

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

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

SUMMARY BY THE ACTING CHAIR

adopted by the Committee

AGENDA ITEM 1: OPENING OF THE SESSION

1. Mr. Simion Levitchi (Republic of Moldova), Vice-Chair of the SCT, acted as Chair.
2. The Acting Chair opened the forty-sixth session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT).
3. Ms. Wang Binying, Deputy Director General of the World Intellectual Property Organization (WIPO), welcomed the participants on behalf of Mr. Daren Tang, Director General of WIPO.
4. Mr. Marcus Höpperger (WIPO) acted as Secretary to the SCT.

AGENDA ITEM 2: ADOPTION OF THE AGENDA

5. The SCT adopted the draft Agenda (document SCT/46/1 Prov.5).

AGENDA ITEM 3: RULES OF PROCEDURE

6. The Secretariat announced that, following consultations with Regional group coordinators, the proposal contained in document SCT/46/4 was withdrawn.

AGENDA ITEM 4: ELECTION OF A CHAIR AND TWO VICE-CHAIRS

7. The SCT elected, for the special session of the next SCT, Mr. Sergio Chuez Salazar (Peru) as Chair and Ms. Marie Béatrice Nanga Nguele (Cameroon) and Mr. Simion Levitchi (Republic of Moldova) as Vice-Chairs.

8. The SCT took note of the following nominations for the forty-seventh session of the SCT: Ms. Loreto Bresky (Chile) as Chair and Ms. Marie Béatrice Nanga Nguele (Cameroon) and Ms. Fatema Al Hosani (United Arab Emirates) as Vice-Chairs.

AGENDA ITEM 5: INDUSTRIAL DESIGNS

Matters Concerning the Convening of a Diplomatic Conference for the Adoption of a Design Law Treaty (DLT) (document SCT/46/2)

9. The SCT considered document SCT/46/2 (Matters Concerning the Convening of a Diplomatic Conference for the Adoption of a Design Law Treaty) and took note of its contents.

Updated Proposal by the Delegations of Canada, Israel, Japan, the Republic of Korea, the United Kingdom, the United States of America and the European Union and its member states for a Joint Recommendation Concerning Industrial Design Protection for Designs for Graphical User Interfaces (document SCT/44/6 Rev.4)

10. The SCT considered document SCT/44/6 Rev.4.

11. The Acting Chair concluded that the SCT would continue the discussion on document SCT/44/6 Rev.4 at its next regular session.

Proposal by the African Group for a Study on the Impact of Design Protection for Graphical User Interface (GUI) Designs on Innovation (document SCT/46/5)

12. The SCT considered document SCT/46/5.

13. The Acting Chair concluded that the SCT would continue the discussion on document SCT/46/5 at its next regular session.

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

14. The SCT noted the progress in the implementation of the DAS for industrial designs by members and the Acting Chair concluded that the SCT would revert for an update to this item at its next regular session.

AGENDA ITEM 6: TRADEMARKS

Revised Proposal by the Delegations of Georgia, Iceland, Indonesia, Jamaica, Liechtenstein, Malaysia, Mexico, Monaco, Peru, Senegal, Switzerland and the United Arab Emirates Concerning Examination Guidelines for Trademarks Which Consist of or Contain Country Names or Geographical Names of National Significance (document SCT/43/6 Rev.)

15. The SCT considered document SCT/43/6 Rev.

16. The Acting Chair concluded that the SCT would continue the discussion on a revised version of document SCT/43/6 Rev. at its next regular session.

Revised Proposal by the Delegation of Jamaica for a Joint Recommendation Concerning Provisions on the Protection of Country Names (document SCT/43/9)

17. The SCT considered document SCT/43/9.

18. The Acting Chair concluded that the SCT would continue the discussion on a revised version of document SCT/43/9 at its next regular session.

Proposal by the Delegations of Brazil, 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 Domain Name System (DNS) (document SCT/41/6 Rev.)

19. The SCT considered document SCT/41/6 Rev.

20. The Acting Chair concluded that the SCT decided to maintain document SCT/41/6 Rev. on the agenda of the SCT and to re-open the discussion thereof upon new developments.

Returns to the Questionnaire on Nation-Brand Protection in Member States (document SCT/43/8 Rev.3)

21. The SCT considered document SCT/43/8 Rev.3.

22. The Acting Chair concluded that the SCT requested the Secretariat to re-open the Questionnaire for further replies by May 3, 2023, and update document SCT/43/8 Rev.3 accordingly.

Revised Proposal by the Delegations of Colombia, Ecuador and Peru Concerning Topics for an Information Session on the Protection of Nation Brands in Member States (document SCT/45/6 Rev.3)

23. The SCT considered document SCT/45/6 Rev.3.

24. The Acting Chair concluded that the SCT agreed:

- to hold an information session on nation brands in conjunction with the forty-seventh session of the SCT;

- that the program for the information session would be as follows:
 - (a) Importance of nation brands in the design of public policies and strategies
 - (b) Impact of nation brands on socioeconomic development
 - (c) Experiences on nation brand protection; and
 - (d) Current nation brand protection mechanisms.
- to request the Secretariat to publish the presentations on the WIPO website.

Update on Trademark-Related Aspects of the Domain Name System (DNS)
(document SCT/46/3)

25. The SCT considered document SCT/46/3 and requested the Secretariat to keep members informed of future developments in the DNS.

AGENDA ITEM 7: GEOGRAPHICAL INDICATIONS

Proposal by the Delegation of the United States of America (document SCT/46/6)
Proposal by the Delegations of Colombia and Mexico (document SCT/46/7)
Proposal by the Delegation of the European Union

26. The SCT considered all proposals made.
27. The Acting Chair concluded that the SCT agreed:
- to hold an information session on geographical indications in conjunction with the forty-seventh session of the SCT;
 - that the program for that information session would consist of the following topic:
“trademarks and geographical indications: prior rights grounds for refusal”;
 - to invite members to present, to the forty-seventh session of the SCT, proposals for topics for an information session on geographical indications, to be held in conjunction with the forty-eighth session of the SCT.

AGENDA ITEM 8: SUMMARY BY THE ACTING CHAIR

28. The SCT approved the Summary by the Acting Chair, as contained in the present document.

AGENDA ITEM 9: CLOSING OF THE SESSION

29. The Acting Chair closed the session on November 23, 2022.

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