

**Questionnaire on**

 **Nation-Brand Protection in Member States-**  
**Main Findings and Trends**

Forty-Fifth Session

Geneva, March 28 to 30, 2022

SCT Secretariat

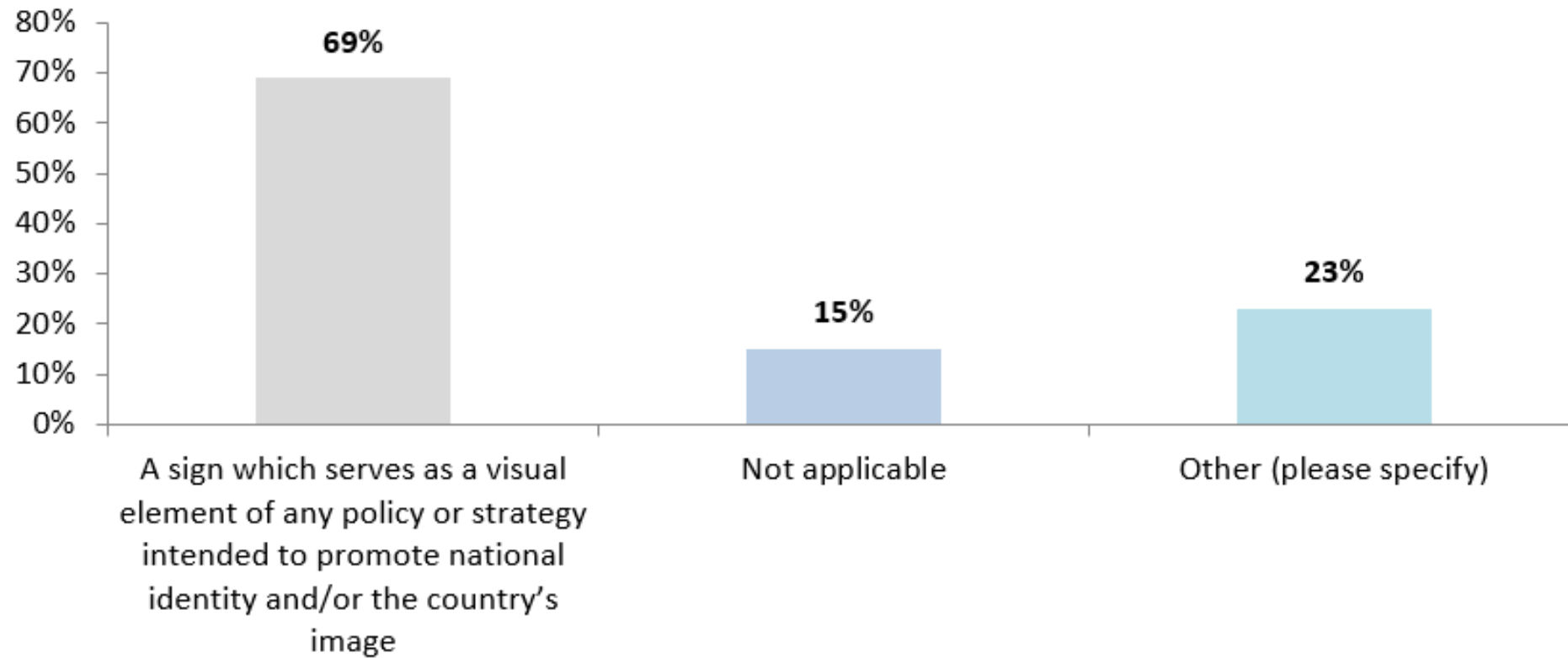
# QUESTIONNAIRE ON NATION-BRAND PROTECTION IN MEMBER STATES (DOCUMENT SCT/43/7)

- I. Definition of nation brand, policy rationale and content
- II. Recognition, ownership and administration
- III. Use of respondent's nation brand
- IV. Protection of the respondent's nation brand **at the national level**
- V. Protection of the respondent's nation brand **abroad**
- VI. Use of Article 6*ter* of the Paris Convention to protect the respondent's nation brand
- VII. Monitoring and enforcement of respondent's nation brand
- VIII. Protection of **other countries' nations brands**
- IX. Scope of protection

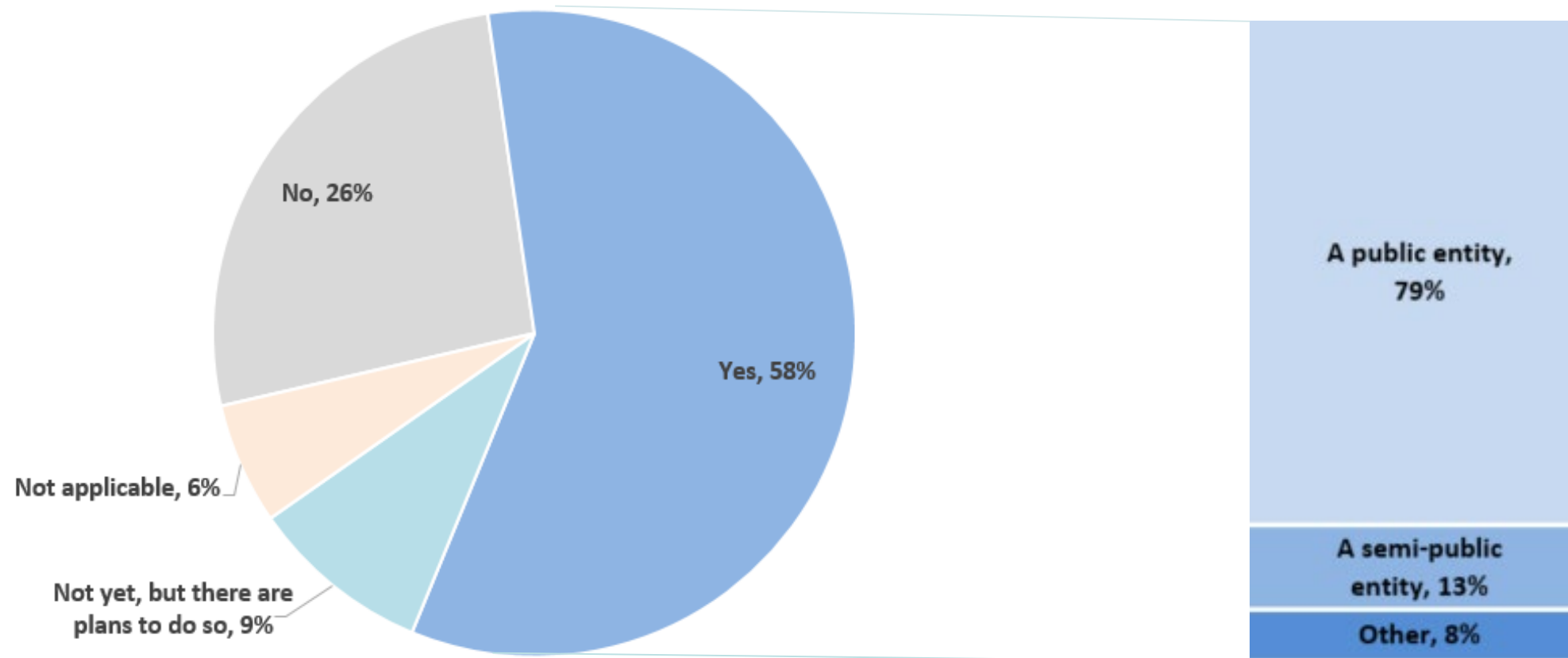
# I. DEFINITION OF NATION BRAND, POLICY RATIONALE AND CONTENT

## QUESTION 1 – IN THE RESPONDENT’S VIEW, A NATION BRAND CAN BE DESCRIBED AS:

(More than one answer is possible)



## QUESTION 2 – HAS THE RESPONDENT’S COUNTRY TAKEN A DECISION TO CREATE AND USE A SIGN THAT CAN BE DESCRIBED AS A NATION BRAND?





