

## **Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications**

**Fortieth Session  
Geneva, November 12 to 16, 2018**

### **SUMMARY BY THE CHAIR**

*adopted by the Committee*

#### **AGENDA ITEM 1: OPENING OF THE SESSION**

1. Ms. Wang Binying, Deputy Director General of the World Intellectual Property Organization (WIPO), opened the fortieth session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) and welcomed the participants on behalf of the Director General.
2. Mr. Marcus Höpperger (WIPO) acted as Secretary to the SCT.
3. The Secretariat announced that, due to the unavailability of the Chair of the SCT, Mr. Adil El Maliki, Mr. Alfredo Rendón, ranking Vice-Chair, would be acting as Chair for the fortieth session of the SCT.

#### **AGENDA ITEM 2: ADOPTION OF THE AGENDA**

4. The SCT adopted the draft Agenda (document SCT/40/1 Prov.3).

#### **AGENDA ITEM 3: ACCREDITATION OF A NON-GOVERNMENTAL ORGANIZATION**

5. The SCT considered document SCT/40/7.
6. The SCT approved the accreditation of the French Association of Industrial and Artisanal Geographical Indications (AFIGIA).

#### **AGENDA ITEM 4: ADOPTION OF THE DRAFT REPORT OF THE THIRTY-NINTH SESSION**

7. The SCT adopted the draft Report of the thirty-ninth session (document SCT/39/11 Prov.).

#### **AGENDA ITEM 5: INDUSTRIAL DESIGNS**

##### *Industrial Design Law and Practice-Draft Articles and Draft Regulations*

8. The Chair recalled that the WIPO General Assembly, on the occasion of its session in September 2018, had decided that, at its next session in 2019, it will continue considering the convening of a diplomatic conference on the Design Law Treaty (DLT), to take place at the end of the first half of 2020.

9. The Chair concluded that the SCT took note of all statements made by delegations on that item. While the DLT would remain on its agenda, the SCT duly noted the decision of the General Assembly to continue considering this matter at its next session in 2019.

##### *Graphical User Interface (GUI), Icon and Typeface/Type Font Designs*

10. The SCT considered documents SCT/40/2 and SCT/40/2 Rev. (Graphical User Interface (GUI), Icon, Typeface/Type Font Designs: Draft Questionnaire).

11. The Chair concluded that the Secretariat was requested to:
- circulate the questionnaire as contained in document SCT/40/2 Rev. to SCT members and Intergovernmental Intellectual Property Organizations with observer status, for returns by January 31, 2019; and
  - compile all returns into a document for consideration by the forty-first session of the SCT, it being understood that, due to the limited time for the preparation of this document, the SCT agreed that this document would be made available not later than March 8, 2019.

##### *Update by Member States on the Digital Access Service (DAS) for Priority Documents*

12. The SCT noted the progress in the implementation of the DAS for industrial designs by Members, as well as by the Hague International Design Registry.

13. The Chair concluded that the SCT would revert for an update to this item at its next session.

##### *Proposal by the Delegation of Spain*

14. The SCT considered document SCT/40/8.

15. The Chair concluded that the Secretariat would prepare a draft questionnaire concerning the proposal contained in document SCT/40/8 for consideration by the Committee at its next session.

## **AGENDA ITEM 6: TRADEMARKS**

### *International Non-Proprietary Names for Pharmaceutical Substances (INNs)*

16. The Secretariat informed the SCT on recent developments concerning the exchange of INN data between the World Health Organization (WHO) and WIPO as well as the conclusion of a Memorandum of Understanding (MoU) to that effect between both Organizations, and made a presentation demonstrating the inclusion of INN data in the WIPO Global Brands Database.

17. The Chair concluded that the SCT had taken note of this activity and that the Secretariat was requested to offer an update at the next session of the SCT.

### *Protection of Country Names Against Registration and Use as Trademarks*

18. The SCT considered documents SCT/32/2, SCT/39/8 Rev.2, SCT/39/9 and SCT/40/3.

19. The Chair concluded that:

- the SCT had taken note of document SCT/40/3;
- discussions on documents SCT/32/2 and SCT/39/8 Rev.2 would continue at the forty-first session of the SCT; and
- the Delegation of Peru would present a revised version of document SCT/39/9 for consideration at a future session.

### *Update on Trademark-Related Aspects of the Domain Name System*

20. The SCT considered document SCT/40/4 and requested the Secretariat to keep Member States informed of future developments in the DNS.

## **AGENDA ITEM 7: GEOGRAPHICAL INDICATIONS**

21. The SCT considered documents SCT/40/5 Prov. 2 and SCT/40/6 Prov. 2.

22. The Chair requested the Secretariat to:

- invite members and Intergovernmental Intellectual Property Organizations with observer status to submit additional or revised replies to Questionnaires I and II until January 31, 2019;
- finalize documents SCT/40/5 Prov. 2 and SCT/40/6 Prov. 2., for consideration at the 41<sup>st</sup> session of the SCT; and
- present the information contained in both documents in a database.

23. The Chair also concluded that half-day information sessions on geographical indications would be organized within the framework of the SCT, the topics of which would be discussed at the forty-first session of the SCT. To that effect, Members and Intergovernmental Intellectual Property Organizations were asked to propose possible topics for such information meetings ahead of the forty-first session of the SCT.

#### **OTHER MATTERS**

24. The Chair stated that the next session of the SCT would comprise four days (April 8 to 11, 2019).

#### **AGENDA ITEM 8: SUMMARY BY THE CHAIR**

25. The SCT approved the Summary by the Chair as contained in the present document.

#### **AGENDA ITEM 9: CLOSING OF THE SESSION**

26. The Chair closed the session on November 16, 2018.

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