

Committee on WIPO Standards (CWS)

Fourth Session
Geneva, May 12 to 16, 2014

DECISION OF THE 44TH SESSION OF THE WIPO GENERAL ASSEMBLY IN RELATION TO THE CWS

Document prepared by the Secretariat

1. The CWS at its third session, held in April 15 to 19, 2013, agreed that the “CWS Chair should request the Secretariat to prepare and present the Report of the CWS and convey the request of the CWS to the General Assembly in order to give any instructions of the General Assembly to the CWS on its future work on pending matters in accordance with the last sentence of paragraph 5 of document CWS/2/13” (see paragraph 22 of document CWS/3/14).
2. The Secretariat prepared and presented the Report of the CWS and conveyed the request of the CWS to the General Assembly, as indicated above, in document WO/GA/43/16. The excerpt of the said document related to the CWS is attached as Annex to the present document.
3. Following the decision of the 51st Assemblies to conclude the deliberations on this agenda item at the next session, the 52nd Assemblies decided as follows (see paragraph 100 of document WO/GA/44/6):

“The WIPO General Assembly:

- (i) took note of the information contained in document WO/GA/43/16 in relation to the Committee on WIPO Standards (CWS);
- (ii) took note of the statements made by delegations in this respect at the 43rd and 44th sessions of the WIPO General Assembly in 2013; and
- (iii) requested the CWS to continue its work regarding the issues reported on in that document.”

4. *The CWS is invited to take note of the decision of the 44th session of the WIPO General Assembly related to the CWS and to take any appropriate action.*

[Annex follows]

EXCERPT FROM DOCUMENT WO/GA/43/16

WIPO General Assembly

Forty-Third (21st Ordinary) Session
Geneva, September 23 to October 2, 2013

REPORTS ON OTHER WIPO COMMITTEES

prepared by the Secretariat

1. The present document contains information reports which are being submitted to the WIPO General Assembly in a consolidated document on the work of the following WIPO Committees: Standing Committee on the Law of Patents (SCP), Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT), Committee on WIPO Standards (CWS) and Advisory Committee on Enforcement (ACE).

2. *The WIPO General Assembly is invited:*

(i) *to take note of the information contained in this document.*

(ii) *in response to the request made by the CWS, referred to in paragraph 29 of Annex I, to give any instructions to the CWS on its future work on pending matters in accordance with the last sentence of paragraph 5 of document CWS/2/13.*

[Excerpt from Annex I to document WO/GA/43/16 follows]

EXCERPT FROM ANNEX I TO DOCUMENT WO/GA/43/16

III. COMMITTEE ON WIPO STANDARDS (CWS)

19. During the period under consideration, the Committee on WIPO Standards (CWS) held its third session from April 15 to 19, 2013. The meeting was chaired by Ms. Oksana Parkheta (Ukraine). Ambassador Alfredo Suescum (Panama) was elected as Vice-Chair.

ADOPTION OF THE AGENDA

20. Following informal consultations conducted by the Vice-Chair, the CWS agreed to revise agenda Item 4 to read: "Informal consultations to agree on mutual solutions on pending matters, in accordance with the last sentence of paragraph 5 of document CWS/2/13".

21. The Delegation of Algeria, speaking on behalf of the African Group, stated that the adoption of the agenda was without prejudice to positions of any delegation on pending matters in the future, and further stated that the Group reserved the right to request the addition of a new agenda item regarding the coordination mechanism in future sessions of the CWS.

22. The Delegation of Iran (Islamic Republic of) supported the statement made by the Delegation of Algeria, speaking on behalf of the African Group.

23. The Delegation of Belgium, speaking on behalf of the Group B, stated that the Group did not see any need for such a standing agenda item as proposed by the African Group.

24. The Delegation of Spain stated that the CWS had achieved a last minute agreement which was basically to renegotiate. However, this agreement had been formulated in an unintelligible way or in a way difficult to understand by a person that was not involved in the day to day events of the Organization. Taking into account all the efforts that the CWS, the Secretariat, experts and delegates had made this week and the threat to the technical work of the Committee that would continue to exist, the Delegation of Spain considered that the CWS should examine whether it was worth spending all that time and efforts to arrive at just this result.