Study in  
Germany  
Land of Ideas

VisitDenmark 



INSPIRED BY ICELAND



VACATION BEYOND BELIEF.  
JERUSALEM  
TEL AVIV



esencial  
COSTA  
RICA

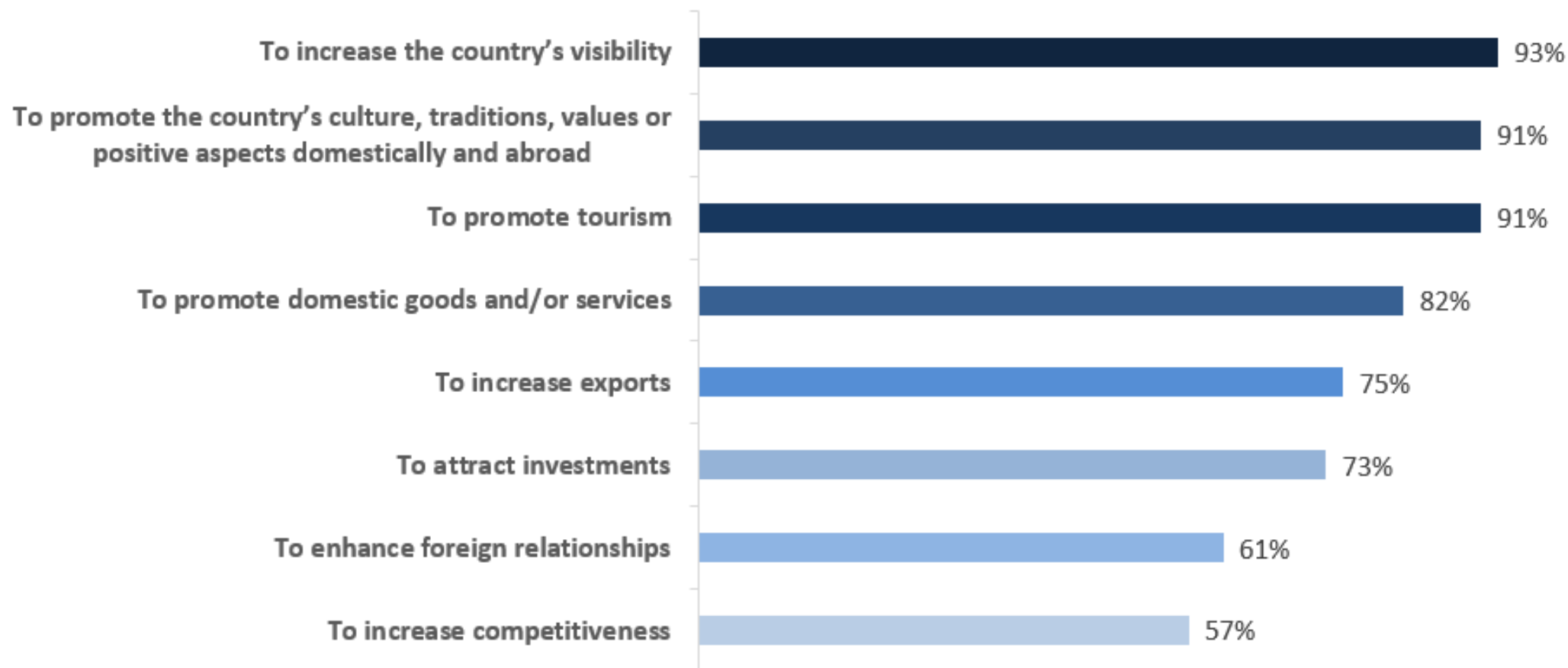


WIPO  
WORLD  
INTELLECTUAL PROPERTY  
ORGANIZATION



### QUESTION 3 – WHAT IS THE POLICY RATIONALE BEHIND THE DEVELOPMENT OF THE NATION BRAND REFERRED TO IN QUESTION 2?

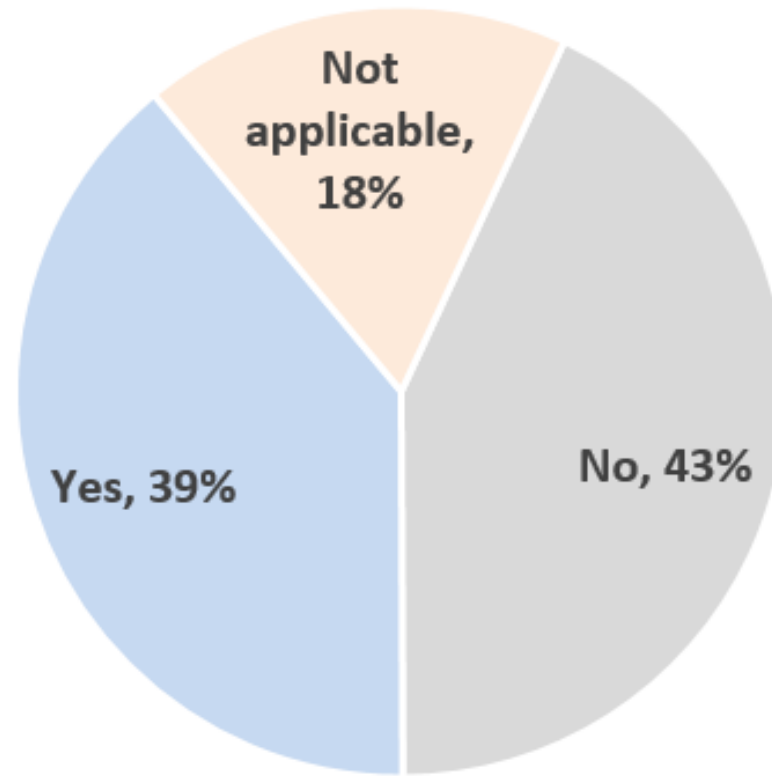
(More than one answer is possible)



