

Working Group on the Development of the Lisbon System
Third Session, Geneva, November 2 and 3, 2020

Opening Remarks by the Director General

Honorable Delegates, Ladies and Gentlemen,

It is a great honor and pleasure to welcome you to the third Lisbon Working Group meeting.

I want to start by first thanking the Geneva based representatives as well as the over 50 Contracting Party and Observer Delegations who are joining us on our online platform. Your commitment, especially of those located in distant time zones, allows us to keep our work going. I would like also to welcome the presence of the Chair, who will be formally elected after my opening remarks and who is with us today, and to thank him for his engagement in the preparation of this session.

While the pandemic has disrupted our daily lives severely, it has strengthened our fundamental desire for social connection. The discussions in this Working Group fuel that connection, by ensuring that quality products linked to geography and culture are brought into our homes and shared with our families. For producers of quality products, GIs are a key branding tool for entering new markets, while for consumers, it is a mark of quality and authenticity.

It would be useful to pause here to say that GIs are not just markers of heritage and culture, important as these are, but also give our communities an opportunity to lift up their lives. Let me share an example from Cambodia. In 2010, Cambodia registered the GI for *Kampot Pepper* domestically. Export sales has increased since the GI was registered in Cambodia and

currently about 70% of the production of *Kampot Pepper* is for the international market, with close to 60 tons exported in 2020.

But numbers don't tell the full story, and a better picture can be gleaned by sharing a quote from the Department of IP of Cambodia, that "*With the increase of their income, producers of Kampot Pepper are now driving motorbikes and no more bicycles*"

Given the demand for *Kampot Pepper*, there has been an increase in fake products. Cambodia has therefore submitted its international registration for *Kampot Pepper* this month.

The success of *Kampot Pepper* is not just the result of their efforts to produce a high quality GI, but also their efforts to effectively commercialize this GI. If you ever find a packet of *Kampot Pepper*, you will see how it weaves together the trademarks and designs, to make the GI even more attractive and distinctive.

This holistic approach to IP support will increasingly be used in helping communities benefit from the unique products they have to offer to the world.

This story of *Kampot Pepper* is not unique as we hear of similar stories from communities all over. It is therefore timely that the global GI system entered into a new chapter this year with the entry into force of the Geneva Act of the Lisbon Agreement in February. This has led to an increased interest amongst WIPO members from different geographies and levels of development in obtaining GI protection in foreign markets. Over a 2 year period from 2018 to 2019, Cambodia, Cote d'Ivoire, Albania, Samoa, the Democratic People's Republic of Korea, the Dominican Republic and the European Union acceded to the Lisbon Union.

The pandemic has slowed the momentum of accessions this year but we

see it picking up again. In that regard, I am very pleased to announce that we will soon receive Lao Democratic People's Republic's instrument of accession to the Geneva Act.

While the number of applications under the Lisbon System has increased again in 2020 compared to 2019, the COVID-19 pandemic has somehow delayed the filing of new registrations by new Contracting Parties to the Geneva Act. However, those new members have informally indicated that the internal processing of applications has now begun, so the Lisbon Registry is expecting their deposit in 2021.

Operationally, the pandemic shows us that the digital transformation of the Lisbon System is important and it will continue. We have taken due note of the interest expressed by members of the Lisbon System in using online application forms in the future, and in being able to manage their portfolio of international registrations in an integrated IT ecosystem, similar to what the other WIPO registration systems have successfully put in place. Third parties have also expressed their need to receive regular electronic alerts on new Lisbon transactions. Further work on the digital transformation of the Lisbon System, including through a more integrated Lisbon IT Platform, will remain an important objective for us in the years ahead.

Ladies and gentlemen, your discussions and decisions in this Working Group has a direct impact on our farmers, craftswomen and craftsmen, and local communities at large. In refining the Lisbon framework, you facilitate the successful commercialization of their origin-based quality products in domestic and foreign markets, as well as to secure adequate safeguards for other interested parties, such as holders of prior trademarks and users of generic terms.

The agenda for these two days is therefore full, and will require deliberations on a number of items, one of which is the introduction of a new Rule *2bis* in the Common Regulations. This new Rule will enable users to benefit from safeguards in certain situations akin to a *force majeure* event, as well as in case of interruption of postal or delivery services and failure of electronic communication systems. A similar decision was taken by the Madrid Working Group two weeks ago.

In addition, you will have the possibility to discuss and comment on the most recent developments of the Lisbon System with the entry into force of the Geneva Act and the Common Regulations that govern the proceedings of Lisbon transactions under the Lisbon Agreement (1958 and 1967 Acts) and/or the new Geneva Act (2015 Act).

In that context, I would like also to recall the decision taken by the Assemblies of the Member States of WIPO in October 2019 that *“fee-financed Unions with a projected biennial deficit in the 2020/21 biennium should examine measures in accordance with its own treaty to address that deficit”* [document A/59/14, paragraph 152(iii)], as well as the decision that was taken by this Working Group at its second session in May 2019, namely: *“to further discuss appropriate measures to ensure the financial sustainability of the Lisbon Union in the future, including the review of the Schedule of Fees on a regular basis, while recognizing the need to assess the impact of the entry into force of the Geneva Act on the financial situation of the Union”* [document LI/WG/DEV-SYS/2/4, paragraph 33(ii)].

While I appreciate that this is a delicate matter requiring careful and frank consideration, I am confident that the members of this Working Group will find a suitable solution that meets the legitimate expectations of all interested parties.

Let me conclude by wishing everyone a fruitful Working Group session, and to reiterate to commitment of my colleagues and I to work with you closely.
