

WIPO



CLIM/WG/1/3

ORIGINAL: English

DATE: July 4, 2008

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL CLASSIFICATION OF GOODS AND
SERVICES FOR THE PURPOSES OF THE REGISTRATION OF MARKS
(NICE UNION)**

AD HOC WORKING GROUP

Geneva, July 3 and 4, 2008

SUMMARY BY THE CHAIR

INTRODUCTION

1. The *ad hoc* Working Group of the Nice Union held its first session in Geneva on July 3 and 4, 2008.
2. The following members of the Nice Union were represented at the session: Austria, Australia, China, Croatia, Czech Republic, Denmark, France, Germany, Hungary, Italy, Japan, Latvia, Lithuania, Mexico, Netherlands, Norway, Portugal, Romania, Serbia, Singapore, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom and United States of America (27). The following States were represented by observers: Brazil, Haiti. Representatives of the following international intergovernmental organizations (IGOs) took part in the session in an observer capacity: Benelux Organisation for Intellectual Property (BOIP) and the Commission of the European Communities (CEC). Representatives of the following international non-governmental organizations (NGOs) took part in the session in an observer capacity: European Communities Trade Mark Association (ECTA) and International Trademark Association (INTA).
3. The list of participants appears in Annex I to this report.

Agenda Item 1: Opening of the Session

4. The session was opened by Mr. Marcus Höpperger, Acting Director, Law and International Classifications Division, Sector of Trademarks, Industrial Designs and

Geographical Indications, WIPO, who welcomed the participants on behalf of the Director General.

Agenda Item 2: Election of a Chair and one Vice-Chair

5. The *ad hoc* Working Group unanimously elected Mr. Chan Louis (Singapore) as Chair and Mr. Mike Foley (United Kingdom) as Vice-Chair.
6. Mr. Marcus Höpferger (WIPO) acted as Secretary of the session.

Agenda Item 3: Adoption of the Agenda

7. The *ad hoc* Working Group unanimously adopted the agenda, which is reproduced in Annex II to this report.

Agenda Items 4 and 5: Consideration of document CLIM/WG/1/2 and Discussions

8. Following an extensive discussion of document CLIM/WG/1/2, the Chair presented the following summary to the *ad hoc* Working Group:

Agenda Item 6: Summary by the Chair

(a) The *ad hoc* Working Group agreed to the introduction of an electronic form to facilitate the submission of proposals for all changes and amendments to the Classification. This electronic form would contain the information listed under paragraphs 6(c)(i) to (vi) of document CLIM/WG/1/2, with an additional field to explain the proposal, and to submit references in the form of URLs, pictures, bibliographical links and study papers.

(b) Furthermore, the *ad hoc* Working Group agreed to the establishment of an electronic forum having the following features:

(i) Proposal for changes to the Classification would be submitted to the electronic forum;

(ii) All members of the Nice Union, the International Bureau and certain organizations can present proposals;

(iii) These groups can thereafter comment on the proposals via the electronic forum and indicate whether they are in favor or not of the proposal, and give their reasons, if any;

(iv) The Committee of Experts under the Nice Union will hold a meeting once a year to decide on all proposals and their respective entry into force. Changes to the Classification (i.e., additions and deletions of terms in the alphabetical list) should enter into force at least once a year. In that respect, the *ad hoc* Working Group also expressed its preference for publishing the Nice Classification exclusively in an electronic format;

(v) The Secretariat would develop a prototype of the electronic forum for presentation at the next session of the *ad hoc* Working Group. The Secretariat would also prepare revised draft rules of procedure for the Committee of Experts, for presentation and discussion at the next session of the *ad hoc* Working Group;

(vi) The next session of the *ad hoc* Working Group was tentatively scheduled to take place back to back with the 27th session of the Preparatory Working Group, taking place in Geneva from October 6 to 10, 2008.

Agenda Item 7: Closing of the Session

9. The Chair closed the session.

[Annexes follow]