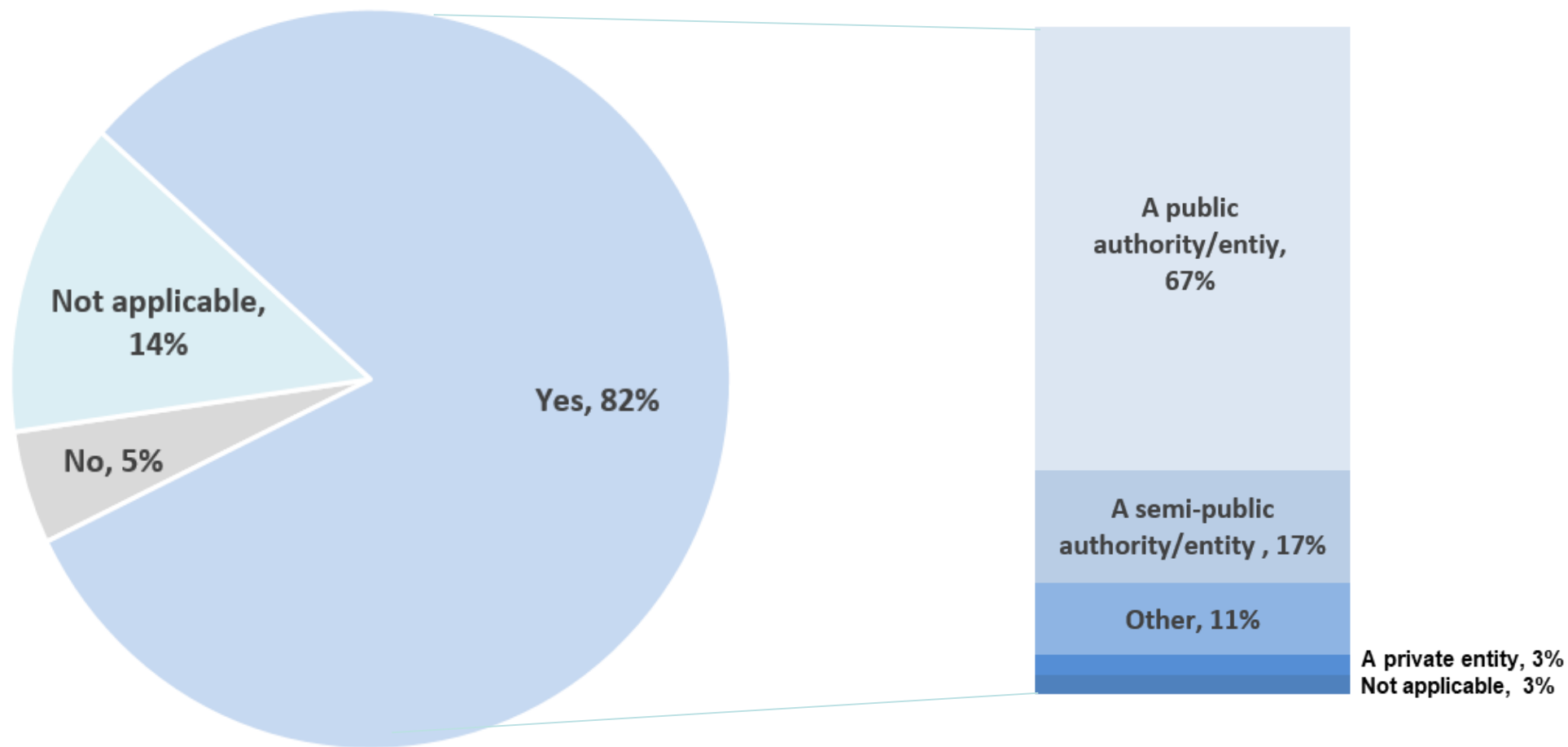


# II. RECOGNITION, OWNERSHIP AND ADMINISTRATION

**QUESTION 6 – IS THE NATION BRAND OFFICIALLY RECOGNIZED BY A DEDICATED INSTRUMENT IN THE RESPONDENT’S JURISDICTION (FOR EXAMPLE, A LAW, REGULATION, STATUTE OR ACT OF RECOGNITION)?**

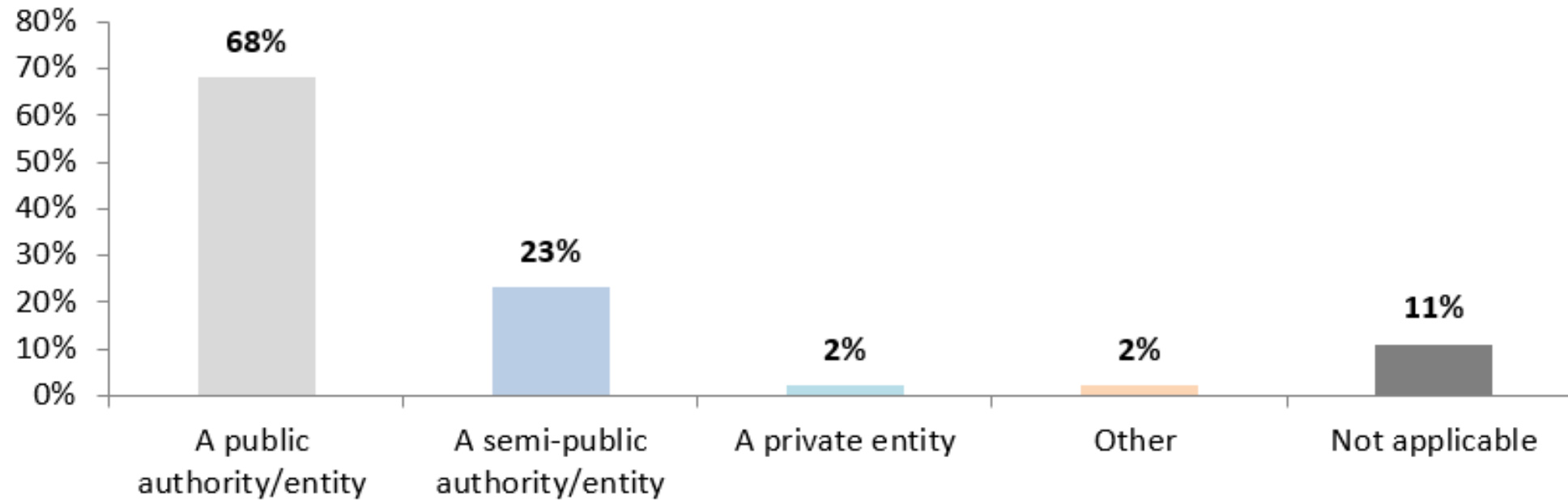


## QUESTION 8 – IN THE RESPONDENT’S JURISDICTION, DOES THE NATION BRAND HAVE AN OWNER?



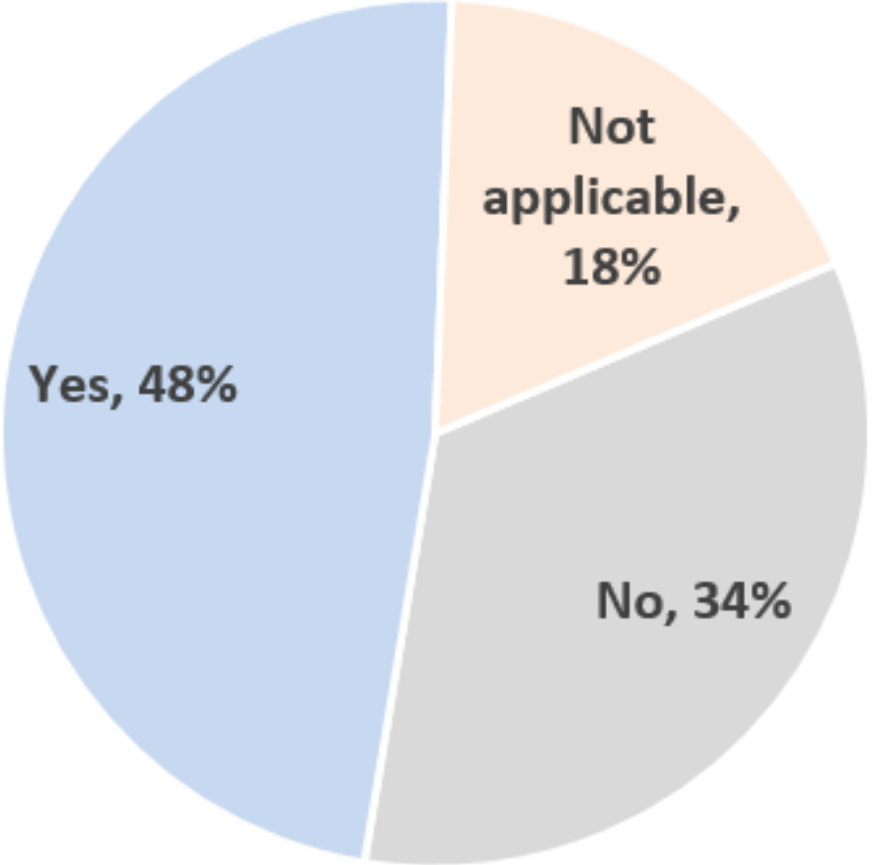
## QUESTION 9 – IN THE RESPONDENT’S JURISDICTION, THE NATION BRAND IS MANAGED BY:

(More than one answer is possible)



