

Singapore Treaty on the Law of Trademarks (STLT)

Assembly

Fifth (3rd Ordinary) Session
Geneva, September 23 to October 2, 2013

ASSISTANCE FOR THE IMPLEMENTATION OF THE SINGAPORE TREATY ON THE LAW OF TRADEMARKS (STLT)

Document prepared by the International Bureau

I. INTRODUCTION

1. In its Resolution Supplementary to the Singapore Treaty on the Law of Trademarks (hereinafter referred to as “the Singapore Treaty”), the Diplomatic Conference for the Adoption of a Revised Trademark Law Treaty, held in Singapore in March 2006, requested the Assembly of the Singapore Treaty to monitor and evaluate, at every ordinary session, the progress of the assistance related to implementation efforts and the benefits resulting from such implementation (paragraph 8 of the Resolution Supplementary to the Singapore Treaty, adopted by the Diplomatic Conference for the Adoption of a Revised Trademark Law Treaty, Singapore, March 13 to 27, 2006).

2. At its 1st ordinary session, held in Geneva, from September 22 to October 1, 2009, the Assembly of the Singapore Treaty agreed that Contracting Parties would communicate to the International Bureau any information on technical assistance activities related to the implementation of the Singapore Treaty and that the International Bureau would compile the information received and present it, together with all relevant information from its own technical assistance activities, to the next ordinary session of the Singapore Treaty Assembly (document STLT/A/1/2, paragraph 4, and document STLT/A/1/4, paragraph 10).

3. Consequently, the International Bureau prepared an information document entitled "Assistance for the Implementation of the Singapore Treaty on the Law of Trademarks" and presented it to the third (2nd ordinary) session of the Assembly of the Singapore Treaty (document STLT/A/3/1). The present document contains relevant information covering the time period from November 2011 to June 2013. The information is presented in two broad categories, namely, assistance in establishing the legal framework for the implementation of the Treaty, and activities relating to information, education, awareness raising and assistance in revising administrative practices and procedures.

II. ASSISTANCE IN ESTABLISHING THE LEGAL FRAMEWORK FOR THE IMPLEMENTATION OF THE TREATY

4. Activities are presented in the alphabetical order of the name in English of the beneficiary State. Legislative advice and comments were provided to all requesting States, independently of whether or not they were in the process of acceding to or ratifying the Singapore Treaty. Legal advice provided was in general of a broad nature, touching on all aspects of trademark law and on issues relating to the implementation or future implementation of the Singapore Treaty:

- Bahamas: comments on the Intellectual Property Amendment Bill provided on April 25, 2012;
- Barbados: comments on the Trade Marks Act and the Trade Marks Regulations, provided on July 30, 2012;
- Cambodia: comments on the Trademarks Manual, provided on March 8, 2013;
- Grenada: comments on the Trademarks Bill 2010, provided on June 6, 2011;
- Guatemala: legal advisory mission on March 20 and 21, 2012 and comments on the Industrial Property Law, provided on October 11, 2012;
- Jamaica: comments on the Trade Marks Act and the Trade Marks Rules, provided on March 29, 2012;
- Liberia: comments on Draft IP Law, provided on November 27, 2012;
- Libya: comments on the draft Implementing Regulations to the Trademark Law, provided on October 17, 2012;
- Maldives: assistance in the preparation of a draft Act on Marks and explanatory notes, provided on April 16, 2013;
- Myanmar: legislative advisory mission, from May 6 to 8, 2013 and comments on the draft Trademark Law, provided on May 30, 2013;
- Nigeria: comments on the draft Intellectual Property Bill, provided on September 29, 2011;

- Panama: comments on the draft Revised Industrial Property Law, provided on June 4, 2012, and comments to the draft Revised Regulations, provided on February 22, 2013; and
- Saint Kitts and Nevis: comments on the Marks, Collective Marks and Trade Names Act, provided on April 16, 2012.

III. ACTIVITIES RELATING TO INFORMATION, EDUCATION, AWARENESS RAISING AND ASSISTANCE IN REVISING ADMINISTRATIVE PRACTICES AND PROCEDURES

5. Information under this item also includes activities that were undertaken in relation to the Trademark Law Treaty (TLT), the international instrument that was revised by the Singapore Treaty and which therefore contains all the substantive provisions included in the latter. Information is presented chronologically, according to the date of the activity.

