

Working Group on the Development of the Lisbon System (Appellations of Origin)

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**DRAFT REGULATIONS UNDER THE DRAFT NEW INSTRUMENT CONCERNING
THE INTERNATIONAL REGISTRATION OF GEOGRAPHICAL INDICATIONS AND
APPELLATIONS OF ORIGIN (ANNEX TO DOCUMENT LI/WG/DEV/4/2)**

Document prepared by the Secretariat

1. The present document concerns the draft regulations, as referred to in paragraph (5) of document LI/WG/DEV/4/2, accompanying the draft new instrument concerning the international registration of geographical indications and appellations of origin, as contained in the Annex to that document.
2. Notes explaining the various provisions of the draft regulations are contained in document LI/WG/DEV/4/5.
3. The draft regulations, as contained in the Annex to the present document, are modeled after the Regulations under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (“Lisbon Regulations”), adapted as necessary in view of the draft new instrument contained in the Annex to document LI/WG/DEV/4/2.

4. *The Working Group is invited to consider and comment on the draft regulations, as contained in the Annex to the present document.*

[Annex follows]

DRAFT REGULATIONS UNDER THE DRAFT NEW INSTRUMENT CONCERNING THE
INTERNATIONAL REGISTRATION OF GEOGRAPHICAL INDICATIONS AND
APPELLATIONS OF ORIGIN

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Chapter I Introductory Provisions

Rule 1 Abbreviated Expressions

For the purposes of these Regulations:

- (i) “Agreement” means the [[Act Revising] [Protocol Supplementing] the Lisbon Agreement] [Treaty] Concerning the International Registration of Geographical Indications and Appellations of Origin;
- (ii) “Lisbon Agreement” refers to the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration” of October 31, 1958, as revised at Stockholm on July 14, 1967, and as amended on September 28, 1979, and when applicable the Lisbon Agreement as originally adopted;
- (iii) “geographical indication” means a geographical indication as defined in accordance with Article 3(5) of the Agreement;
- (iv) “appellation of origin” means a geographical indication defined as an appellation of origin in accordance with Article 3(5) of the Agreement;
- (v) “international registration” means the international registration of a geographical indication or an appellation of origin effected under the Agreement;
- (vi) “international application” means an application for international registration;
- (vii) “International Register” means the official collection of data concerning international registrations maintained by the International Bureau, whose entry is provided for in the Agreement or these Regulations, whatever the medium on which such data are kept;
- (viii) “Contracting Party” means any State or intergovernmental organization party to the Agreement;
- (ix) “International Bureau” means the International Bureau of the World Intellectual Property Organization (WIPO);
- (x) “official form” means a form drawn up by the International Bureau in accordance with the Administrative Instructions;
- (xi) “competent authority” means an authority as referred to in Rule 4 of these Regulations;
- (xii) “Administrative Instructions” means the Administrative Instructions referred to in Rule 25 of these Regulations.

Rule 2 Calculation of Time Limits

- (1) [*Periods Expressed in Years*] A period expressed in years shall expire, in the relevant subsequent year, in the month having the same name and on the day having the same number as the month and the day of the event from which the period starts to run, except that, where the event occurred on February 29 and in the relevant subsequent year February ends on the 28th, the period shall expire on February 28.
- (2) [*Periods Expressed in Months*] A period expressed in months shall expire, in the relevant subsequent month, on the day which has the same number as the day of the event from which the period starts to run, except that, where the relevant subsequent month has no day with the same number, the period shall expire on the last day of that month.

3) [*Expiry on a Day Which Is not a Working Day for the International Bureau or a Competent Authority*] If a period expires on a day which is not a working day for the International Bureau or a competent authority, the period shall expire, notwithstanding paragraphs (1) and (2), on the first subsequent working day.

Rule 3 Working Languages

(1) [*International Application*] The international application shall be in English, French or Spanish.

(2) [*Communications Subsequent to the International Application*] Any communication concerning an international application or an international registration exchanged for the purposes of the procedures under the Agreement and these Regulations shall be in English, French or Spanish, at the choice of the competent authority concerned or, in the case of Article 5(3) of the Agreement, at the choice of the applicant or applicants concerned. Any translation needed for the purposes of these procedures shall be done by the International Bureau.

