

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

**Forty-Third Session
Geneva, November 23 to 26, 2020**

REVISED ANNOTATED DRAFT AGENDA

prepared by the Secretariat

The Secretariat prepared this informal revised annotated draft agenda of the forty-third session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) at the request of delegations, following an Informal Information Session held virtually using the *Webex* platform on Monday, October 19, 2020, and another informal consultation held on November 10, 2020.

The SCT will meet for two and a half hours each day of the session (November 23 to 26, 2020), from 12 noon to 2.30 p.m., Geneva Time (GMT +2). Taking into account the progress of the discussions and preferences expressed by the delegations at the session, the Chair may propose changes to the time and length of those meetings, as appropriate.

Monday, November 23, 2020¹
From 12 noon to 2.30 p.m.

1. Opening of the session **(10 minutes)**

2. Election of a Chair and two Vice-Chairs **(10 minutes)**

Proposals for Chair and Vice-Chairs:

Chair: Mr. Alfredo Rendón Algarra (Mexico)

Vice-chairs: Mr. Willie Mushayi (Zimbabwe)

Second Vice-chair to be proposed.

3. Adoption of the Agenda **(5 minutes)**

See document SCT/43/1 Prov.4

4. Adoption of the Draft Report of the Forty-Second Session **(35 minutes²)**

See document SCT/42/9 Prov.

5. Industrial Designs

- Analysis of the Returns to the Questionnaire on Graphical User Interface (GUI), Icon and Typeface/Type Font Designs **(30 minutes)**

See documents SCT/41/2 Rev. and SCT/43/2.

Document SCT/41/2 Rev. contains replies to the Questionnaire on Graphical User Interface (GUI), Icon and Typeface/Type Font Designs from 40 Member States and two Intergovernmental Intellectual Property Organizations. The document was revised after the forty-second session of the SCT to include further or revised replies by delegations, as requested by the Chair of the SCT at the conclusion of the forty-second session of the Committee.

Document SCT/43/2 contains an analysis of the Returns to the Questionnaire on Graphical User Interface (GUI), Icon and Typeface/Type Font Designs.

Invited action: the SCT will be invited to consider documents SCT/41/2 Rev and SCT/43/2.

¹ The proposed timetable is merely indicative. If the SCT does not finish discussions on an item by the conclusion of the day, discussions on that item would continue on November 25, 2020, unless otherwise proposed by the Chair.

² This includes time for general statements (by RCs only)

- Revised Proposal by the Delegations of Japan and the United States of America **(30 minutes)**
See document SCT/43/10.

Document SCT/43/10 contains a revised proposal by the Delegations of Japan and the United States of America for a Joint Recommendation on Industrial Design Protection for Graphical User Interface (GUI) Designs.

Invited action: the SCT will be invited to consider the revised proposal with a view to continuing the discussion at the next session.

- Compilation of the Returns to the Questionnaire on the Temporary Protection Provided to Industrial Designs at Certain International Exhibitions Under Article 11 of the Paris Convention for the Protection of Industrial Property **(15 minutes)**
See document SCT/42/2.

Document SCT/42/2 contains replies from 52 Member States and two Intergovernmental Intellectual Property Organizations to the Questionnaire on the Temporary Protection Provided to Industrial Designs at Certain International Exhibitions under Article 11 of the Paris Convention for the Protection of Industrial Property. As requested by Chair of the SCT at the conclusion of the forty-second session of the SCT, the questionnaire was kept open for further replies by delegations until January 10, 2020.

Invited action: the SCT will be invited to consider document SCT/42/2.

- Update by Member States on Digital Access Service (DAS) for Priority Documents **(15 minutes)**

Invited action: the SCT will be invited to take note of the progress in the implementation of the DAS for industrial designs by members.

Tuesday, November 24, 2020
From 12 noon to 2.30 p.m.

Information Session on Geographical Indications

At the conclusion of its forty-second session, the SCT agreed to hold an Information Session on Geographical Indications.

The [program](#), as agreed by the SCT, will comprise two sessions on the following topics: (i) evaluation of the conditions that created the basis for the geographical indication protection and evaluation of any changes to those conditions; (ii) ways to prevent operators profiting from bad faith use and registration of GI intellectual property rights in the DNS.

Wednesday, November 25, 2020
From 12 noon to 2.30 p.m.