- From November 14 to 18, 2011, a *Singapore-WTO Advanced Regional Workshop on Challenges of Branding in a Developing World*, took place in Singapore. The World Trade Organization (WTO) and the WIPO Singapore Office organized this activity, which was attended by Industrial Property Offices officials of the following countries: Bangladesh, Bhutan, Brunei Darussalam, China, Fiji, Hong Kong China, India, Indonesia, Lao People's Democratic Republic, Malaysia, Maldives, Mongolia, Myanmar, Nepal, Pakistan, Philippines, Republic of Korea, Samoa, Sri Lanka, Thailand, Tonga and Viet Nam.
- On November 24 and 25, 2011, a *National Workshop on Trademark Examination Practice and Non-Traditional Marks* took place in Ulaanbaatar, Mongolia. WIPO and the Mongolian Intellectual Property Office (IPOM) organized this activity, which was attended by IPOM staff, including examiners, legal officers (members of the Dispute Settlement Commission), as well as local intellectual property practitioners.
- On April 26 and 27, 2012, a *National Seminar on the Patent Law Treaty and the Singapore Treaty on the Law of Trademarks* took place in Skopje, the former Yugoslav Republic of Macedonia. WIPO and the State Office of Industrial Property (SOIP) organized this activity, which was attended by the representatives of the national IP Office and local attorneys.
- From May 29 to 31, 2012, a *Seminar on Intellectual Property*, followed by a *Workshop on Non-Traditional Trademarks*, took place in Havana, Cuba. WIPO and the Chamber of Commerce of Cuba organized this activity, which was attended by representatives of the Chamber of Commerce, the Industrial Property Office of Cuba (OCPI), the Havana Law Faculty and local IP attorneys.
- On April 25 and 26, 2013, a *National Workshop on the Trademark Law Treaty*, took place in Panama City, Panama. WIPO and the National Directorate General of the Industrial Property Registry (DIGERPI) organized this activity, which was attended by members of the Judiciary, staff working in the National Trademark Office and local IP attorneys.

- From June 18 to 21, and June 24 to 26, 2013, a *Capacity Building Mission on Examination of Non-Traditional Trademarks and on the Implementation of the Trademark Law Treaty*, took place respectively in San José, Costa Rica and in Tegucigalpa, Honduras. The mission was undertaken by an expert from the National Institute for the Defense of Competition and the Protection of Intellectual Property (INDECOPI) of Peru, in the framework of the WIPO Technical Cooperation Program in Costa Rica and Honduras.
6. A list of Contracting Parties to the Singapore Treaty, as of July 22, 2013, is contained in the Annex to this document.

7. *The Assembly is invited to take note of the contents of this document.*

[Annex follows]

Singapore Treaty on the Law of Trademarks
(Singapore 2006)
Status on July 22, 2013

State	Date on which State became party to the Singapore Treaty on the Law of Trademarks
Australia.....	March 16, 2009
Benin.....	Not yet in force ³
Bulgaria ¹	March 16, 2009
Croatia.....	April 13, 2011
Denmark ²	March 16, 2009
Estonia.....	August 14, 2009
France.....	November 28, 2009
Iceland.....	December 14, 2012
Italy.....	September 21, 2010
Kazakhstan.....	September 5, 2012
Kyrgyzstan.....	March 16, 2009
Latvia.....	March 16, 2009
Liechtenstein.....	March 3, 2010
Lithuania.....	August 14, 2013
Mali.....	Not yet in force ³
Mongolia.....	March 3, 2011
Netherlands ⁴	Not yet in force ⁵
New Zealand ⁶	December 10, 2012
Poland.....	July 2, 2009
Republic of Moldova.....	March 16, 2009
Romania.....	March 16, 2009
Russian Federation.....	December 18, 2009
Serbia.....	November 19, 2010
Singapore.....	March 16, 2009
Slovakia.....	May 16, 2010
Spain ¹	May 18, 2009
Sweden.....	December 16, 2011
Switzerland.....	March 16, 2009
The former Yugoslav Republic of Macedonia.....	October 6, 2010
Ukraine.....	May 24, 2010
United Kingdom.....	June 21, 2012
United States of America.....	March 16, 2009

(Total: 29 States)

[End of Annex and of document]

¹ With the declaration provided for in Article 29(4).

² Not applicable to the Faroe Islands nor to Greenland.

³ This State will become bound by the Treaty three months after the deposit of the instrument of accession of the African Intellectual Property Organization (OAPI).

⁴ Accession for the Kingdom in Europe and the Netherlands Antilles. The Netherlands Antilles ceased to exist on October 10, 2010. As from that date, the Treaty continues to apply to Curaçao and Sint Maarten. The Treaty also continues to apply to the islands of Bonaire, Sint Eustatius and Saba which, with effect from October 10, 2010, have become part of the territory of the Kingdom of the Netherlands in Europe.

⁵ The Treaty entered into force with respect to the Netherlands Antilles, on January 2, 2010. The said Treaty will enter into force, with respect to the Kingdom in Europe, at a later date in accordance with Articles 26 and 28 of the Treaty.

⁶ This ratification shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultation with that territory.