

## **Committee on WIPO Standards (CWS)**

**Sixth Session**  
**Geneva, October 15 to 19, 2018**

### **REPORT ON THE PROGRESS OF THE TASK NO.53 REGARDING XML FOR GEOGRAPHICAL INDICATIONS**

*Document prepared by the XML4IP Task Force*

#### **BACKGROUND**

1. The Task No. 53 was created at the fifth session of the Committee on WIPO Standards (CWS/5) May 29 to June 2, 2017 in order to: “Develop XML schema components for Geographical Indications.” The XML4IP Task Force was assigned to the new task. (See paragraphs 25 to 29 of document CWS/5/22.)

#### **PROGRESS REPORT**

2. Following the above-mentioned decision by the CWS, the Russian Federal Service for Intellectual Property (Rospatent), as a member of the Task Force and the proponent to extend WIPO Standard ST.96 to cover geographical indications, volunteered to conduct the preliminary analysis and prepare the first draft eXtensible Markup Language (XML) schema of geographical indications based on WIPO Standard ST.96.

### FIRST ROUND DISCUSSION

3. The Task Force conducted two rounds of discussions on the draft XML schema proposed by Rospatent. The Task Force members agreed on the following principle design approaches to develop the XML schema for Geographical Indications:

- (a) The XML components of Geographical Indications should be considered as a separate domain from trademarks in WIPO Standard ST.96.
- (b) A namespace prefix GIN has been selected for geographical indications in the XML schema.

4. In the first round of discussions, Rospatent reported that it had studied the structure of its national application and national state register as well as Lisbon XML and Association of Southeast Asian Nations (ASEAN) GI Database. Rospatent further noted that according to the study, the first business entities had been selected, such as "Application", "Geographical Indication" and "Certificate of right to use the Geographical Indication".

5. Rospatent provided the first draft XML schema for Geographical Indications for the consideration of the Task Force members. The first draft has been discussed by the Task Force through the WIPO electronic forum, the Wiki, and also during the XML4IP meeting held in Ottawa, Canada, September 18 to 22, 2017. The CIPO and the European Union Intellectual Property Office (EUIPO) provided valuable inputs during the discussion on the first draft.

6. An online conference was organized to discuss outstanding issues, including the classification and definition of Geographical Indications. Taking into account the text suggested by the International Bureau, the Task Force members tentatively agreed on the definitions of Geographical Indication and Appellation of Origin for the purpose of the implementation of Task No. 53. The tentatively agreed definitions are reproduced below:

- (a) "Geographical Indications are indications, which identify a good as originating in the territory of a country, region or locality in that territory. The indication relates to where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin."

*[Note: This definition is equivalent to the definition of a Geographical Indication given by Article 22.1 of the TRIPS Agreement and Article 2(1)(ii) of the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications. In order to work as a Geographical Indication, a sign must identify a product as originating in a given place. In addition, the quality, reputation or other characteristic of the product should be linked to the place of origin. Since the quality, reputation or other characteristic of the product depends on the geographical place of production, there is a link between the product and its original place of production.]*

- (b) "Appellations of origin are the geographical denomination of a country, region or locality, which serve to designate a product originating therein. The quality or characteristics of which are due exclusively or essentially to the geographical environment, including natural and human factors."

*[Note: This definition is equivalent to the definition of an appellation of origin given by Article 2 of the Lisbon Agreement and Article 2(1)(i) of the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications. Appellations of Origin and Geographical Indications both require a qualitative link between the product to which they refer and its place of origin. The basic difference between the two terms is that the link with the place of origin must be stronger in the case of an appellation of origin. The quality or characteristics of a product protected as an appellation of origin must result exclusively or essentially from its geographical origin. This generally means that the raw materials should be sourced in the place of origin and that the processing of the product should also happen there.]*

7. With regard to the classification, the Task Force members agreed to define the XML component for the classification by including existing relevant practices and provisionally agreed to refer to the Nice classification, the informal classification used in Lisbon Database and the national classification.

## SECOND ROUND DISCUSSION

8. During the second round discussion, Rospatent provided the revised draft XML schema. In the new draft, the description of geographic region was extended based on the study of Geographical Indication regulations of various Intellectual Property Offices (IPOs) such as the Intellectual Property Agency of the Republic of Armenia Ministry of Economy of the Republic of Armenia (AIPA), the National Center of Intellectual Property of Belarus (NCIP), the Canadian Intellectual Property Office (CIPO), the State Service of Intellectual Property and the Innovation under the Government of the Kyrgyz Republic (Kyrgyzpatent), the Spanish Patent and Trademark Office Ministry of Energy, Tourism and Digital Agenda (OEPM) and New group elements (containers) were added to some existing XML components and product indication and feature descriptions were modified and regrouped.

9. The second draft schema was intensively discussed via the Wiki and during the XML4IP Task Force meeting held in Moscow (Russia), May 14 to 18, 2018. The EUIPO provided an extended list of business entities and data sources for the analysis and preparation of Geographical Indications XML Schema components (see Annex I to this document).

10. Following discussions and agreements at the XML4IP meeting in Moscow, Rospatent and EUIPO worked on preparing a mapping table between the Geographical Indications XML Schema components and data fields in different information sources, and updated XML schema. The updated mapping table and draft XML schema are reproduced as Annex II and Annex III, respectively, to this document.

WORK PLAN

11. The Task Force plans to take the following actions for the development of XML Schema Geographical Indications:

Action	Expected result	Planned date
Presenting progress report at the sixth session of the CWS	The CWS is informed of the progress report and work plan; the Task Force receives additional input from CWS.	Oct 2018
Resume the work on the GIN schema	The Task Force to prepare and discuss the final draft of the GIN schema.	Dec 2018 - June 2019
Presenting the final draft of the GIN schema for consideration and approval at the seventh session of the CWS (CWS/7). <i>[Note: It depends on the dates of CWS/7.]</i>	GIN schema to be incorporated in WIPO Standard ST.96 after the CWS/7.	2019 (CWS/7)

12. *The CWS is invited to:*

*(a) note and comment on the content of the present document and its Annexes in order to prepare a final proposal for the XML components of Geographical Indications, which will be incorporated in WIPO Standard ST.96; and*

*(b) request the XML4IP Task Force to present the final draft XML schema of geographical indications for consideration at its next session, as referred to in paragraph 11 above.*

[Annexes follow]

## Annex I: List of Business Data Entities related to Geographical Indications and List of References

### Business Data Entities related to Geographical Indications (GIs):

- GI Application
- GI Publication
- GI Registration
- GI Certificate
- GI Information Fiche
- GI Renewal
- GI User Application
- GI User Certificate
- GI Change of Name and Address
- GI Data
- GI Image
- GI Image Thumbnail
- GI Applicant Data
- GI Representative Data
- GI Authorized User Data
- GI Search Result List

### References on the GI Business Entities:

- DOOR Database: <http://ec.europa.eu/agriculture/quality/door/list.html>
- E-Bacchus Database: <http://ec.europa.eu/agriculture/markets/wine/e-bacchus>
- E-Spirit-Drinks Database: <http://ec.europa.eu/agriculture/spirits>
- <http://www.asean-gidatabase.org/gidatabase/>

## Annex II: Mapping Table between XML Schema Components and various Data Sources

- Mapping Table: ([annex ii mappingtable](#))

## Annex III: Draft XML Schema for Geographical Indications

- Draft Schema: ([annex iii draft xmlschema](#))

[End of Annexes and of document]