6. Trademarks

- 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 **(30 minutes)**
See document SCT/43/6.

In a communication dated February 18, 2020, the Delegations of Georgia, Iceland, Indonesia, Jamaica, Liechtenstein, Malaysia, Mexico, Monaco, Peru, Senegal, Switzerland and the United Arab Emirates transmitted to the International Bureau of the World Intellectual Property Organization (WIPO) a proposal requesting the SCT to invite the WIPO General Assembly to adopt examination guidelines for trademarks which consist of or contain country names or geographical names of national significance. The proposal is contained in the Annex to document SCT/43/6.

Invited action: the SCT will be invited to consider the proposal presented by one of the proponent delegations on behalf of the co-sponsors with a view to continuing the discussion at the next session.

- Revised Proposal by the Delegation of Jamaica **(30 minutes)**
See document SCT/43/9.

Invited action: the SCT will be invited to consider the revised proposal with a view to continuing the discussion at the next session.

- Proposal by the Delegations of Brazil, Georgia, Iceland, Indonesia, Jamaica, Liechtenstein, Malaysia, Mexico, Monaco, Peru, Senegal, Switzerland and United Arab Emirates Concerning the Protection of Country Names and Geographical Names of National Significance in the DNS **(20 minutes)**
See document SCT/41/6 Rev.

Invited action: the SCT will be invited to continue the discussion on document SCT/41/6 Rev.

- Update on Trademark-Related Aspects of the Domain Name System **(10 minutes)**
See document SCT/43/4.

Invited action: the SCT will be invited to take note of the update presented by the Secretariat.

- Proposal by the Delegations of Ecuador and Peru to Conduct a Survey on Nation-Brand Protection in Member States
See documents SCT/42/4 Rev. and SCT/43/3 Rev. 2.
- Questionnaire on Nation-Brand Protection in Member States
See document SCT/43/7.
- Returns to the Questionnaire on Nation-Brand Protection in Member States
See document SCT/43/8.

(40 minutes for overall discussion of all the documents on nation-brand protection in Member States)

At the conclusion of the forty-second session of the SCT, the Chair of the Committee invited the Delegation of Peru to send to the Secretariat a proposal for a Draft Questionnaire on Nation-Brand Protection in Member States. The Chair also invited members to send questions they would like to include in the draft questionnaire, before December 31, 2019.

The Secretariat compiled all questions received in document SCT/43/3 Rev. 2 and, based on the compilation, prepared a Draft Questionnaire on Nation-Brand Protection in Member States, presented in the Annex to document SCT/43/7 Prov.. This document was posted on the SCT webpage and remained open for comments until May 31, 2020.

Based on the comments received, the Secretariat prepared the final version of the Questionnaire on Nation-Brand Protection in Member States (document SCT/43/7) and invited Member States to respond to the Questionnaire, by September 23, 2020, through an online survey tool. The Annex to document SCT/43/8 contains a presentation of all returns received to the Questionnaire, in statistical data format. Returns were received from 45 members of the SCT.

Invited action: the SCT will be invited to consider document SCT/43/8 with a view to continue the discussion at the next session

7. Geographical Indications **(20 minutes)**

At the forty-second session of the SCT, the Committee agreed to invite members to present to the forty-third session of the SCT proposals for topics for an information session on geographical indications, to be held in conjunction with the forty-fourth session of the SCT.

Invited action: the SCT will be invited to consider any proposal for topics for an information session on geographical indications, to be held in conjunction with the forty-fourth session of the SCT.

Thursday, November 26, 2020
From 12 noon to 2 p.m.

Information Session on the Temporary Protection Provided to Industrial Designs under Article 11 of the Paris Convention

At the conclusion of its forty-second session, the SCT agreed to hold an Information Session on the Temporary Protection Provided to Industrial Designs under Article 11 of the Paris Convention.

The [program](#) for the information session, as agreed by the SCT, comprises two one-hour sessions on the following topics: (i) the practices of offices and (ii) the experience of users, with regard to the temporary protection provided to industrial designs under Article 11 of the Paris Convention.

From 2 p.m. to 2.30 p.m.

8. Summary by the Chair **(20 minutes)**

The draft Summary by the Chair will be available on Thursday, November 26, 2020, at 11 a.m.

Invited action: the SCT will be invited to adopt the Summary by the Chair.

9. Closing of the session **(10 minutes)**

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