(3) [*Entries in the International Register and Publications*] Entries in the International Register and publication of such entries by the International Bureau shall be in English, French and Spanish. The translations needed for those purposes shall be done by the International Bureau. However, the International Bureau shall not translate the geographical indication or appellation of origin.

(4) [*Transliteration and Translations of the Geographical Indication or Appellation of Origin*] Where the competent authority gives a transliteration of the geographical indication or appellation of origin in accordance with Rule 5(2)(c) or one or more translations of the geographical indication or appellation of origin, in accordance with Rule 5(3)(ii), the International Bureau shall not check whether they are correct.

Rule 4 Competent Authority

(1) [*Notification to the International Bureau*] Upon accession to the Agreement, each Contracting Party shall notify to the International Bureau the name and contact details of its competent authority for the purposes of the exchange of communications under the procedures under the Agreement or these Regulations.

(2) [*One Authority or Different Authorities*] The notification referred to in paragraph (1) shall, preferably, indicate a single competent authority. However, different competent authorities may be designated, if different protection systems apply in respect of geographical indications and/or appellations of origin in the notifying Contracting Party or, in the case of Article 3(4) of the Agreement, Contracting Parties, and different authorities have been empowered in its territory for dealing with the protection of geographical indications and/or appellations of origin.

(3) [*Modifications*] A Contracting Party should notify the International Bureau of any change in the particulars referred to in paragraph (1), above. However, if the International Bureau has clear indications of such a change while no notification has been received, the exchange of communications under the procedures under the Agreement or these Regulations with the Contracting Party concerned may take place on the basis of this change, subject to verification.

Chapter II International Application and International Registration

Rule 5

Requirements Concerning the International Application

(1) [*Presentation*] The international application shall be presented to the International Bureau on the official form provided to that end and shall be signed by the competent authority presenting it or, in the case of Article 5(3) of the Agreement, the applicant or applicants.

(2) [*Mandatory Contents of the International Application*]

- (a) The international application shall indicate:
- (i) the competent authority presenting the application or, in the case of Article 5(3) of the Agreement, details identifying the applicant or applicants;
 - (ii) the holder or holders of the right to use the geographical indication or appellation of origin, designated collectively or, where collective designation is not possible, by name;
 - (iii) the geographical indication or appellation of origin for which registration is sought, in the official language of the applicant's Contracting Party or, where the applicant's Contracting Party has more than one official language, in one or more of those official languages;
 - (iv) the product to which the geographical indication or appellation applies;
 - (v) the geographical area of origin of the product to which the geographical indication or appellation of origin applies;
 - (vi) the title and date of the legislative or administrative act, the judicial decision or the date and number of the registration by virtue of which protection was granted to the geographical indication or appellation of origin, as referred to in Article 3(2) of the Agreement, as well as the name of the Contracting Party or, in the case of Article 3(4) of the Agreement, Contracting Parties having enacted the legal instrument, as referred to in Article 3(3) of the Agreement;
- (b) Where the names of the holder or holders of the right to use the geographical indication or appellation of origin or the geographical area of origin are in characters other than Latin characters, they must be indicated in the form of a transliteration into Latin characters; the transliteration shall use the phonetics of the language of the international application.
- (c) Where the geographical indication or appellation of origin is in characters other than Latin characters, the particulars referred to in subparagraph (a)(iv) must be accompanied by a transliteration into Latin characters; the transliteration shall use the phonetics of the language of the international application.
- (d) The international application shall be accompanied by a registration fee the amount of which is specified in Rule 8.

(3) [*Optional Contents of the International Application*] The international application may indicate or contain:

- (i) the addresses of the holders of the right to use the geographical indication or appellation of origin;
- (ii) one or more translations of the geographical indication or appellation of origin, in as many languages as the presenter(s) of the application wish(es);
- (iii) a statement concerning the scope of protection, for example to the effect that protection is not claimed for certain elements of the geographical indication or appellation of origin;
- (iv) a declaration that protection is renounced in one or more Contracting Parties, designated by name;

(v) a copy in the original language of the legislative or administrative act, the judicial decision or the registration by virtue of which protection was granted to the geographical indication or appellation of origin, as referred to in Article 3(2) of the Agreement.

