

Working Group on the Development of the Lisbon System (Appellations of Origin)

Eighth Session
Geneva, December 2 to 6, 2013

SUMMARY BY THE CHAIR

adopted by the Working Group

1. The Working Group on the Development of the Lisbon System (Appellations of Origin) (hereinafter referred to as “the Working Group”) met in Geneva, from December 2 to 6, 2013.
2. The following Contracting Parties of the Lisbon Union were represented at the session: Algeria, Czech Republic, France, Georgia, Haiti, Hungary, Iran (Islamic Republic of), Israel, Italy, Mexico, Peru, Portugal (12).
3. The following States were represented as observers: Australia, Benin, Chile, Colombia, El Salvador, Germany, Greece, Jamaica, Japan, Lithuania, Madagascar, Mauritius, Morocco, Pakistan, Paraguay, Poland, Republic of Korea, Romania, Russian Federation, Spain, Switzerland, Turkey, United States of America, Venezuela (Bolivarian Republic of) (24).
4. Representatives of the following international intergovernmental organizations (IGOs) took part in the session in an observer capacity: European Union (EU), Organization of Islamic Cooperation (OIC), World Trade Organization (WTO) (3).
5. Representatives of the following international non-governmental organizations (NGOs) took part in the session in an observer capacity: Centre for International Intellectual Property Studies (CEIPI), International Trademark Association (INTA), MARQUES (Association of European Trademark Owners), Organization for an International Geographical Indications Network (oriGIn) (4).

6. The list of participants is contained in document LI/WG/DEV/8/INF/2 Prov. 2*.

AGENDA ITEM 1: OPENING OF THE SESSION

7. The Director General of the World Intellectual Property Organization (WIPO), Mr. Francis Gurry, opened the session, recalled the mandate of the Working Group and introduced the draft agenda, as contained in document LI/WG/DEV/8/1 Prov.

AGENDA ITEM 2: ELECTION OF A CHAIR AND TWO VICE-CHAIRS

8. Mr. Mihály Ficsor (Hungary) was unanimously elected as Chair of the Working Group, Mr. Behzad Saberi Ansari (Iran (Islamic Republic of)) and Mrs. Ana Gobechia (Georgia) were unanimously elected as Vice-Chairs.
9. Mr. Matthijs Geuze (WIPO) acted as Secretary to the Working Group.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

10. The Working Group adopted the draft agenda (document LI/WG/DEV/8/1 Prov.) without modification.

AGENDA ITEM 4: REPORT OF THE SEVENTH SESSION OF THE WORKING GROUP ON THE DEVELOPMENT OF THE LISBON SYSTEM (APPELLATIONS OF ORIGIN)

11. The Working Group took note of the adoption, on November 19, 2013, of the Report of the seventh session of the Working Group, as contained in document LI/WG/DEV/7/7, in accordance with the procedure established at the fifth session of the Working Group.

AGENDA ITEM 5: DRAFT REVISED LISBON AGREEMENT ON APPELLATIONS OF ORIGIN AND GEOGRAPHICAL INDICATIONS AND DRAFT REGULATIONS UNDER THE DRAFT REVISED LISBON AGREEMENT

12. Discussions were based on documents LI/WG/DEV/8/2, LI/WG/DEV/8/3, LI/WG/DEV/8/4 and LI/WG/DEV/8/5. The Working Group examined in detail all the provisions of the draft Revised Lisbon Agreement and the draft Regulations.

13. The Chair noted and welcomed the significant progress that had been made at the present session on the basis of constructive discussions on issues of high importance involving not only member but also observer delegations paving the way for holding a successful Diplomatic Conference in 2015.

* The final list of participants will be made available as an Annex to the Report of the session.

Future work

14. The Chair confirmed that the next session of the Working Group would be convened in the first half of 2014.

15. He reiterated that the focus of the next session would be the examination and discussion of newly revised versions of the draft Revised Lisbon Agreement and draft Regulations that would be prepared by the Secretariat and distributed well in advance of the next session. In particular, the Secretariat would work along the lines of the guidance provided by the Working Group at the present session and would make sure that all comments and suggestions be duly reflected in those revised versions.

16. The Chair encouraged all participants to submit comments and drafting suggestions to the Secretariat on the electronic forum that had been established for that purpose, while also recalling that such comments and suggestions would be posted for information purposes only and without prejudice to the role of the Working Group and the formal discussions therein.

17. The Chair recalled that the Lisbon Union Assembly had approved, at its ordinary session in 2013, the convening of a diplomatic conference for the adoption of a Revised Lisbon Agreement in 2015, with the exact dates and venue to be decided by a preparatory committee meeting. He noted that the roadmap that would be followed until then would include two further Working Group sessions. The ninth session would be held in the first half of 2014 and the tenth session would be held in the second half of 2014 in conjunction with the meeting of the preparatory committee. In that connection, the Chair further recalled that the Lisbon Union Assembly would be in a position to note the progress made in preparing the diplomatic conference at its session in the second half of 2014.

18. In accordance with the agreed roadmap, the Chair indicated that the tenth session of the Working Group would focus on technically preparing the texts of the draft Revised Lisbon Agreement and the draft Regulations for the Diplomatic Conference and on reducing the number of pending issues, where possible. At that session, resolved issues would not be re-opened and proposals and discussions should be limited to pending issues.

19. The Chair noted the wish of the Working Group that the Secretariat should continue to promote the activities of the Working Group as well as the draft Revised Lisbon Agreement and its draft Regulations in order to raise awareness of their objectives and benefits, and to stimulate discussions among the current membership of the Lisbon Union and other WIPO Member States.

AGENDA ITEM 6: OTHER MATTERS

20. The Chair noted that a half-day conference on dispute settlement within the Lisbon system had been held as a side event in the margins of the present session of the Lisbon Working Group and that the information note on the question of dispute settlement within the Lisbon system (document LI/WG/DEV/8/INF/1) prepared by the Secretariat had been presented and discussed.

AGENDA ITEM 7: ADOPTION OF THE SUMMARY BY THE CHAIR

21. The Working Group approved the Summary by the Chair, as contained in the present document.

22. A draft of the full Report of the session of the Working Group will be made available on the WIPO web site for comments by the delegations and representatives that participated in the meeting. Participants will be informed once the draft Report is available on the WIPO web site. Participants can submit comments within one month from its publication date, after which a track-changes version of the document, taking into account all the comments received from participants, will be made available on the WIPO web site. The availability of the comments and the track-changes version will also be communicated to participants, together with a deadline for the submission of final comments on that track-changes version. Thereafter, the Report, taking into account the final comments, as appropriate, will be published on the WIPO web site without track changes, indicating the date of such final publication. As of that date, the Report will be deemed adopted and the Working Group will be invited to take note of such adoption at its next session.

AGENDA ITEM 8: CLOSING OF THE SESSION

23. The Chair closed the session on December 6, 2013.

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