25. The Delegation of Brazil requested that the summary by the Chair and the report of the present session of CWS should reflect that no agreement had been reached regarding pending matters under agenda Item 4. The Delegation of Brazil considered that it would be necessary for the CWS to hold further discussions on these matters at the next session of the CWS, if the General Assembly does not settle pending matters.

26. The Delegation of India supported the statement made by the Delegation of Algeria, speaking on behalf of the African Group.

27. Taking note of the above statements, the CWS unanimously adopted the further revised agenda as proposed in document CWS/3/1 Rev.1.

INFORMAL CONSULTATIONS TO AGREE ON MUTUAL SOLUTIONS ON PENDING MATTERS, IN ACCORDANCE WITH THE LAST SENTENCE OF PARAGRAPH 5 OF DOCUMENT CWS/2/13

28. The Vice-Chair conducted informal consultation sessions, held in parallel with the plenary sessions, with a view to agree on mutual solutions on pending matters, in particular,

coordination mechanism, the relationship between CWS and Development Agenda Recommendations, and organizational matters and special rules of procedure. Discussions were based on oral or written proposals including those made by Poland, the African Group, the Group of Countries of Latin America and the Caribbean (GRULAC), Brazil and India. The Vice-Chair reported on the outcome of informal consultations and observed that progress was made towards solutions, though no agreement was reached. He urged delegations to preserve what was achieved in discussions.

29. The CWS agreed that the CWS Chair should request the Secretariat to prepare and present the Report of the CWS (see document CWS/3/14) and convey the request of the CWS to the General Assembly in order to give any instructions of the General Assembly to the CWS on its future work on pending matters in accordance with the last sentence of paragraph 5 of document CWS/2/13.¹

GENERAL ACTIVITIES

30. Following discussions of the corresponding draft agenda items, the CWS adopted the revision of WIPO Standard ST.9. In the trademark domain the CWS agreed to start the tasks to prepare recommendations for the electronic management of sound marks and for the electronic management of motion or multimedia marks for adoption as WIPO standards.

31. The CWS noted the status report on the work of the ST.14 Task Force regarding some category codes used in search reports established for patent applications and the identification of non-patent literature citations in patent documents, and made several recommendations to the Task Force.

32. The CWS approved the creation of a new task to prepare a proposal to establish a new WIPO standard for the exchange of patent legal status data by industrial property offices.

33. The CWS noted progress reports by Task Force leaders about the preparation of a new WIPO standard on the presentation of nucleotide and amino acid sequence listings using XML, the revision of WIPO Standards ST.36, ST.66, ST.86, on the preparation of Annexes V and VI, and the revision of WIPO Standard ST.96. It was agreed that the work for the mapping and development of tools for the bi-directional transformation between WIPO Standards ST.96 and ST.36, ST.66 or ST.86 should be primarily carried out by the XML4IP Task Force along with ST.36, ST.66 and ST.86 Task Forces. It was also agreed that, for the time being, the XML-based Task Forces should not be reorganized.

34. The CWS also noted the Report on the Survey on application numbering systems and approved its publication. The ST.10/C Task Force was requested to prepare a new questionnaire regarding the application and priority application numbering systems used by the industrial property offices (IPOs) in the past.

35. After considering the list of tasks, the CWS agreed on their final version for their incorporation in the CWS Work Program.

¹ "Under the facilitation of the Chair of the WIPO General Assemblies, informal consultations on the coordination mechanism, the mainstreaming of the Development Agenda recommendations and expression thereof in the special rules of procedures will be conducted after the second session of CWS in order to reach an understanding preferably before the forthcoming autumn (2012) session of the General Assemblies."

TECHNICAL ADVICE AND ASSISTANCE FOR CAPACITY BUILDING TO INDUSTRIAL
PROPERTY OFFICES IN CONNECTION WITH THE MANDATE OF THE CWS

36. The CWS noted the report (see Annex II) providing information on highlights of activities of the Secretariat, related to providing technical advice and assistance to capacity building to IPOs undertaken during the year 2012, as requested by the WIPO General Assembly at its 40th session held in October 2011.

[End of Annex and of document]