(vi) Any further information the competent authority or the applicant of the Contracting Party of Origin wishes to provide concerning the protection granted to the geographical indication or appellation of origin in that Contracting Party, such as additional particulars of the geographical area of origin of the product and a description of the connection between the quality or characteristics of the product and its geographical environment or between the quality, reputation or other characteristic of the product and its origin, as the case may be.

Rule 6 Irregular Applications

(1) *[Examination of the Application and Correction of Irregularities]*

(a) Subject to paragraph (2), if the International Bureau finds that an international application does not satisfy the conditions set out in Rule 3(1) or Rule 5, it shall defer registration and invite the competent authority or, in the case of Article 5(3) of the Agreement, the applicant or applicants, to remedy the irregularity found within a period of three months from the date of such invitation.

(b) If the irregularity found is not corrected within two months of the date of the invitation referred to in subparagraph (a), the International Bureau shall address to the competent authority or, in the case of Article 5(3) of the Agreement, to the applicant or applicants a reminder of its invitation. The sending of such a reminder shall have no effect on the three-month period referred to in subparagraph (a).

(c) If the correction of the irregularity is not received by the International Bureau within the three-month period referred to in subparagraph (a), the international application shall be rejected by the International Bureau which shall inform the presenter(s) of the application.

(d) Where, in accordance with subparagraph (c), the international application is rejected, the International Bureau shall refund the fees paid in respect of the application, after deduction of an amount corresponding to half the registration fee referred to in Rule 8.

(2) *[International Applications not Considered as Such]* If the international application is not presented to the International Bureau by the competent authority referred to in Article 5(2) of the Agreement or an applicant or applicants as referred to in Article 5(3) of the Agreement, it shall not be considered as such by the International Bureau and shall be returned to the presenter(s).

Rule 7 Entry of the Geographical Indication or Appellation of Origin in the International Register

(1) *[Registration, Certificate and Notification]* Where the International Bureau finds that an international application satisfies the conditions set out in Rules 3(1) and 5, it shall enter the geographical indication or appellation of origin in the International Register, shall send a certificate of international registration to the competent authority or, in the case of Article 5(3) of the Agreement, to the applicant or applicants that requested the registration and shall notify the international registration to the competent authority of those other Contracting Parties in respect of which protection has not been renounced, as well as, in the case of Article 5(3) of the Agreement, the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above.

- (2) [*Contents of the Registration*] An international registration shall contain or indicate:
- (i) all the particulars given in the international application;
 - (ii) the language in which the International Bureau received the international application;
 - (iii) the number of the international registration;
 - (iv) the date of the international registration.

(3) [*Implementation of Article 32(1) of the Agreement*]

(a) In case of ratification, or accession to, the Agreement by a State that is party to the Lisbon Agreement, paragraphs (1) and (2), above, shall apply *mutatis mutandis* with regard to the international registrations of appellations of origin effective under the Lisbon Agreement in respect of that State. The International Bureau shall verify with the competent authority concerned the changes to be made, in view of the requirements of Rule 3(1) and Rule 5, above, for the purpose of their registration under the Agreement and notify international registrations thus effected to all other Contracting Parties in respect of which protection has not been renounced.

(b) In application of Article 32(1) of the Agreement, any Contracting Party that is also party to the Lisbon Agreement shall, upon receipt of a notification under subparagraph (a), above, protect the appellation of origin concerned thenceforth under the Agreement, subject to any declaration of refusal or notification of invalidation that the Contracting Party had issued in respect of the appellation of origin under the Lisbon Agreement, which shall remain effective under the Agreement, unless the Contracting Party indicates otherwise. Any period granted under Article 5(6) of the Lisbon Agreement and still effective at the time the notification under subparagraph (a) is received shall, for its remainder, be continued under Article 18 of the Agreement.

Rule 8

Fees

The International Bureau shall collect the following fees, payable in Swiss francs:

- (i) fee for registration of a geographical indication or an appellation of origin: 500;
- (ii) fee for entry of a modification of a registration: 200;
- (iii) fee for providing an extract from the International Register: 90;
- (iv) fee for providing an attestation or any other information given in writing concerning the contents of the International Register: 80.

