

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

### **Eighth Session**

**Geneva, November 30 to December 4, 2020**

### **REPORT BY THE LEGAL STATUS TASK FORCE**

*Document prepared by the Legal Status Task Force Leader*

#### **BACKGROUND**

1. At its seventh session held in July 2019, the Committee on WIPO Standards (CWS) noted the progress of the Legal Status Task Force in several areas. The CWS approved the proposed revisions to WIPO Standard ST.27, including a new guidance document of examples and also approved publication of IP Office (IPO) mapping tables for WIPO Standard ST.87 that were received during the year 2019. The CWS requested that the Task Force begin work with priority on a new standard for trademark legal status data. The CWS amended the description of Task No. 47 to read “prepare proposals for revisions to WIPO Standards ST.27 and ST.87 as needed; prepare a proposed guidance document for industrial design legal status data; prepare a recommendation for the exchange of legal status data on trademarks by industrial property offices; and support the XML4IP Task Force to develop XML components regarding legal status event data”. The Task Force’s plan to further develop proposals for the use of reserved characters in ST.27 was also noted. The Task Force leader is the International Bureau. (See paragraphs 106 to 124 of document CWS/7/29.)

#### **REPORT ON ACTIVITIES**

2. The revised WIPO ST.27 including the new guidance document were published by the International Bureau in September 2019. The mapping tables for ST.87 were published in WIPO website in April 2020 at [https://www.wipo.int/standards/en/part\\_07.html](https://www.wipo.int/standards/en/part_07.html), due to further review of several submissions needed before publication.

3. The Task Force worked with priority on a proposed recommendation for the exchange of trademark legal status data. In November 2019, the Secretariat issued circular C.CWS.130 requesting nominations from IPOs for experts in trademark legal status data to participate in the Task Force. Six online meetings were held by the Task Force with additional discussions on the Task Force wiki. The proposal for the new WIPO standard on trademark legal status data is presented for consideration by the CWS at its present session (see document CWS/8/4).

4. The Task Force followed the model of WIPO ST.27 for patent legal status data and particularly ST.87 for industrial design legal status data to develop the proposed new standard. The same basic approach as those existing Standards was used: a general prosecution model that broadly describes trademark prosecution practices among IPOs worldwide; categories that describe groups of events which share a common theme; key events that describe the most important and relevant general practice within a category; and detailed events that describe particular practices shared by many IPOs. The Task Force reviewed each of these areas and adjusted the details for trademark practices where needed, while maintaining the generalized terminologies developed by existing WIPO legal status standards where possible for compatibility.

5. The International Bureau, as the Task Force leader, also worked with interested Task Force members to develop proposals for use of reserved characters in ST.27. Proposals from various Offices were discussed and plans were made to consolidate them into a single proposal for consideration by the entire Task Force. Due to the global health situation, these plans were temporarily suspended until interested Task Force members have the capacity to resume the project. The Task Force intends to restart the work on reserved characters later this year and present a proposal for consideration at the next session of the CWS.

#### PROPOSED AMENDMENT TO TASK NO. 47

6. To reflect the progress of work on the recommendation for trademark legal status data and to take into account that the proposed new standard is adopted at this session, it is proposed to revise Task No. 47 as follows: “Ensure the necessary revisions and updates of WIPO Standards ST.27, ~~and ST.87, and ST.61 as needed~~; prepare supporting materials to assist the use of a proposed guidance document for industrial design those Standards in IP community; ~~prepare a recommendation for the exchange of legal status data on trademarks by industrial property offices~~; and support the XML4IP Task Force to develop XML components regarding for legal status event data”.

7. *The CWS is invited to:*

*(a) note the content of this document;*

*(b) request the Task Force to present a proposal for use of reserved characters in WIPO ST.27 at the next session of the CWS; and*

*(c) approve the revision of Task No. 47 as described in paragraph 6.*

[End of document]