

## **WIPO General Assembly**

### **Forty-Eighth (26<sup>th</sup> Extraordinary) Session Geneva, October 3 to 11, 2016**

#### **REPORT ON THE STANDING COMMITTEE ON THE LAW OF TRADEMARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS (SCT)**

*prepared by the Secretariat*

1. During the period under consideration, the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) held two sessions, namely the thirty-fourth session (November 16 to 18, 2015) and the thirty-fifth session (April 25 to 27, 2016). Both sessions were chaired by Mr. Adil El Maliki (Morocco).

#### **TRADEMARKS**

2. At its thirty-fourth session, the SCT adopted the Revised Reference Document on the Protection of Country Names Against Registration and Use as Trademarks (document SCT/34/2 Prov.2) as a reference document. At the end of the session, the Chair requested the Secretariat to prepare a new document, based on document SCT/34/2, for discussion at the thirty-fifth session of the SCT, identifying different practices and approaches and existing areas of convergence in regard of the protection of country names.

3. As requested by the Chair of the thirty-fourth session of the SCT, the Secretariat prepared document SCT/35/4 (Protection of Country Names Against Registration and Use as Trademarks: Practices, Approaches and Possible Areas of Convergence) and presented it to the SCT for discussion at its thirty-fifth session. At the end of that session, the Chair concluded that the item of the protection of country names against registration and use as trademarks would remain on the Agenda and that the SCT would revert to it at its next session with sufficient time to enable a full discussion.

4. Furthermore, the Secretariat presented during both sessions updates on trademark-related aspects of the expansion of the Internet Domain Name System (DNS) of which the SCT took note with a request to the Secretariat to be kept informed on future developments in the DNS.

## INDUSTRIAL DESIGNS

5. Regarding the work of the SCT on a draft Design Law Treaty (DLT), reference is made to document WO/GA/48/6 (Matters Concerning the Convening of a Diplomatic Conference for the Adoption of a Design Law Treaty).

6. In addition to the work on a draft DLT, the thirty-fifth session of the SCT considered a proposal entitled Industrial Design and Emerging Technologies: Similarities and Differences in the Protection of New Technological Designs, presented by the Delegations of the United States of America, Japan and Israel in document SCT/35/6. An exchange of views took place on that proposal.

7. At the outcome of the thirty-fifth session, the Chair requested the Secretariat to prepare a Questionnaire, based on document SCT/35/6, to be addressed to all Member States of WIPO. He further requested the Secretariat to prepare a document containing the replies to that Questionnaire, to be presented at the next session of the SCT.

8. Furthermore, at the thirty-fifth session of the SCT, the Delegation of the United States of America expressed interest in hearing information on the WIPO Digital Access Service (DAS), recalling that the service, utilized in the patent context, was ready to be used for industrial design priority documents, but was not yet utilized in that context. The Chair took note of the request submitted by the Delegation of the United States of America.

## GEOGRAPHICAL INDICATIONS

9. The thirty-fourth session of the SCT considered three proposals for work on geographical indications, namely a proposal by the Delegation of the United States of America to prepare a current survey of existing national geographical indication regimes (document SCT/31/7), a joint proposal by the Delegations of the Czech Republic, France, Germany, Hungary, Italy, Portugal, Republic of Moldova, Spain and Switzerland, concerning the protection of geographical indications and country names in the DNS (document SCT/31/8 Rev.4), and a proposal by the Delegation of France, presented at the thirty-fourth session of the SCT, on a study on the protection of geographical indications in national systems and a study on the protection of geographical indications in the DNS (document SCT/34/6). At the issue of the thirty-fourth session of the SCT, the Chair noted that all points in the item on geographical indications would remain on the Agenda, to be addressed at the next session of the SCT.

10. At the thirty-fifth session of the SCT, an exchange of views took place on the proposals contained in documents SCT/31/7, SCT/31/8 Rev.5, and SCT/34/6. The Chair concluded that all points in the item concerning geographical indications would remain on the Agenda and that the SCT would revert to this item at its next session, with sufficient time to enable a full discussion on a work program on geographical indications at the Committee (document SCT/35/7, paragraph 14).

11. *The WIPO General Assembly is invited to take note of the “Report on the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications” (document WO/GA/48/5).*

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