Chapter III

Refusal; Withdrawal of Refusal; Invalidation; Grant of Protection

Rule 9

Declaration of Refusal

(1) [*Notification to the International Bureau*] A declaration of refusal shall be notified to the International Bureau by the competent authority of the Contracting Party or, in the case of Article 3(4) of the Agreement, Contracting Parties for which the refusal is issued and shall be signed by that competent authority.

(2) [*Contents of a Declaration of Refusal*] A declaration of refusal shall relate to a single international registration and shall indicate or contain:

- (i) the number of the international registration concerned, preferably accompanied by further information enabling the identity of the international registration to be confirmed, such as the indication or denomination constituting the geographical indication or the appellation of origin;
- (ii) the grounds on which the refusal is based;
- (iii) where the refusal is based on the existence of a prior right, as referred to in Articles 12 or 13 of the Agreement, the essential particulars of that prior right and, in particular, if it is constituted by a national, regional or international trademark application or registration, the date and filing number, the priority date (where appropriate), the date and registration number (if available), the name and address of the holder, a reproduction of the trademark, together with the list of relevant goods and services given in the trademark application or registration, it being understood that the list may be submitted in the language of the said application or registration;
- (iv) in the case of a refusal based on Article 9(6), or a partial refusal based on Article 9(5) of the Agreement, the particulars referred to in the provision concerned;
- (v) where the refusal concerns only certain elements of the geographical indication or appellation of origin, those elements that it concerns;
- (vi) the judicial or administrative remedies that may be exercised against the refusal together with the applicable time limits.

(3) [*Entry in the International Register and Notifications by the International Bureau*] Subject to Rule 10(1), the International Bureau shall enter in the International Register any refusal, together with the date on which the declaration of refusal was sent to the International Bureau, and shall notify a copy of the declaration to the competent authority and, in the case of Article 5(3) of the Agreement, the applicant or applicants as well as the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above.

Rule 10

Irregular Declaration of Refusal

(1) [*Declaration of Refusal not Considered as Such*]

- (a) A declaration of refusal shall not be considered as such by the International Bureau:
 - (i) if it does not indicate the number of the international registration concerned, unless other information given in the declaration enables the registration to be identified without ambiguity;
 - (ii) if it does not indicate any ground for refusal;
 - (iii) if it is sent to the International Bureau after the expiry of the one-year period referred to in Article 19(1) of the Agreement;
 - (iv) if it is not notified to the International Bureau by the competent authority.
- (b) Where subparagraph (a) applies, the International Bureau shall, unless it is unable to identify the international registration concerned, notify a copy of the declaration of refusal to the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above and, in the case of Article 5(3) of the Agreement, the applicant or applicants as well as the competent authority, and shall inform the competent authority that notified the declaration of refusal that the latter is not considered as such by the International Bureau and that the refusal has not been entered in the International Register, and shall state the reasons therefor.

(2) [*Irregular Declaration*] If the declaration of refusal contains an irregularity other than those referred to in paragraph (1), the International Bureau shall nevertheless enter the refusal in the International Register and shall notify a copy of the declaration of refusal to the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi) above

and, in the case of Article 5(3) of the Agreement, the applicant or applicants as well as the competent authority. At the request of that competent authority, the International Bureau shall invite the competent authority that notified the declaration of refusal to regularize its declaration without delay.

Rule 11

Withdrawal of a Declaration of Refusal

(1) [*Notification to the International Bureau*] Any declaration of refusal may be withdrawn, in part or in whole, at any time by the authority that notified it. The withdrawal of a declaration of refusal shall be notified to the International Bureau by the competent authority and shall be signed by such authority.

(2) [*Contents of the Notification*] The notification of withdrawal of a declaration of refusal shall indicate:

- (i) the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the indication or denomination constituting the geographical indication or appellation of origin;
- (ii) the reason for the withdrawal and, in case of a partial withdrawal, the particulars referred to in Rule 9(2)(iv) or (v), above;
- (iii) the date on which the declaration of refusal was withdrawn.

