, as set forth in Article 3(6) of the Locarno Agreement.

CONSIDERATION OF PROPOSALS FOR AMENDMENTS AND ADDITIONS TO THE NINTH EDITION OF THE LOCARNO CLASSIFICATION

9. Discussions were based on project LO113, containing a summary table of proposals for amendments and additions to the current (ninth) edition of the Classification.
10. The Committee adopted a certain number of amendments and additions, as contained in Annex III to this report.

REPORT ON THE WORK DONE SO FAR BY THE LOCARNO PILOT GROUP ON THE CREATION OF AN INDEX FOR THE VISUAL FEATURES OF INDUSTRIAL DESIGNS

11. Discussions were based on [Annex 1 to project LO114](#), containing a summary of the work accomplished so far by the *ad hoc* Working Group and the Pilot Group, and raising a number of issues on the direction to follow for future work.
12. In relation to such issues, the Committee agreed as follows:
 - i. the Committee was still interested in developing a system for indexing the visual features of industrial designs;
 - ii. the Locarno Pilot Group should continue to be in charge of developing such a system and should report directly to the Committee, therefore, the *ad hoc* Working Group created in 2007 should be discontinued;

- iii. the indexing system of common categories and product-type indexes developed so far by the Pilot Group should be further developed and tested;
 - iv. exploring other systems for classifying the appearance of industrial designs should not be excluded.
13. The delegations of France and Germany expressed their wish to integrate the Pilot Group and the Committee agreed.
14. The International Bureau was invited to contact the Chair of the Pilot Group, not present at the session, in order to confirm his wish to continue chairing the Group. In case he would not be able to do so, the delegate from France volunteered to take over as Chair.
15. The Committee invited the Pilot Group to prepare an action plan by the end of this year. The Pilot Group would communicate electronically by making extensive use of the electronic forum and meet physically when appropriate.

PUBLICATION OF THE NEW AND FUTURE EDITIONS OF THE LOCARNO CLASSIFICATION. ENTRY INTO FORCE OF THE COMMITTEE'S DECISIONS

16. The Committee noted that the International Bureau would prepare and publish the new (tenth) edition of the Locarno Classification, in English and in French, on paper, in summer 2013, and on the Internet, the very last days of December 2013. The following editions of the Classification would be published only online, the 10th edition being the last one to be issued on paper.
17. The Committee agreed that amendments and additions to the ninth edition of the Locarno Classification should enter into force on January 1, 2014.

NEXT SESSION OF THE COMMITTEE OF EXPERTS

18. The Committee agreed that its next (twelfth) session would be held in Geneva in the second half of 2015.
19. In order to prepare the session better, the Secretariat would invite the Locarno Union member countries to submit new proposals early enough in order to allow for a subsequent round of comments on the electronic forum and final proposals to be submitted in reply to those comments.

CLOSING OF THE SESSION

20. The Chair closed the session.

21. *The Committee of Experts unanimously adopted this report by electronic means on November 8, 2012.*

[Annexes follow]