

Singapore Treaty on the Law of Trademarks (STLT)

Assembly

Eighth (4th Ordinary) Session Geneva, October 5 to 14, 2015

ASSISTANCE FOR THE IMPLEMENTATION OF THE SINGAPORE TREATY ON THE LAW OF TRADEMARKS (STLT)

Document prepared by the International Bureau

I. INTRODUCTION

1. In its Resolution Supplementary to the Singapore Treaty on the Law of Trademarks (hereinafter referred to as “the Singapore Treaty”), the Diplomatic Conference for the Adoption of a Revised Trademark Law Treaty, held in Singapore in March 2006, requested the Assembly of the Singapore Treaty to monitor and evaluate, at every ordinary session, the progress of the assistance related to implementation efforts and the benefits resulting from such implementation (paragraph 8 of the Resolution Supplementary to the Singapore Treaty, adopted by the Diplomatic Conference for the Adoption of a Revised Trademark Law Treaty, Singapore, March 13 to 27, 2006).

2. At its 1st ordinary session, held in Geneva, from September 22 to October 1, 2009, the Assembly of the Singapore Treaty agreed that Contracting Parties would communicate to the International Bureau any information on technical assistance activities related to the implementation of the Singapore Treaty and that the International Bureau would compile the information received and present it, together with all relevant information from its own technical assistance activities, to the next ordinary session of the Singapore Treaty Assembly (document STLT/A/1/2, paragraph 4, and document STLT/A/1/4, paragraph 10).

3. Consequently, the International Bureau has submitted for consideration by the Assembly of the Singapore Treaty at each ordinary session, a report on the assistance provided for the implementation of the Treaty. The present document contains a report covering the period from July 2013 to May 2015. Activities are presented in two broad categories, namely, assistance in establishing the legal framework for the implementation of the Treaty, and activities relating to information, education, awareness raising and assistance in revising administrative practices and procedures.

II. ASSISTANCE IN ESTABLISHING THE LEGAL FRAMEWORK FOR THE IMPLEMENTATION OF THE TREATY

4. Activities are presented in the alphabetical order of the name in English of the beneficiary State. Activities relating to groups of States are presented thereafter in the alphabetical order of the name in English of the corresponding international intergovernmental organization. Legislative advice and comments were provided to all requesting States or groups of States, independently of whether or not they were in the process of acceding to or ratifying the Singapore Treaty. Legal advice provided was in general of a broad nature, touching on all aspects of trademark law and on issues relating to the implementation or future implementation of the Singapore Treaty:

- Bangladesh: comments on the Trademarks Act of 2009, provided on July 16, 2013;
- Bhutan: comments on the draft Industrial Property Act, provided on September 27, 2013, and follow-up comments provided on September 26, 2014;
- Cambodia: comments on a draft Ministerial Declaration on Certification Marks, provided on October 22, 2014, and advice on the implementation of grounds for refusal under the Law Concerning Marks, Trade Names and Unfair Competition, provided on March 20, 2015;
- China: comments on the Compatibility of the Trademark Law of China and its implementing Regulations with the Singapore Treaty, provided on August 19, 2014;
- Cook Islands: comments on the draft National Intellectual Property Strategy 2015–2020, provided on January 21, 2015;
- Dominican Republic: comments on the draft Regulations for the Application of the Industrial Property Law, provided on October 7, 2013;
- Ecuador: comments on the proposed new Trademark Legislation, provided on March 4, 2015;
- India: comments on the National Intellectual Property Rights Policy, provided on January 29, 2015;
- Madagascar: comments on the draft Innovation and IP National Policy and Strategy, provided on August 13, 2014;
- Mauritius: comments on the draft Industrial Property Bill, provided on December 5, 2014;
- Myanmar: comments on the draft Trademark Law, provided on October 21, 2014;

- Panama: comments on the national implementation of Article 9 of the Trademark Law Treaty and the Singapore Treaty, provided on March 3, 2015;
- Seychelles: comments on the draft Industrial Property Act, provided on March 13, 2014;
- Solomon Islands: comments on the draft IP Strategy, provided on June 17, 2014;
- Vanuatu: comments on the draft National Intellectual Property Strategy 2014–2016 provided on July 30, 2013;
- Zanzibar, United Republic of Tanzania: comments on the draft Regulations of the Industrial Property Act, provided on June 17, 2014, and additional comments on the revised draft Regulations of the Industrial Property Act, provided on October 9, 2014;
- ASEAN: comments on the ASEAN Strategic IPR Action Plan: 2016–2025, provided on March 5, 2015.

III. ACTIVITIES RELATING TO INFORMATION, EDUCATION, AWARENESS RAISING AND ASSISTANCE IN REVISING ADMINISTRATIVE PRACTICES AND PROCEDURES

5. Information under this item also includes activities that were undertaken in relation to the Trademark Law Treaty (TLT), the international instrument that was revised by the Singapore Treaty and which therefore contains all the substantive provisions included in the latter. Information is presented chronologically, according to the date of the activity.

Advisory Missions

- On November 19, 2013, a WIPO official undertook a legislative advisory mission to Nay Pyi Taw, Myanmar to assist the national drafting team with a list of outstanding issues concerning the draft Trademark Law of Myanmar.
- On June 9 and 10, 2014, a WIPO official undertook a legislative advisory mission to Port Louis, Mauritius, to assist officials of the Ministry of Foreign Affairs, Regional Integration and International Trade, and of the Attorney General's Chambers with the preparation of a draft Industrial Property Act of Mauritius.
- On January 22 and 23, 2015, a WIPO official participated in a national public consultation in Thimphu, Bhutan on the Draft Industrial Property Act. The public consultation was attended by Government officials of several Ministries responsible for intellectual property and other relevant stakeholders.