(3) [*Entry in the International Register and Notifications by the International Bureau*] The International Bureau shall enter in the International Register any withdrawal referred to in paragraph (1) and shall notify a copy of the notification of withdrawal to the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above, and, in the case of Article 5(3) of the Agreement, the applicant or applicants as well as the competent authority.

Rule 12

Optional Statements of Grant of Protection

(1) [*Statement of Grant of Protection Where no Declaration of Refusal Has Been Notified*]

(a) The competent authority of a Contracting Party which has not notified a declaration of refusal to the International Bureau may, within the one-year period referred to in Article 19(1) of the Agreement, send to the International Bureau a statement to the effect that protection is granted to the geographical indication or appellation of origin that is the subject of an international registration in the Contracting Party concerned.

(b) The statement shall indicate:

- (i) the competent authority of the Contracting Party making the statement;
- (ii) the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the indication or denomination constituting the geographical indication or appellation of origin; and
- (iii) the date of the statement.

(2) [*Statement of Grant of Protection Following a Refusal*]

(a) The competent authority of a Contracting Party which has notified a declaration of refusal to the International Bureau may, instead of notifying a withdrawal of refusal in accordance with Rule 11(1), send to the International Bureau a statement to the effect that

protection is granted to the geographical indication or appellation of origin that is the subject of an international registration in the Contracting Party concerned.

(b) The statement shall indicate:

- (i) the competent authority of the Contracting Party making the statement;
- (ii) the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the indication or denomination constituting the geographical indication or appellation of origin;
- (iii) in case of a grant of protection that amounts to a partial withdrawal of refusal, the particulars referred to in Rule 9(2)(iv) or (v), above; and
- (iv) the date on which protection was granted.

(3) [*Entry in the International Register and Notifications by the International Bureau*] The International Bureau shall enter in the International Register any statement referred to in paragraphs (1) or (2) and notify such statement to the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above, and, in the case of Article 5(3) of the Agreement, the applicant or applicants as well as the competent authority.

Rule 13

Notification of Invalidation of the Effects of an International Registration in a Contracting Party

(1) [*Notification of Invalidation to the International Bureau*] Where the effects of an international registration are invalidated in a Contracting Party, in whole or in part, and the invalidation is no longer subject to appeal, the invalidation shall be notified to the International Bureau by the competent authority of that Contracting Party. The notification shall indicate or contain:

- (i) the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the indication or denomination constituting the geographical indication or appellation of origin;
- (ii) the authority that pronounced the invalidation;
- (iii) the date on which the invalidation was pronounced;
- (iv) where the invalidation is partial, the particulars referred to in Rule 9(2)(iv) or (v), above;
- (v) the grounds on the basis of which the invalidation was pronounced;
- (vi) a copy of the decision that invalidated the effects of the international registration.

(2) [*Entry in the International Register and Notifications by the International Bureau*] The International Bureau shall enter the invalidation in the International Register together with the particulars, referred to in items (i) to (iv) of paragraph (1), which are given in the notification of invalidation, and shall notify a copy of the notification to the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above, and, in the case of Article 5(3) of the Agreement, the applicant or applicants as well as the competent authority.

Chapter IV **Modifications and Other Entries in the International Register**

Rule 14

Period Granted to Third Parties

(1) [*Notification to the International Bureau*] Where the competent authority of a Contracting Party gives notice to the International Bureau that a defined period has been granted to third parties in that Contracting Party to terminate the use of a geographical indication or an appellation of origin in that Contracting Party in accordance with Article 18(1) or Article 18(2) of the Agreement, such notice shall be signed by that authority and shall indicate:

- (i) the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the indication or denomination constituting the geographical indication or appellation of origin;
- (ii) the identity of the third parties concerned;
- (iii) the period granted to the third parties;
- (iv) the date from which the time limit begins, it being understood that this date may not be later than the date on which the 15-month period referred to in Article 18(1) of the Agreement expires or an extended period, as referred to in Article 30(4) of the Agreement.

(2) [*Entry in the International Register and Notifications by the International Bureau*] Subject to the notice referred to in paragraph (1) being sent by the competent authority to the International Bureau within the 15-month period referred to in Article 18(1) of the Agreement, or an extended period, as referred to in Article 30(4) of the Agreement, the International Bureau shall enter such notice in the International Register together with the particulars shown therein and shall notify a copy of the notice to the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above, and, in the case of Article 5(3) of the Agreement, the applicant or applicants as well as the competent authority.

