1. During the period under consideration, the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) held its forty-second session (November 4 to 7, 2019). The session was chaired by Mr. Alfredo Rendón Algara (Mexico). Due to the COVID-19 pandemic, the forty-third session, which was scheduled to take place from March 23 to 26, 2020, had to be postponed.

TRADEMARKS

2. The SCT considered a Revised Proposal by the Delegation of Jamaica for a Draft Joint Recommendation Concerning Provisions on the Protection of Country Names (document SCT/32/2). It concluded that the Delegation of Jamaica would present a revised version of this document to the next session of the SCT in light of the comments made during that session.

3. The Delegations of Georgia, Iceland, Indonesia, Italy, Jamaica, Liechtenstein, Malaysia, Mexico, Monaco, Peru, Senegal, Switzerland and the United Arab Emirates presented a Joint Proposal Concerning the Protection of Country Names and Geographical Names of National Significance (document SCT/39/8 Rev.3). After consideration of that proposal, the Chair concluded that the co-sponsors of document SCT/39/8 Rev.3 would present a revised version of their proposal to the next session of the SCT. This revised joint proposal is published as document SCT/43/6.
4. Furthermore, the Delegations of Georgia, Iceland, Indonesia, Jamaica, Liechtenstein, Malaysia, Mexico, Monaco, Peru, Senegal, Switzerland and the United Arab Emirates presented another Joint Proposal Concerning the Protection of Country Names and Geographical Names of National Significance in the DNS (document SCT/41/6). Following consideration of the joint proposal by the SCT, the Chair concluded that discussion on document SCT/41/6 would continue at the forty-third session of the SCT.

5. The Delegations of Ecuador and Peru proposed to conduct a Survey on Nation-brand Protection in Member States (document SCT/42/4 Rev.). SCT members were invited to send to the Secretariat, before December 31, 2019, questions they would like to include in the draft questionnaire and the Secretariat was requested to compile all questions, for consideration of the draft questionnaire by the SCT at its next session. The questions received by the Secretariat are presented in document SCT/43/3 Rev. 2. A draft questionnaire was published by the Secretariat for comments on the SCT E-forum on May 11, 2020 (document SCT/43/7 Prov.). At the time of the preparation of the present document, the Secretariat had received comments from seven SCT members and two SCT observers.

6. The Delegation of the Republic of Korea presented a proposal on the protection of well-known marks (document SCT/42/5). Having considered the proposal, the Chair concluded that the Delegation of the Republic of Korea would present a revised version of its proposal on Member States’ practices in relation to the protection of internationally well-known marks, taking into account the comments made by delegations, for consideration of the SCT at its next session.

7. Finally, the SCT considered document SCT/42/3 presenting an update on trademark-related aspects of the Domain Name System (DNS) and requested the Secretariat to keep members informed of future developments in the DNS.

INDUSTRIAL DESIGNS

8. Regarding the draft Design Law Treaty (DLT), reference is made to document WO/GA/53/6 (Matters Concerning the Convening of a Diplomatic Conference for the Adoption of a Design Law Treaty).

9. The SCT considered document SCT/41/2 (Compilation of the Returns to the Questionnaire on Graphical User Interface (GUI), Icon and Typeface/Typefont Designs) and concluded that the document should be kept open until January 10, 2020, for further or revised replies by delegations. Replies were compiled by the Secretariat in document SCT/41/2 Rev. (Compilation of the Returns to the Second Questionnaire on Graphical User Interface (GUI), Icon and Typeface/Typefont Designs) and analyzed in document SCT/43/2 (Analysis of the Returns to the Second Questionnaire on Graphical User Interface (GUI), Icon and Typeface/Typefont Designs).

10. Furthermore, the SCT considered a proposal by the Delegations of Japan and the United States of America for a Joint Recommendation on Industrial Design Protection for Graphical User Interface (GUI) Designs (document SCT/42/6) and concluded to continue that discussion at the forty-third session of the SCT.
11. The Committee also worked on the Compilation of the Returns to the Questionnaire on the Temporary Protection Provided to Industrial Designs at Certain International Exhibitions Under Article 11 of the Paris Convention for the Protection of Industrial Property (document SCT/42/2 Prov.). The document was kept open until January 10, 2020, for further replies by delegations and finalized thereafter for consideration by the forty-third session of the SCT (document SCT/42/2). It was also agreed to organize a half-day information session that would take place during the forty-third session of the SCT, addressing (i) the practices of offices and (ii) the experience of users, with regard to the temporary protection provided to industrial designs under Article 11 of the Paris Convention.

12. Finally, the SCT noted the progress in the implementation of the Digital Access Service for Priority Documents (DAS) for industrial designs by members.

GEOGRAPHICAL INDICATIONS

13. The Secretariat presented a test version of a database reproducing all returns to Questionnaire I on the National and Regional Systems that Can Provide a Certain Protection to Geographical Indications, and Questionnaire II on the Use/Misuse of Geographical Indications, Country Names and Geographical Terms on the Internet and in the DNS. Following that presentation, the database went live on the SCT webpage, and members were invited to submit new contributions or information updates.

14. The SCT also considered a non-paper with proposals for topics for a half-day information session to take place during the forty-third session of the SCT. The Committee agreed to hold such an information session, which would address the following topics: (i) evaluation of the conditions that created the basis for the geographical indication protection and evaluation of any changes to those conditions; and (ii) ways to prevent operators profiting from bad faith use and registration of geographical indications intellectual property rights in the DNS.

15. Moreover, the SCT invited members to present to the forty-third session proposals for topics for an information session on geographical indications, to be held in conjunction with the forty-fourth session of the SCT.

16. In conjunction with the forty-second session, a half-day information session on geographical indications took place, during which two panels presented the following topics: evaluation of genericness; geographical indications as intellectual property titles in the operation of the DNS and in the dispute resolution policies; and, notions of identity, similarity and imitation between geographical indications and trademarks in the context of registration and commercial use.

17. The program and presentations of the information session are available at https://www.wipo.int/meetings/en/details.jsp?meeting_id=53689.


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