Seminars and Workshops

- From April 28 to 30, 2014, a *Seminar on Non-Traditional Marks* took place in Manila, Philippines. WIPO and the Intellectual Property Office of the Philippines (IPOP HL) organized this activity, which was attended by examiners and trademark attorneys.
- On July 22 and 23, 2014, a Regional Seminar entitled *Policy Dialogue on International Developments in the Field of Trademark Law and Practice* took place in Yaoundé, Cameroon. WIPO and the African Intellectual Property Organization (OAPI) organized this activity, which was attended by officials responsible for trademark matters in: Benin, Burkina Faso, Cameroon, Central African Republic, Côte d'Ivoire, Equatorial Guinea, Gabon, Guinea, Guinea Bissau, Mali, Mauritania,

Niger, Republic of Congo and Togo. The activity was also attended by local legal practitioners and representatives from the small and medium-sized enterprises (SMEs) Group of Cameroon.

- On April 9 and 10, 2015, a *Regional Seminar on Raising Awareness on the Protection of Non-Traditional Marks* was held in Baku, Azerbaijan. WIPO and the State Committee for Standardization, Metrology and Patents of the Republic of Azerbaijan organized this activity, which was attended by Delegations of Georgia, Kazakhstan and Turkey. The meeting was open for participation by Government officials responsible for intellectual property, national practitioners and representatives of academic institutions.

Study Visits

- On July 16, 2013, the International Bureau of WIPO hosted the visit of four Government officials responsible for IP matters in Bangladesh to discuss issues of interest relating to Trademark Law and practice.
- From May 19 to 21, 2014, the International Bureau of WIPO hosted the visit of three Government officials of the Democratic People's Republic of Korea responsible for IP matters, and discussed issues relating to the Singapore Treaty.
- On July 8, 2014, the International Bureau of WIPO hosted a study visit of two members of the *Tribunal Registral Administrativo* of Costa Rica to discuss several issues of trademark law and practice, including the Trademark Law Treaty and the Singapore Treaty.
- On April 27 and 28, 2015, the International Bureau of WIPO hosted a study visit of two officials of the International Registration Trademark and Service Department (NCPI) of Tajikistan, to discuss a list of issues relating to the national implementation of the Singapore Treaty.

Other

- From January 26 to May 18, 2015, an information brochure entitled *The Singapore Treaty on the Law of Trademarks (STLT) – Questions and Answers* was issued in the six working languages of WIPO.

6. A list of Contracting Parties to the Singapore Treaty, as of April 15, 2015, is contained in the Annex to this document.

7. The Assembly is invited to take note of the contents of the "Assistance for the Implementation of the Singapore Treaty on the Law of Trademarks" (document STLT/A/8/1).

[Annex follows]

Singapore Treaty on the Law of Trademarks
(Singapore 2006)
Status on April 15, 2015

State/IGO	Date on which State/IGO became party to the Treaty
Armenia.....	September 17, 2013
Australia.....	March 16, 2009
Belarus.....	May 13, 2014
Belgium.....	January 8, 2014
Benin.....	Not yet in force ³
Benelux Organization for Intellectual Property.....	January 8, 2014
Bulgaria ¹	March 16, 2009
Croatia.....	April 13, 2011
Denmark ²	March 16, 2009
Estonia.....	August 14, 2009
France.....	November 28, 2009
Germany.....	September 20, 2013
Iceland.....	December 14, 2012
Iraq.....	November 29, 2014
Italy.....	September 21, 2010
Kazakhstan.....	September 5, 2012
Kyrgyzstan.....	March 16, 2009
Latvia.....	March 16, 2009
Liechtenstein.....	March 3, 2010
Lithuania.....	August 14, 2013
Luxembourg.....	January 8, 2014
Mali.....	Not yet in force ³
Mongolia.....	March 3, 2011
Netherlands ⁴	January 8, 2014
New Zealand ⁵	December 10, 2012
Poland.....	July 2, 2009
Republic of Moldova.....	March 16, 2009
Romania.....	March 16, 2009
Russian Federation.....	December 18, 2009
Serbia.....	November 19, 2010
Singapore.....	March 16, 2009
Slovakia.....	May 16, 2010
Spain ¹	May 18, 2009
Sweden.....	December 16, 2011
Switzerland.....	March 16, 2009
Tajikistan.....	December 26, 2014
The former Yugoslav Republic of Macedonia.....	October 6, 2010
Ukraine.....	May 24, 2010
United Kingdom.....	June 21, 2012
United States of America.....	March 16, 2009

(Total: 38)

[End of Annex and of document]

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- ¹ With the declaration provided for in Article 29(4)
- ² Not applicable to the Faroe Islands nor to Greenland
- ³ This State will become bound by the Treaty three months after the deposit of the instrument of accession of the African Intellectual Property Organization (OAPI)
- ⁴ Accession for the Kingdom in Europe and the Netherlands Antilles. The Netherlands Antilles ceased to exist on October 10, 2010. As from that date, the Treaty continues to apply to Curaçao and Sint Maarten. The Treaty also continues to apply to the islands of Bonaire, Sint Eustatius and Saba which, with effect from October 10, 2010, have become part of the territory of the Kingdom of the Netherlands in Europe
- ⁵ This ratification shall not extend to Tokelau unless and until a declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultation with that territory