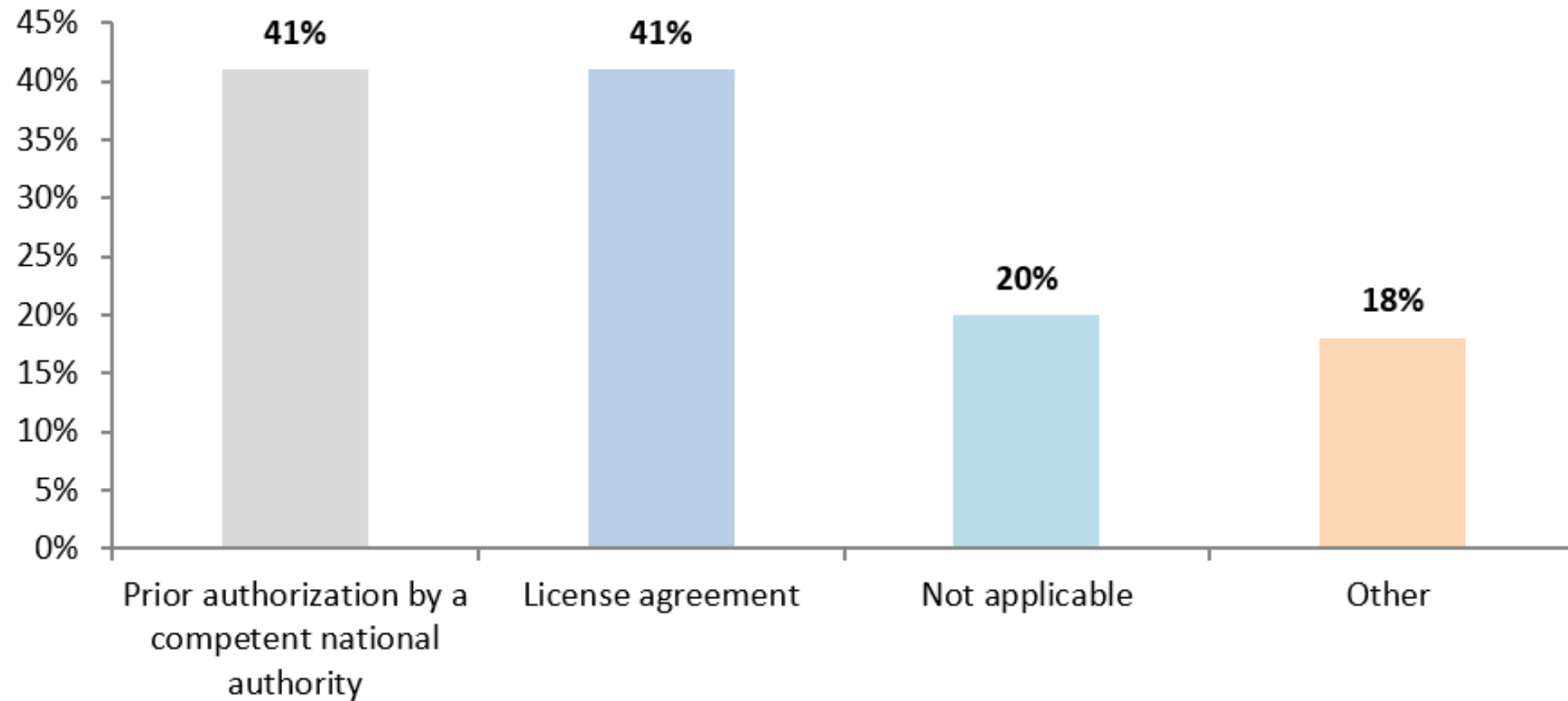
# III. USE OF RESPONDENT'S NATION BRAND

**QUESTION 10 – IS THE USE OF THE NATION BRAND SUBJECT TO COMPLIANCE WITH SPECIFIC LAWS OR RULES IN THE RESPONDENT’S JURISDICTION?**



## QUESTION 12 – HOW IS THE USE OF THE NATION BRAND AUTHORIZED?

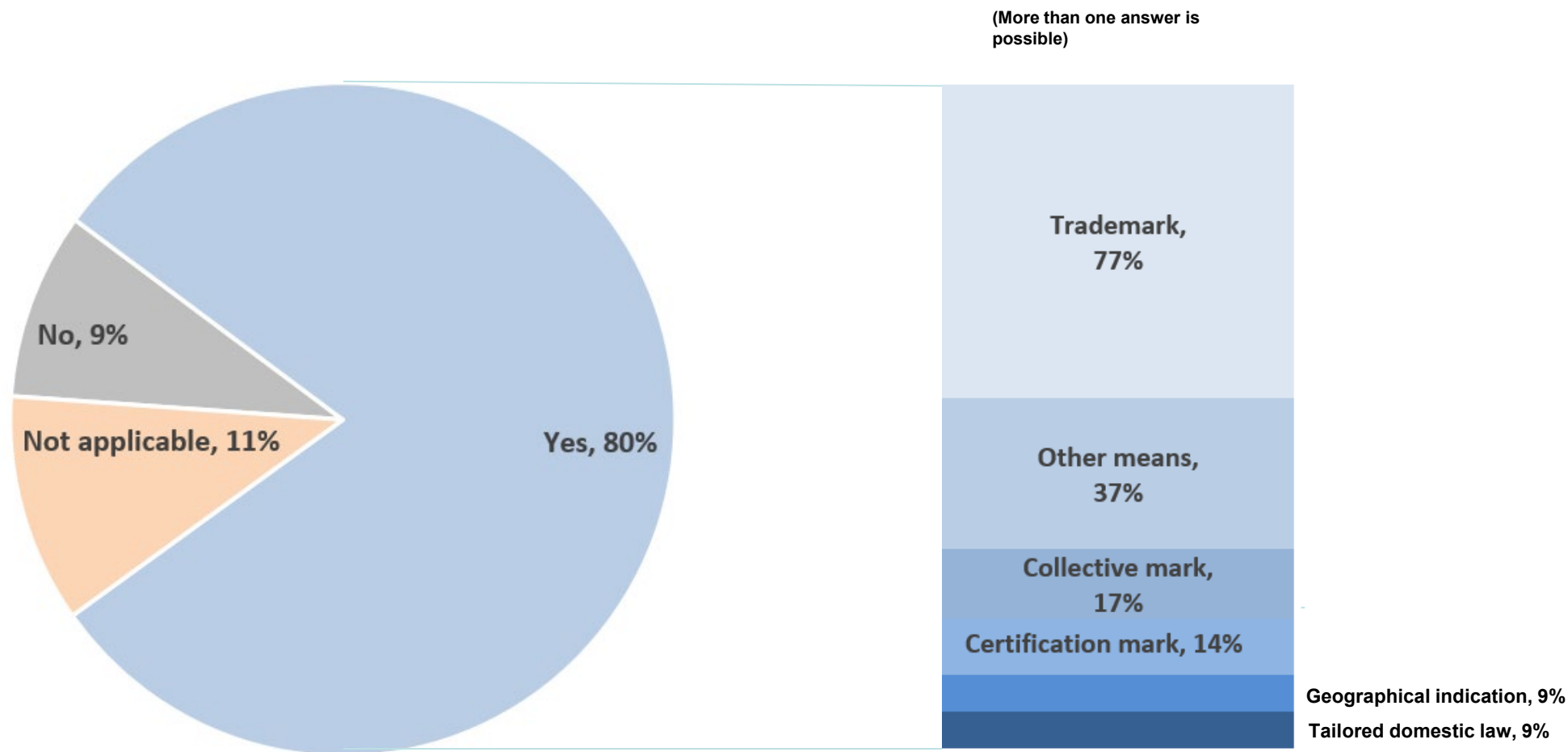
(More than one answer is possible)



