

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

Forty-First Session
Geneva, April 8 to 11, 2019

SUMMARY BY THE CHAIR

adopted by the Committee

AGENDA ITEM 1: OPENING OF THE SESSION

1. Mr. Francis Gurry, Director General of the World Intellectual Property Organization (WIPO), opened the forty-first session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) and welcomed the participants.
2. Mr. Marcus Höpperger (WIPO) acted as Secretary to the SCT.

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

3. Mr. Alfredo Carlos Rendón Algara (Mexico) was elected Chair. Mr. Simion Levitchi (Republic of Moldova) and Ms. Ingeborg Alme Råsberg (Norway) were elected Vice-Chairs.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

4. The SCT adopted the draft Agenda (document SCT/41/1 Prov.3).

AGENDA ITEM 4: ADOPTION OF THE DRAFT REPORT OF THE FORTIETH SESSION

5. The SCT adopted the draft Report of the fortieth session (document SCT/40/10 Prov.).

AGENDA ITEM 5: INDUSTRIAL DESIGNS

Industrial Design Law and Practice-Draft Articles and Draft Regulations

6. 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.

7. The Chair concluded that the SCT took note of all statements made by delegations on that item. The SCT 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

8. The SCT considered document SCT/41/2 Prov. (Compilation of the Returns to the Questionnaire on Graphical User Interface (GUI), Icon and Typeface/Typefont Designs).

9. The Chair concluded that the Secretariat was requested to:

- keep the document open until July 31, 2019, for contributions by delegations; and
- finalize the document thereafter and present it for consideration by the forty-second session of the SCT.

10. Furthermore, SCT members were invited to present proposals for future work on that matter to the forty-second session of the SCT.

Temporary Protection Provided to Industrial Designs at Certain International Exhibitions Under Article 11 of the Paris Convention for the Protection of Industrial Property: Draft Questionnaire

11. The SCT considered document SCT/41/3.

12. The Chair concluded that the Secretariat was requested to:

- circulate the questionnaire as contained in document SCT/41/3 Rev. to SCT members and Intergovernmental Intellectual Property Organizations with observer status, for returns by July 31, 2019; and
- compile all returns into a document for consideration by the forty-second session of the SCT.

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

13. The SCT noted the progress in the implementation of the DAS for industrial designs by members.

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

AGENDA ITEM 6: TRADEMARKS

Revised Proposal by the Delegation of Jamaica (document SCT/32/2).

15. The SCT considered document SCT/32/2.

16. The Chair 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 this session.

Proposal by the Delegations of Georgia, Iceland, Indonesia, Jamaica, Liechtenstein, Malaysia, Mexico, Monaco, Peru, Senegal, Switzerland and the United Arab Emirates Concerning the Protection of Country Names and Geographical Names of National Significance (document SCT/39/8 Rev.3).

17. The SCT considered document SCT/39/8 Rev.3.

18. The Chair concluded that discussion on document SCT/39/8 Rev.3 will continue at the forty-second session of the SCT.

Proposal by the Delegations of Georgia, Iceland, Indonesia, Jamaica, Liechtenstein, Malaysia, Mexico, Monaco, Peru, Senegal, Switzerland and the United Arab Emirates Concerning the Protection of Country Names and Geographical Names of National Significance in the DNS (document SCT/41/6).

19. The SCT considered document SCT/41/6 as well as two informal revised versions of this document.

20. The Chair concluded that:

- the SCT discussed document SCT/41/6;
- the co-sponsors of document SCT/41/6 proposed revisions in response to questions and concerns raised during the discussion, but no consensus was reached;
- discussion on document SCT/41/6 will continue at the forty-second session of the SCT.

Update on Trademark-Related Aspects of the Domain Name System (DNS)

21. The SCT considered document SCT/41/5 and requested the Secretariat to keep Member States informed of future developments in the DNS.

International Non-Proprietary Names for Pharmaceutical Substances (INNs)

22. The SCT considered document SCT/41/4.

23. The Secretariat made a presentation of the integration of the INN data into the Global Brands Database.

AGENDA ITEM 7: GEOGRAPHICAL INDICATIONS

24. The SCT considered documents SCT/40/5 and SCT/40/6.

25. 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.

26. The Chair concluded that SCT members were invited:

- to review the test version of the database, which is available at <https://www.wipo.int/memberprofilesgeo/#/> and inform the Secretariat of any required changes; and
- to submit returns to the questionnaires in case they have not yet done so for inclusion in the database.

27. Furthermore, the SCT will consider an updated version of the database at its forty-second session.

28. The SCT considered documents SCT/41/7, SCT/41/8 and SCT/41/9.

29. The Chair concluded that the SCT agreed:

- to hold one half-day information session on geographical indications in conjunction with the forty-second session of the SCT;
- that the program for that information session would comprise of three panels on the following topics: evaluation of genericness; geographical indications as intellectual property titles in the operation of DNS and in the dispute resolution policies; notions of identity, similarity and imitation between geographical indications and trademarks in the context of registration and commercial use;
- that, at its forty-second session, it would consider possible future information sessions on geographical indications.

AGENDA ITEM 9: CLOSING OF THE SESSION

30. The Chair closed the session on April 11, 2019.

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