

WIPO



STLT/A/1/4

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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

SINGAPORE TREATY ON THE LAW OF TRADEMARKS (STLT)

ASSEMBLY

**First (1st Ordinary) Session
Geneva, September 22 to October 1, 2009**

REPORT

approved by the Assembly

1. The Assembly was concerned with the following items of the Consolidated Agenda (document A/47/1): 1, 2, 3, 4, 5, 10, 12, 13, 14, 15, 16, 17, 18, 19, 38, 39 and 40.
2. The report on the said items with the exception of item 38 are contained in the General Report (document A/47/16).
3. The report on item 38 is contained in the present document.
4. Ms. Yeow Danielle (Singapore) was elected Chair of the Assembly; Mr. Matti Pääs (Estonia) and Mr. Paul Salmon (United States of America) were elected Vice-Chairs.

5. Discussions were based on documents STLT/A/1, 2 and 3.

6. The Chair opened the session and stated that the holding of this first – and inaugural session – of the Singapore Treaty on the Law of Trademarks (hereinafter referred to as “the Singapore Treaty”) crowned the efforts made by the 147 Member States that participated in the Diplomatic Conference for the Adoption of a Revised Trademark Law Treaty in March 2006, adopting the Singapore Treaty, the Regulations under the Singapore Treaty and the Resolution Supplementary to the Singapore Treaty. Since the Diplomatic Conference, 16 States had ratified the Singapore Treaty. To date, 13 of those States were bound by the Treaty, namely Australia, Bulgaria, Denmark, Estonia, Kyrgyzstan, Latvia, Poland, the Republic of Moldova, Romania, Singapore, Spain, Switzerland and the United States of America. Furthermore, three States had recently deposited their instruments of accession and the Treaty would enter into force for them in the near future, namely France on November 28, 2009, Mali on December 1, 2009, and the Russian Federation on December 18, 2009.

Rules of Procedure

7. The Assembly adopted as its own Rules of Procedure, the WIPO General Rules of Procedure, as amended in paragraphs 8 and 11 of document STLT/A/1/1.

Assistance for the Implementation of the Singapore Treaty on the Law of Trademarks

8. The Delegation of Singapore declared that, following its ratification of the Singapore Treaty, it had introduced several changes to its Trade Marks regime. Those changes concerned the adoption of a multi-class registration system, the initiation of an electronic communications portal and amendments to its Trade Marks Rules to include electronic communications as a mode of communications and means of transmittal for trademark applications. The Delegation offered to share its experience in implementing the Singapore Treaty. The Government of Singapore was open to cooperate with WIPO and to support technical assistance programs with WIPO through the lending of technical expertise. It hoped that other countries in a position to do so would step forward and offer their support as well. The Delegation also hoped to see such programs organized, particularly in developing countries and Least Developed Countries (LDCs), in line with the provisions under the Singapore Treaty, especially in the Asia and Pacific region.

9. The Delegation of the United States of America said that the United States Patent and Trademark Office (USPTO) had provided two training sessions on the Singapore Treaty in the context of trademark examination training via the USPTO’s Global Intellectual Property Academy. One class was held in 2006 and included participants from: Belize, Brazil, Canada, Croatia, Egypt, El Salvador, Iraq, Kosovo, Malaysia, Mexico, Morocco, Mozambique, Nepal, Peru, Mauritius, Swaziland, United Arab Emirates and Viet Nam. Another class was held in early 2009 and included participants from Brazil and India. As for in-country training, the USPTO presented on the Singapore Treaty during a Conference in Bahrain held in January 2009, during an ASEAN-USPTO Workshop held in Singapore in February 2009, and during the APEC-Intellectual Property Experts Group Meeting in Singapore held in February 2009.

10. The Assembly took note of document STLT/A/1/2 and agreed with the suggestion contained in paragraph 4 of that document.

Future Work

11. The Delegation of Singapore said it was open to a study on possible amendments to Rule 3(4) to (6) of the Singapore Treaty, with a view to aligning them with the areas of convergences concerning the representation of non-traditional marks which have been identified by the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT). The Delegation said that it was mindful of the way in which those areas of convergence had been phrased by the SCT, and the manner and form in which the identified convergences could be incorporated into the Regulations under the Singapore Treaty are questions that may need to be considered.

12. The Assembly approved the initiation of a review of Rule 3(4) to (6) of the Regulations under the Singapore Treaty on the Law of Trademarks and the convening of one session of a Working Group to meet back to back with the first ordinary session of the SCT in 2010, as set out in paragraph 8 of document STLT/A/1/3.

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