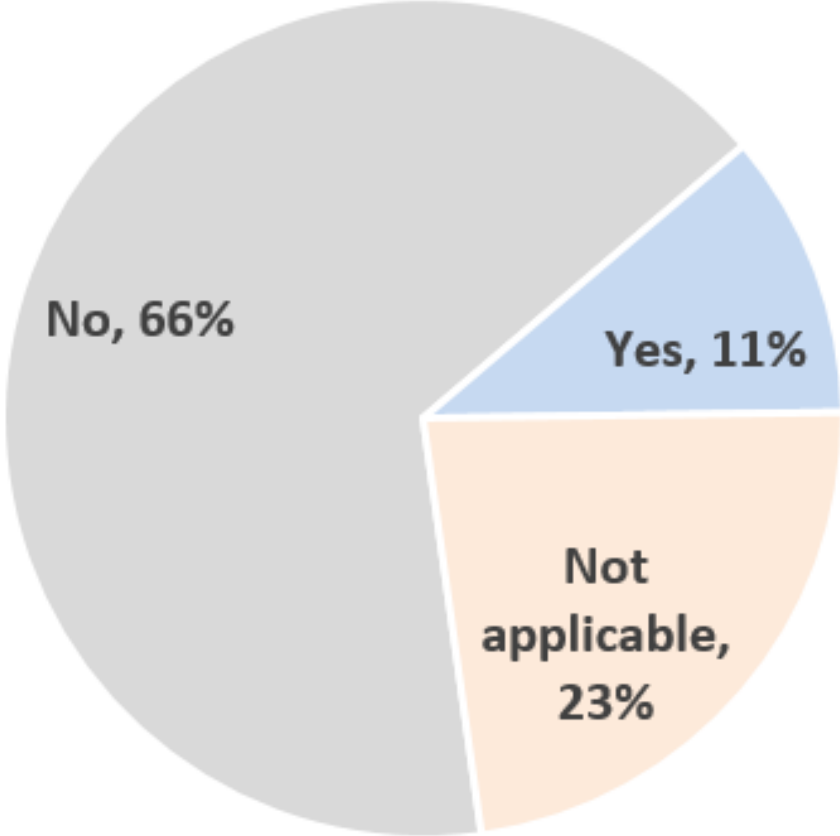
# **IV. PROTECTION OF THE RESPONDENT'S NATION BRAND AT THE NATIONAL LEVEL**



# QUESTION 14 – IS THE NATION BRAND PROTECTED IN THE RESPONDENT'S COUNTRY?

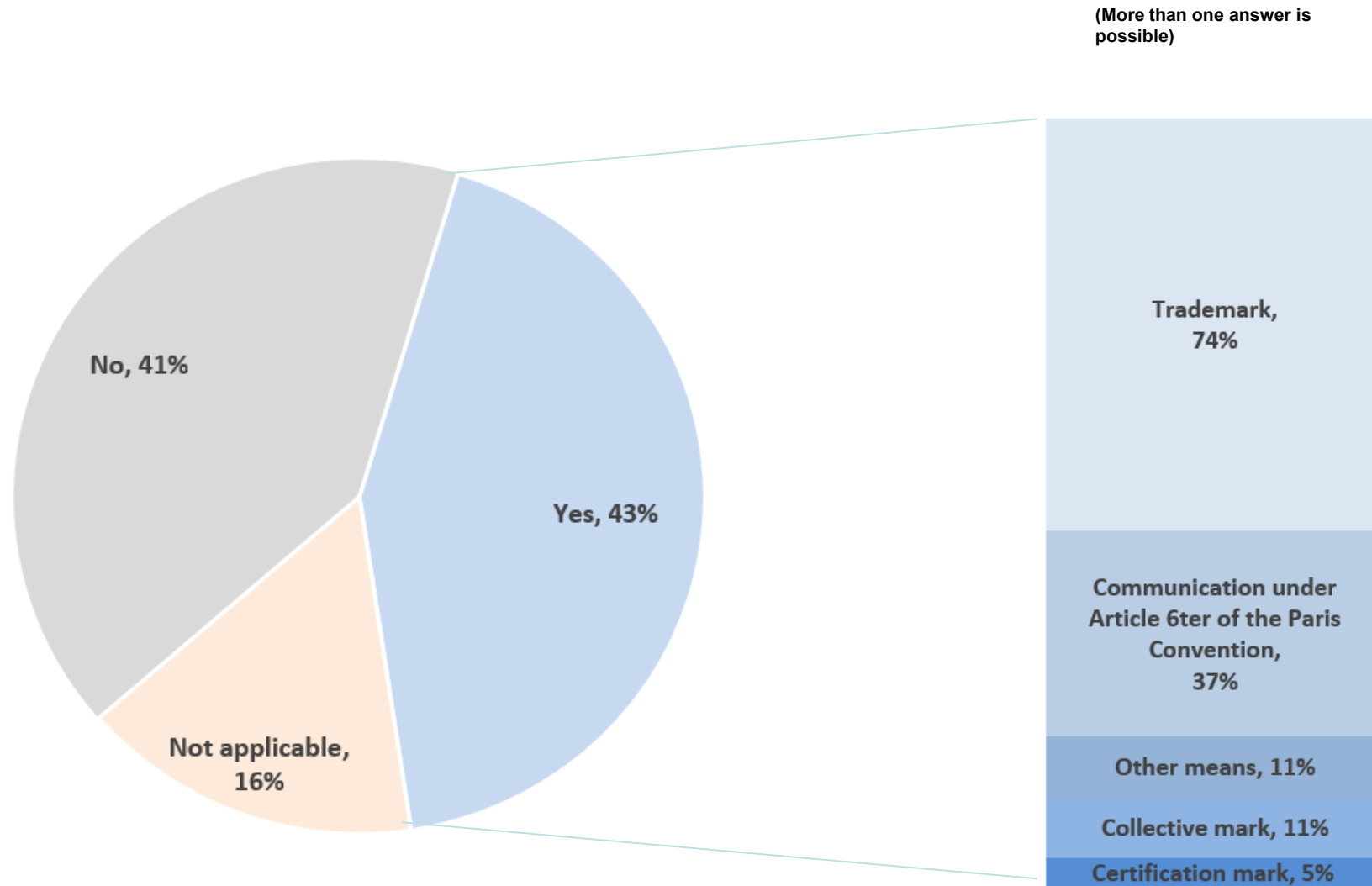


**QUESTION 17 – HAS THE PROTECTION OF THE RESPONDENT’S NATION BRAND BEEN CHALLENGED IN THE RESPONDENT’S JURISDICTION?**

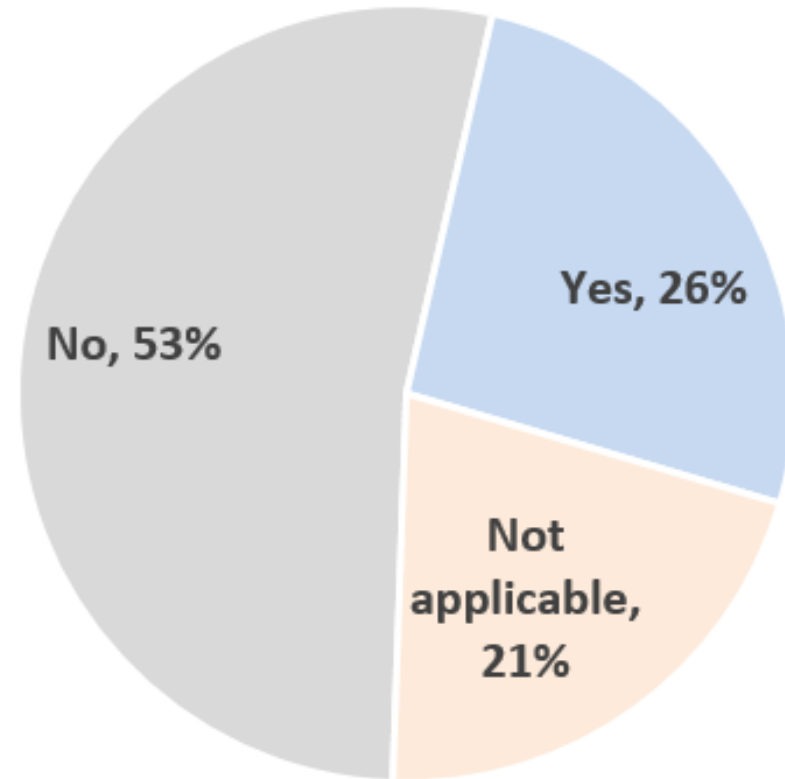


# V. PROTECTION OF THE RESPONDENT'S NATION BRAND ABROAD

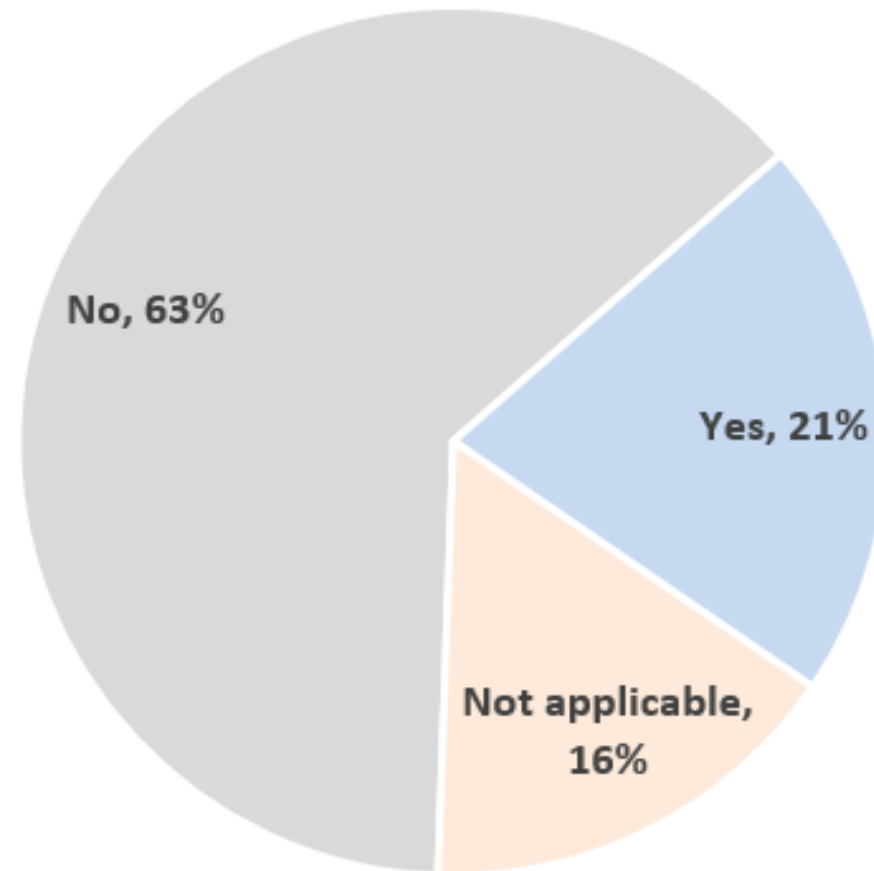
# QUESTION 18 – IS THE RESPONDENT’S NATION BRAND PROTECTED BY COUNTRIES/REGIONS OTHER THAN ITS OWN (HEREINAFTER REFERRED TO AS “PROTECTED ABROAD”)?



