

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

**Forty-Sixth Session**  
**Geneva, November 21 to 23, 2022**

### **RULES OF PROCEDURE**

*Document prepared by the Secretariat*

1. Sessions of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) are governed by the General Rules of Procedure of the World Intellectual Property Organization<sup>1</sup>, subject to Special Rules of Procedure adopted by the SCT<sup>2</sup>.
2. Concerning the election and term of the Chair and Vice-Chairs of the SCT, a special rule adopted by the SCT at its second session provides that “the Standing Committee elects the Chair and the two Vice-Chairs for one year”<sup>3</sup>.
3. Pursuant to that Special Rule of Procedure, the current Chair and Vice-Chairs of the SCT were elected at the forty-fifth session of the SCT, which took place from March 28 to 30, 2022, for a term of one year, expiring in March 2023.
4. On the occasion of the sixty-third series of meetings, the Assemblies of the World Intellectual Property Organization (WIPO) decided, *inter alia*, to modify the electoral cycle of the officers (Chair and two Vice-Chairs) stipulated in Rule 9(2) of the General Rules of Procedure, to the effect that their terms of office begin following the final meeting of the session during which they were elected, and to amend Rule (9)(2) accordingly<sup>4</sup>.

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<sup>1</sup> [https://www.wipo.int/policy/en/rules\\_of\\_procedure.html](https://www.wipo.int/policy/en/rules_of_procedure.html).

<sup>2</sup> <https://www.wipo.int/policy/en/special-rules-of-procedure-wipo-standing-committees.html>.

<sup>3</sup> See document SCT/2/2, paragraph 3.

<sup>4</sup> See document A/63/5 Rev., paragraph 16.

5. To facilitate the transition to the new electoral cycle laid down in the amended Rule 9(2) of the General Rules of Procedure, the election of officers (Chair and two Vice-Chairs) for the next session of the SCT has been advanced to the present session of the SCT. In application of amended Rule 9(2) of the WIPO General Rules of Procedure, the terms of office of the elected Chair and Vice-Chairs will begin after the last meeting of the forty-sixth session of the SCT.

6. This will avoid a situation where the SCT would elect officers at the forty-seventh session for a term of office that would begin at the end of the said session, pursuant to the amended Rule 9(2) of the General Rules of Procedure, with no officers to preside over the forty-seventh session itself.

7. Moreover, applied in conjunction with the SCT Special Rule of Procedure referred to in paragraph 2, above (*i.e.*, the SCT elects the Chair and two Vice-Chairs for one year), amended Rule 9(2) of the WIPO General Rules of Procedure could lead to a situation where the terms of the Chair and Vice-Chairs would expire before the next session of the SCT, with no officers to preside over that session. This would be the case where the SCT session following the election is scheduled to take place more than a year after the election.

8. In order to avoid such a situation, and maintaining the spirit of both Rules, namely to let the term of the Chair and Vice-Chairs start immediately following the last meeting of the session in which they were elected, as well as to provide continuity to allow the term to cover more than one session, the following amended Special Rule of Procedure is proposed:

“The SCT elects the Chair and two Vice-Chairs for two consecutive sessions.”

9. *The SCT is invited:*

- (i) to take note of the information contained in paragraph 5, above;*
- and*
- (ii) to adopt the amended Special Rule of Procedure referred to in paragraph 8, above.*

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