Rule 15

Modifications

(1) [*Permissible Modifications*] The competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above may request the International Bureau to enter in the International Register:

- (i) a change in the holder or holders of the right to use the geographical indication or appellation of origin;
- (ii) a modification to the names or addresses of the holder or holders of the right to use the geographical indication or appellation of origin;
- (iii) a modification to the limits of the geographical area of origin of the product to which the geographical indication or appellation of origin applies;
- (iv) a modification relating to the legislative or administrative act, judicial decision or the date and number of the registration referred to in Rule 5(2)(a)(vi), above;
- (v) a modification relating to the Contracting Party or, in the case of Article 3(4), Contracting Parties that does not affect the geographical area of origin of the product to which the geographical indication or appellation of origin applies.

(2) [*Procedure*] A request for entry of a modification referred to in paragraph (1) shall be presented to the International Bureau by the competent authority, shall be signed by that authority and shall be accompanied by a fee the amount of which is specified in Rule 8.

(3) [*Entry in the International Register and Notification to the Competent Authorities*] The International Bureau shall enter in the International Register a modification requested in accordance with paragraphs (1) and (2), confirm the entry to the competent authority that requested the modification, and notify such modification to the competent authorities of the other Contracting Parties.

(4) [*Optional Alternative*] In the case of Article 5(3) of the Agreement, paragraphs (1) to (3), above, shall apply *mutatis mutandis*, it being understood that a request from the holder(s) of the right to use the geographical indication or appellation of origin, or a federation or association having legal status to assert that right, needs to be accompanied by proof of a corresponding change to the legislative or administrative act, the judicial decision or the registration on the basis of which the geographical indication or appellation of origin had been granted protection in the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above; and that entry of the modification in the International Register be confirmed to the presenter(s) of the request as well as the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above.

Rule 16

Renunciation of Protection

(1) [*Notification to the International Bureau*] The competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above and, in the case of Article 5(3) of the Agreement, the applicant or applicants or the competent authority may at any time notify the International Bureau that protection of the geographical indication or appellation of origin is renounced in respect of one or more Contracting Parties, designated by name. The notification of renunciation of protection shall state the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the indication or denomination constituting the geographical indication or appellation of origin, and shall be signed by the presenter(s) of the notification.

(2) [*Entry in the International Register and Notification to the Competent Authorities*] The International Bureau shall enter in the International Register the renunciation of protection referred to in paragraph (1), confirm the entry to the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above and, in the case of Article 5(3) of the Agreement, the presenter(s) of the notification as well as the competent authority; and notify entry of the renunciation in the International Register to the competent authorities of each Contracting Party with respect to which the renunciation has effect.

Rule 17

Cancellation of an International Registration

(1) [*Request for Cancellation*] The competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above and, in the case of Article 5(3) of the Agreement, the applicant or applicants or the competent authority may at any time request the International Bureau to cancel the international registration concerned. A request for cancellation shall state the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the name of the indication or denomination constituting the geographical indication or appellation of origin, and shall be signed by the presenter(s) of the request.

(2) [*Entry in the International Register and Notification to the Competent Authorities*]

The International Bureau shall enter in the International Register any cancellation together with the particulars given in the request, confirm the entry to the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above and, in the case of Article 5(3) of the Agreement, the presenter(s) of the notification as well as the competent authority; and notify entry of the cancellation to the competent authorities of the other Contracting Parties.

Rule 18

Corrections Made to the International Register

(1) [*Procedure*] If the International Bureau, acting *ex officio* or at the request of the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above, finds that the International Register contains an error with respect to an international registration, it shall modify the Register accordingly.

(2) [*Notification of Corrections to the Competent Authorities*] The International Bureau shall notify any correction of the International Register to the competent authorities of all Contracting Parties.

(3) In the case of Article 5(3) of the Agreement, a request under paragraph (1), above, can also be submitted by the holder(s) of the right to use the geographical indication or appellation of origin, or a federation or association having legal status to assert that right. They shall be notified by the International Bureau of any correction concerning the international registration of their geographical indication or appellation of origin.