**QUESTION 21 – HAS THE PROTECTION OF THE RESPONDENT’S NATION BRAND BEEN CHALLENGED ABROAD?**

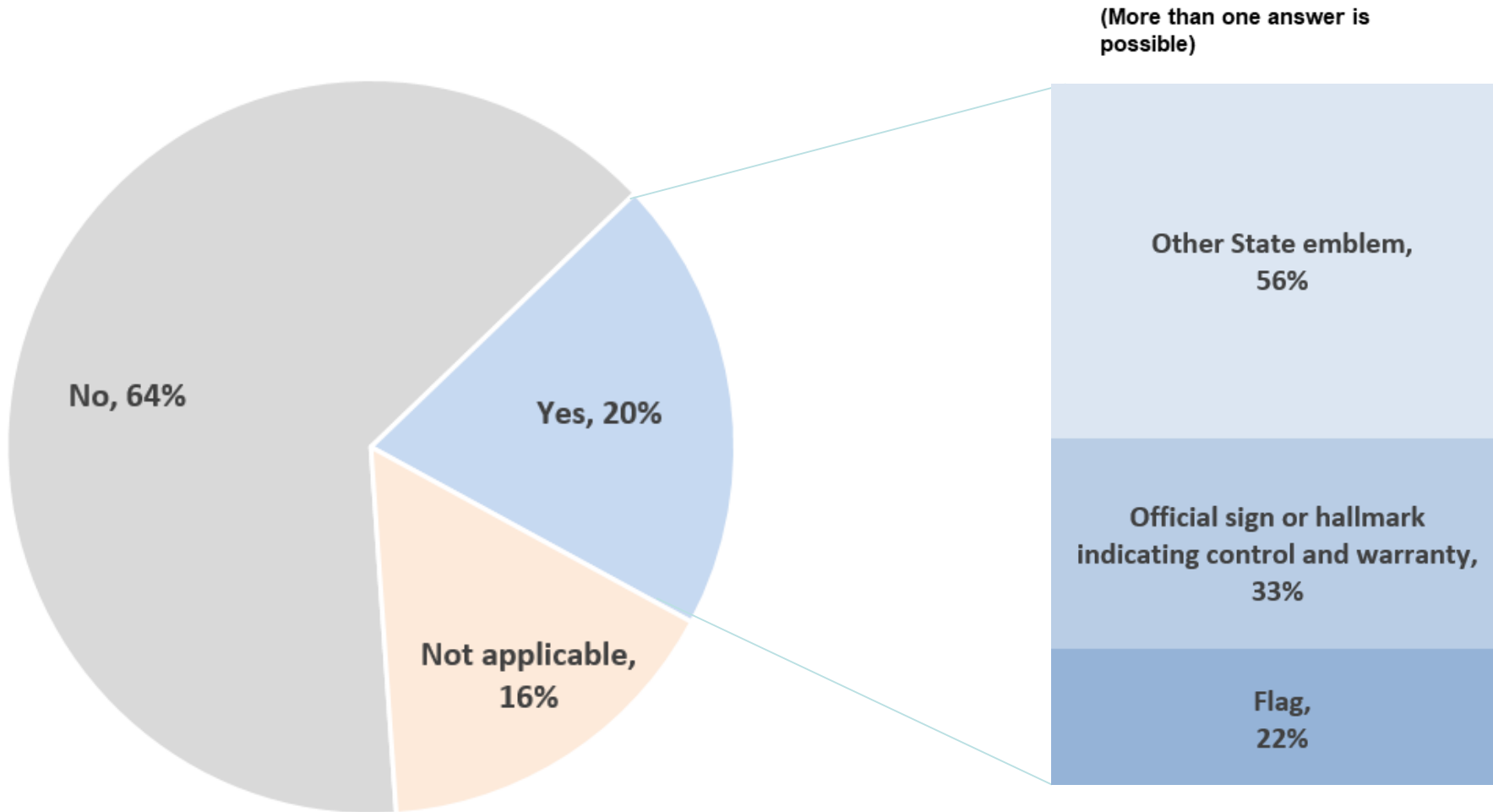


**QUESTION 22 – IF THE RESPONDENT’S NATION BRAND IS PROTECTED ABROAD, HAS THE RESPONDENT EXPERIENCED WHAT IT CONSIDERS AS AN INFRINGING USE OR UNAUTHORIZED USE OF ITS NATION BRAND ABROAD?**



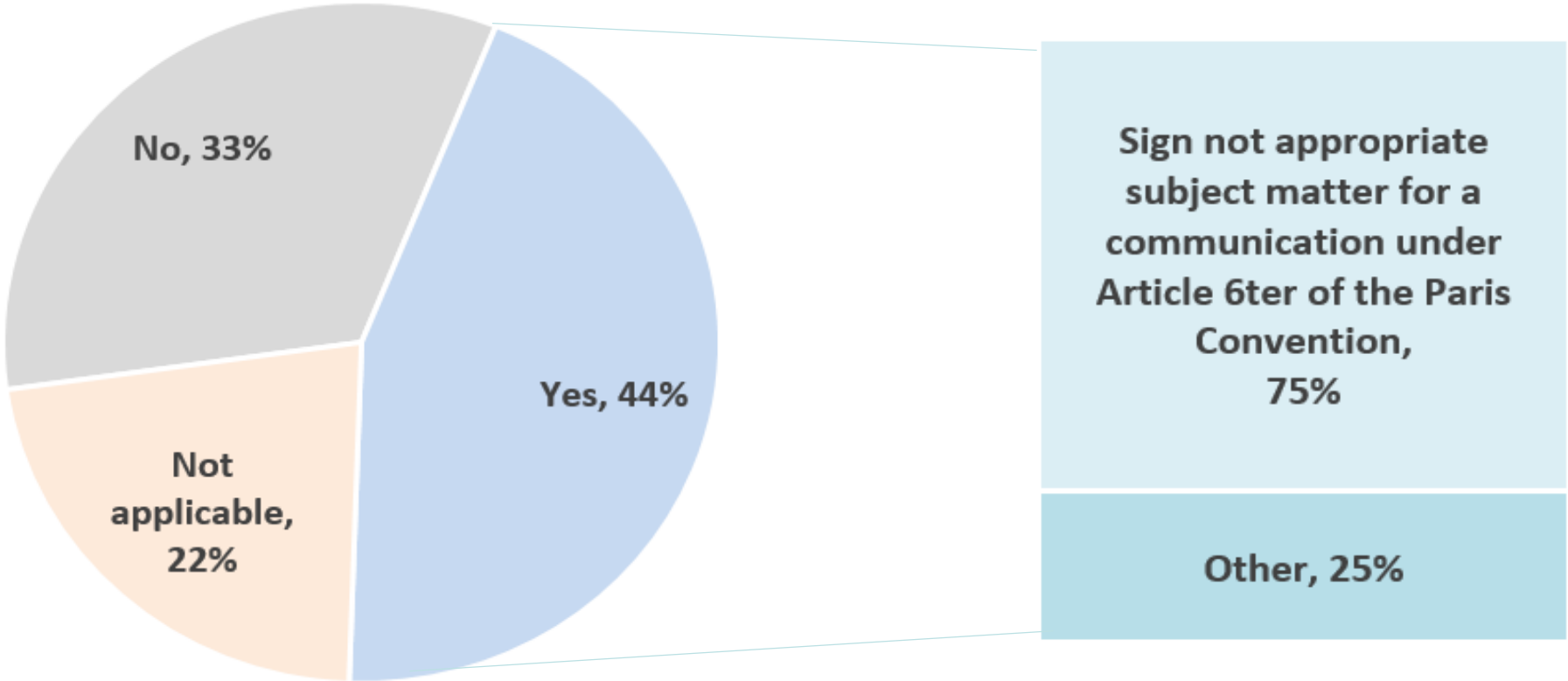
# **VI. USE OF ARTICLE 6*TER* OF THE PARIS CONVENTION TO PROTECT THE RESPONDENT'S NATION BRAND**

