

**Comments from Iceland concerning areas of Convergence
identified in document SCT/35/4**

1. Area of Convergence No. 1 – Notion of Country Name

In Iceland, a country name is considered to cover, at least for the purposes of examination, the same versions or abbreviations as outlined in item No. 1, paragraph 38 of the above referenced document.

2. Area of Convergence No. 2 – Non-registrable if considered Descriptive

In Iceland, the same applies to country names as is outlined in item No. 2 of the above referenced document and marks consisting solely of a country name in any of the versions described under item 1 are refused if considered descriptive for the goods and/or services in question.

3. Area of Convergence No. 5 – Invalidation and opposition Procedures

Icelandic Trademark Legislation provides for both opposition and invalidation procedures (administrative or courts). The grounds for either of the two are the same as grounds for refusal and cover the grounds described in possible Areas of Convergence No. 2, 3 and 4 of the above referenced document.

4. Area of Convergence No. 6 – Use as a Mark

Iceland agrees that appropriate legal means should be provided for interested parties to prevent the use of country names if such use is likely to deceive the public in a manner outlined in the above referenced document. In Iceland it is possible to file a complaint, i.e. based on these grounds with the Icelandic Consumer Agency based on Act No. 57/2005 on the surveillance of unfair business practices and market transparency.