(4) [*Application of Rules 9 to 12*] Where the correction of the error concerns the appellation of origin or the product to which the geographical indication or appellation of origin applies, the competent authority of a Contracting Party or, in the case of Article 3(4) of the Agreement, Contracting Parties has the right to declare that it cannot ensure the protection of the international registration so corrected. The declaration shall be addressed to the International Bureau by such competent authority within a period of one year from the date of notification by the International Bureau of the correction. Rules 9 to 12 shall apply *mutatis mutandis*.

Chapter V
Miscellaneous Provisions

Rule 19

Publication

The International Bureau shall publish all entries made in the International Register.

Rule 20

Extracts From the International Register and Other Information Provided by the International Bureau

- (1) [*Information on the Contents of the International Register*] Extracts from the International Register or any other information on the contents of the Register shall be provided by the International Bureau to any person so requesting, on payment of a fee the amount of which is specified in Rule 8.
- (2) [*Communication of Provisions, Decisions or the Registration Under Which a Geographical Indication or an Appellation of Origin is Protected*]
- (a) Any person may request the International Bureau for a copy in the original language of the provisions, the decisions or the registration referred to in Rule 5(2)(a)(vi) on payment of a fee the amount of which is specified in Rule 8.
- (b) Where such documents have already been communicated to the International Bureau, the latter shall transmit without delay a copy to the person who has made the request.
- (c) If a document has never been communicated to the International Bureau, the latter shall request a copy of it from the competent authority of the Contracting Party or Contracting Parties referred to in Rule 5(2)(a)(vi), above, and shall transmit the document, on receipt, to the person who has made the request.

Rule 21

Signature

Where the signature of a competent authority is required under these Regulations, such signature may be printed or replaced by the affixing of a facsimile or an official seal.

Rule 22

Date of Dispatch of Various Communications

Where the declarations referred to in Rules 9(1) and 18(4), or where the notice referred to in Rule 14(1), are communicated through a postal service, the date of dispatch shall be determined by the postmark. If the postmark is illegible or missing, the International Bureau shall treat the communication concerned as if it had been sent 20 days before the date on which it was received. Where such declarations or such notice are sent through a mail delivery service, the date of dispatch shall be determined by the information provided by such delivery service on the basis of the details of the mailing as recorded by it.

Rule 23

Modes of Notification by the International Bureau

- (1) [*Notification of the International Registration*] The notification of the international registration, referred to in Rule 7(1), shall be addressed by the International Bureau to the competent authority of each Contracting Party by registered mail with acknowledgement of receipt or by any other means enabling the International Bureau to establish the date on which notification was received, as provided for in the Administrative Instructions.
- (2) [*Other Notifications*] Any other notification by the International Bureau referred to in these Regulations shall be addressed to the competent authorities by registered post or by any other means enabling the International Bureau to establish that the notification has been received.

Rule 24
Administrative Instructions

- (1) [*Establishment of Administrative Instructions; Matters Governed by Them*]
(a) The Director General shall establish Administrative Instructions. The Director General may modify them. Before establishing or modifying the Administrative Instructions, the Director General shall consult the competent authorities of the Contracting Parties which have direct interest in the proposed Administrative Instructions or their proposed modification.
(b) The Administrative Instructions shall deal with matters in respect of which these Regulations expressly refer to such Instructions and with details in respect of the application of these Regulations.
- (2) [*Control by the Assembly*] The Assembly may invite the Director General to modify any provision of the Administrative Instructions, and the Director General shall proceed accordingly.
- (3) [*Publication and Effective Date*]
(a) The Administrative Instructions and any modification thereof shall be published.
(b) Each publication shall specify the date on which the published provisions become effective. The dates may be different for different provisions, provided that no provision may be declared effective prior to its publication.
- (4) [*Conflict with the Agreement or These Regulations*] In the case of conflict between, on the one hand, any provision of the Administrative Instructions and, on the other hand, any provision of the Agreement or these Regulations, the latter shall prevail.

Rule 25
Entry into Force

These Regulations shall enter into force on [...].

[End of Annex and of document]