**QUESTION 23 – HAS THE RESPONDENT’S NATION BRAND OR ELEMENTS OF THE RESPONDENT’S NATION BRAND BEEN THE SUBJECT OF A COMMUNICATION UNDER ARTICLE 6TER OF THE PARIS CONVENTION?**



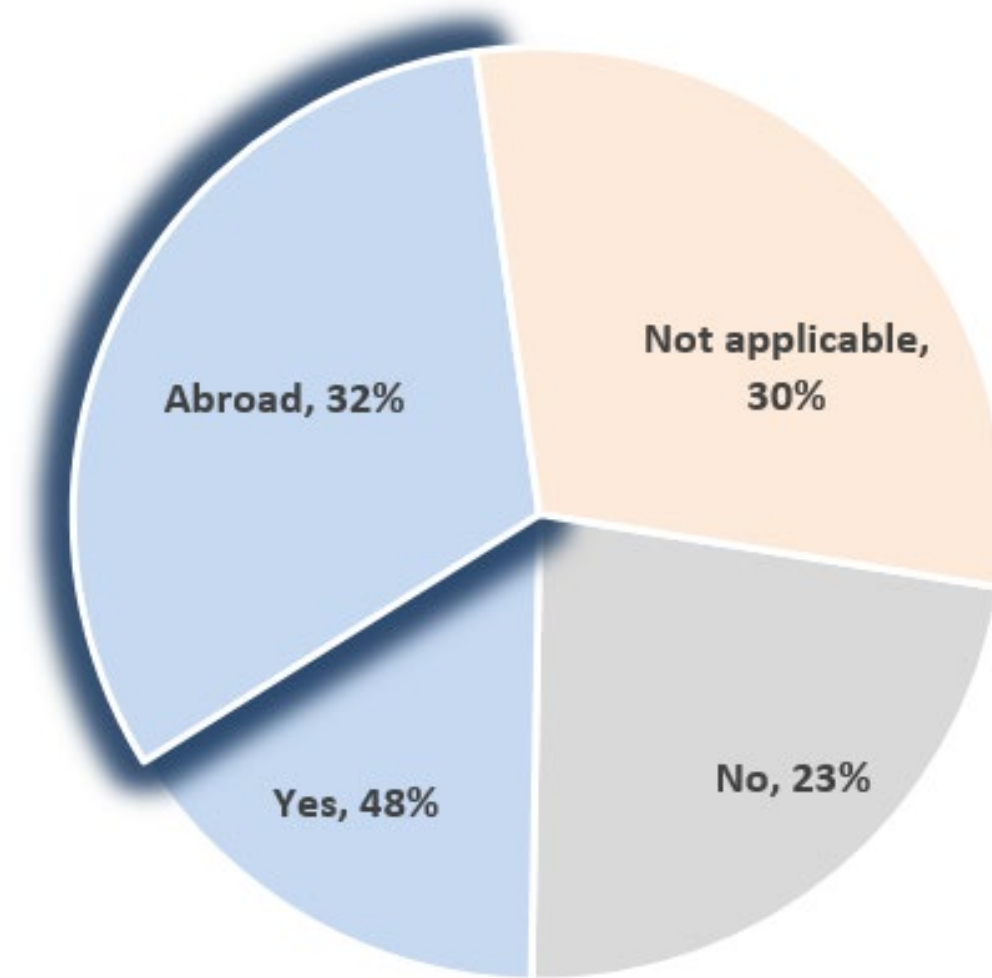


**QUESTION 24 – IF THE RESPONDENT’S NATION BRAND HAS BEEN COMMUNICATED UNDER ARTICLE 6TER OF THE PARIS CONVENTION, WAS SUCH COMMUNICATION OBJECTED AS PER ARTICLE 6TER(4) OF THE PARIS CONVENTION?**

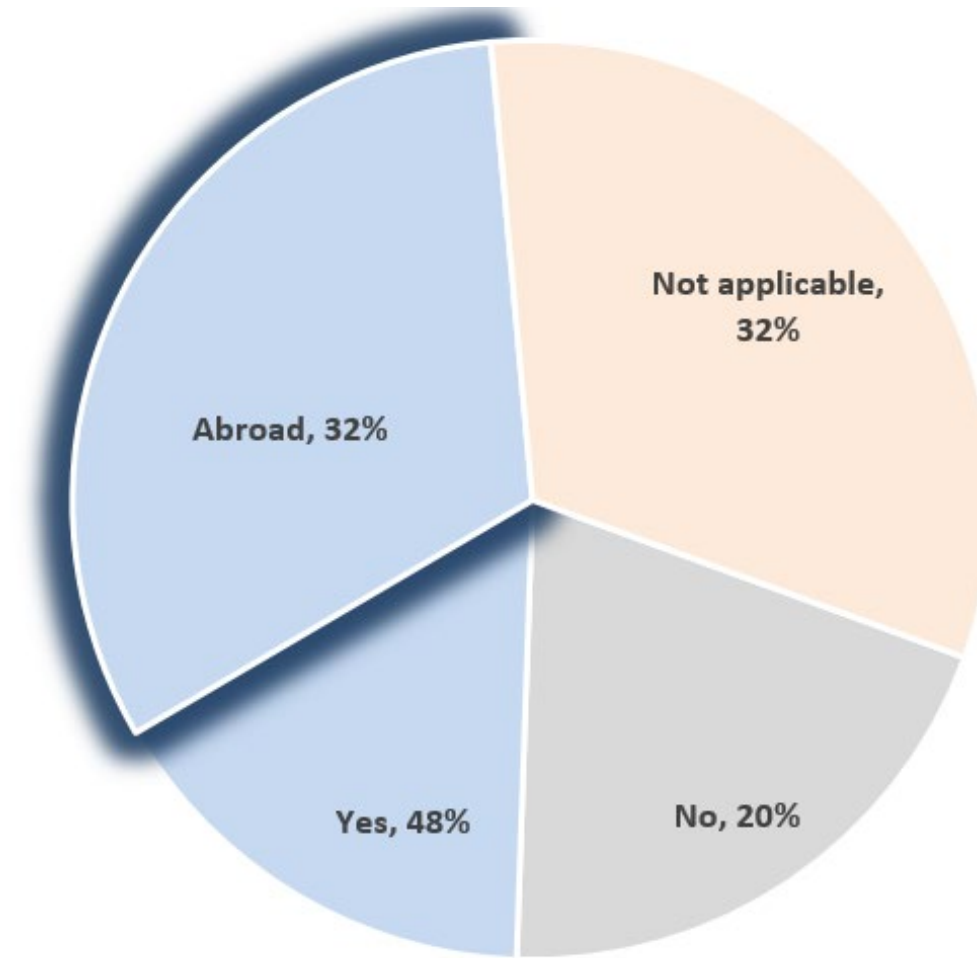


# **VII. MONITORING AND ENFORCEMENT OF RESPONDENT'S NATION BRAND**

**QUESTION 26 – IS THE USE OF THE RESPONDENT’S NATION BRAND MONITORED IN THE RESPONDENT’S JURISDICTION?**

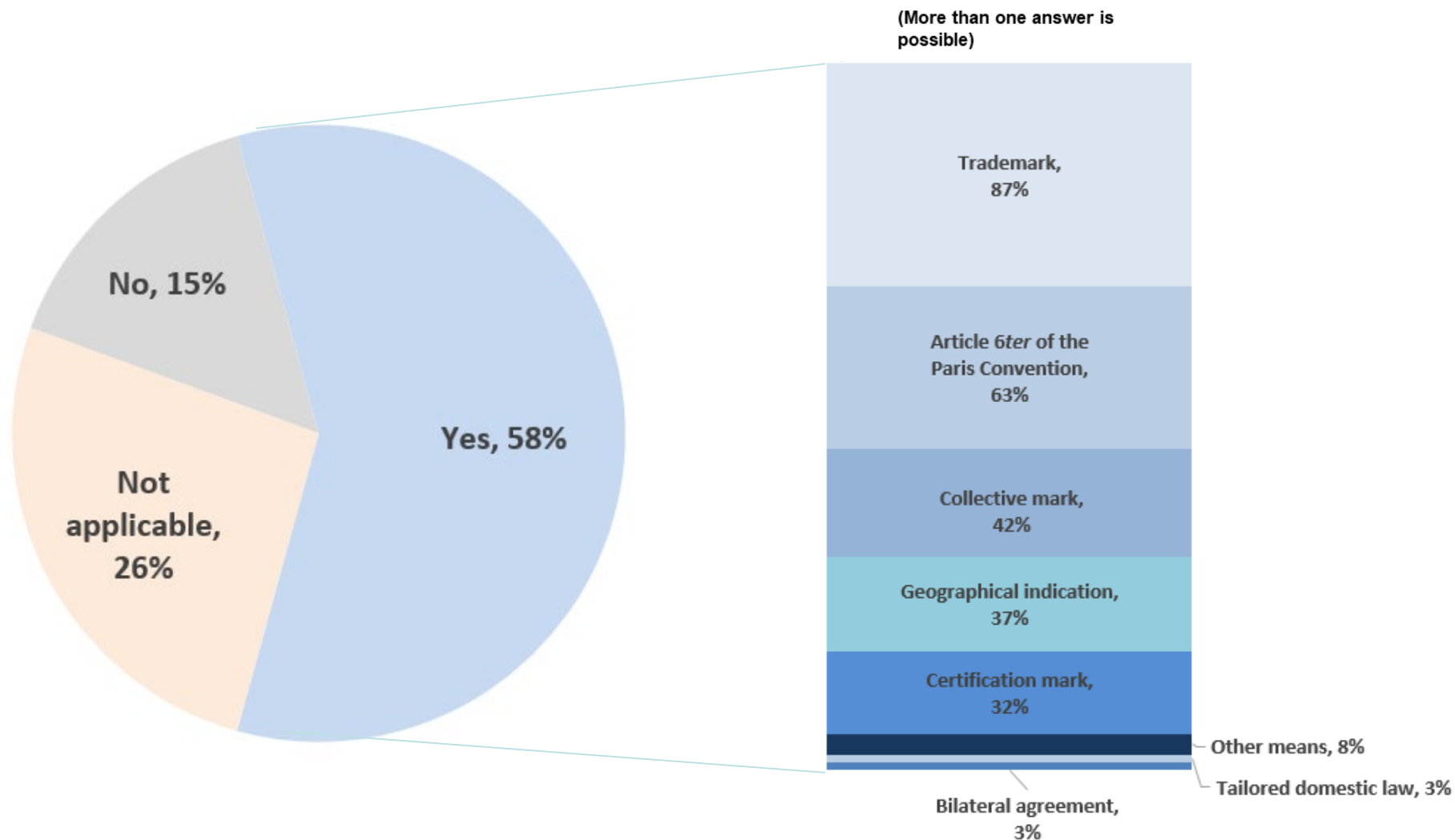


# QUESTION 28 – IS THE RESPONDENT’S NATION BRAND ENFORCED IN THE RESPONDENT’S JURISDICTION?



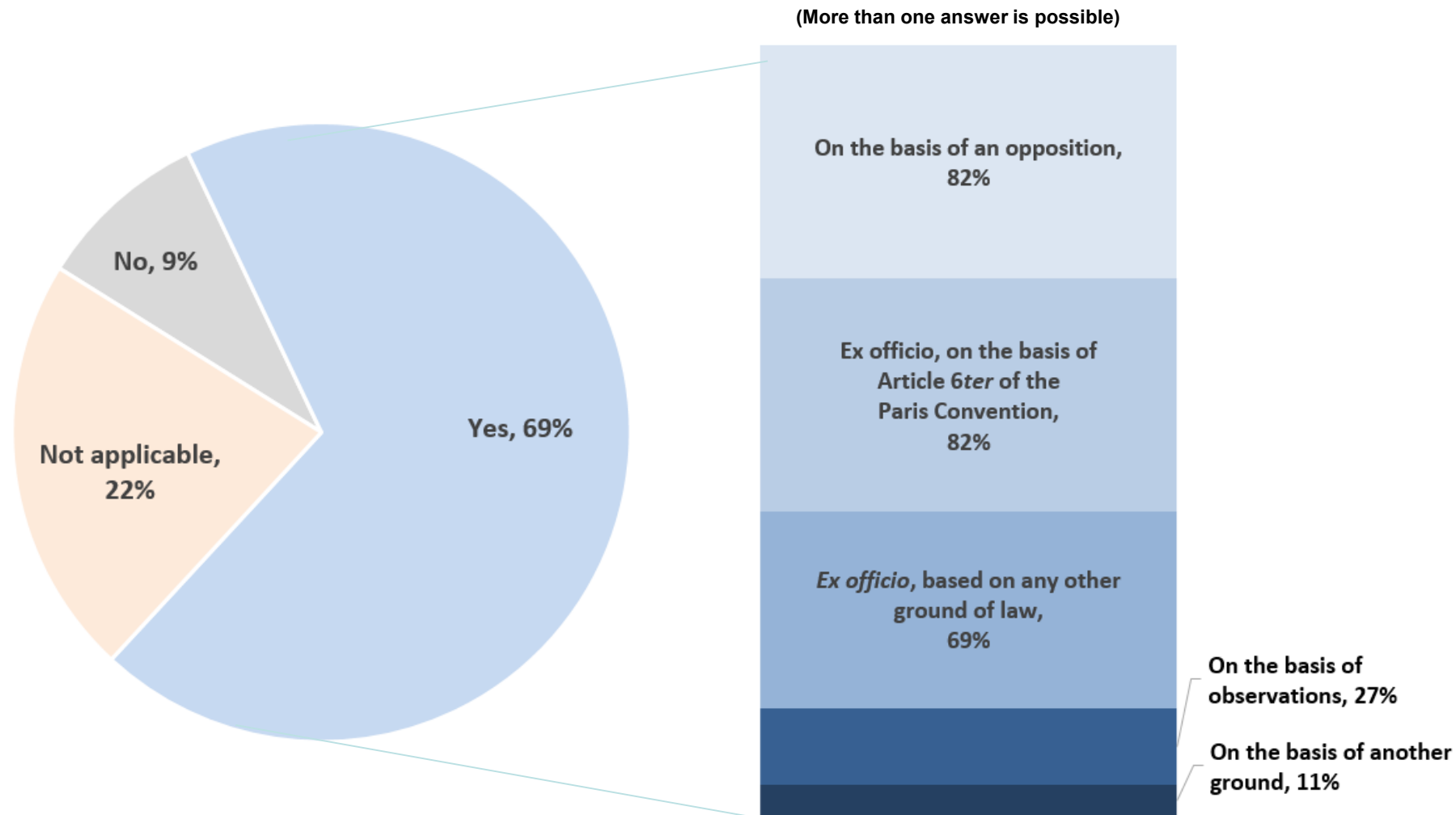
# VIII. PROTECTION OF OTHER COUNTRIES' NATIONS BRANDS

# QUESTION 30 – ARE OTHER COUNTRIES' NATION BRANDS PROTECTED IN THE RESPONDENT'S JURISDICTION?



# IX. SCOPE OF PROTECTION

# QUESTION 32 – IN THE RESPONDENT’S JURISDICTION, CAN THE INTELLECTUAL PROPERTY OFFICE REJECT A TRADEMARK APPLICATION BECAUSE OF A PREEXISTENT NATION BRAND?





**QUESTION 33 – IF A PROTECTED NATION BRAND IN THE RESPONDENT’S JURISDICTION CONTAINS THE COUNTRY NAME, TOGETHER WITH OTHER ELEMENTS, DOES THE PROTECTION EXTEND TO:**

