

SCT/26/7 ORIGINAL: ENGLISH DATE: AUGUST 24, 2011

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

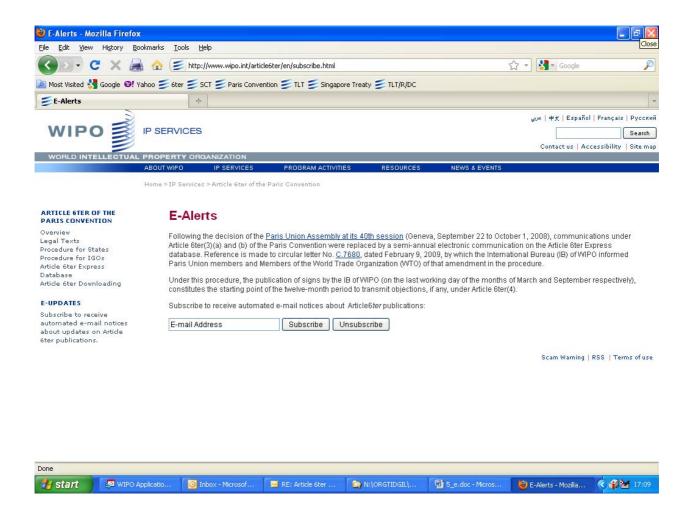
Twenty-Sixth Session Geneva, October 24 to 28, 2011

INFORMATION ON ELECTRONIC COMMUNICATIONS IN THE ARTICLE 6*TER* EXPRESS DATABASE

Document prepared by the Secretariat

- 1. At its fortieth session, held in Geneva from September 22 to September 30, 2008, the Paris Union Assembly adopted a decision concerning the replacement of reciprocal communications under Article 6*ter*(3)(a) and (b) of the Paris Convention for the Protection of Industrial Property (Paris Convention) by a periodical electronic publication (documents P/A/40/1 and P/A/40/2). In accordance with the revised communication procedure, individual communications of signs for which protection is requested by States and International Governmental Organizations under Article 6*ter* are replaced by a semi-annual electronic publication in the Article 6*ter* Express Database. The dates of this periodical publication are the last working days of the months of March and September, according to the WIPO calendar.
- 2. It is recalled that, for the purposes of Article 6*ter*(4) and (6) of the Paris Convention, the date of the electronic publication shall be considered to constitute the date of receipt of a communication by any State party to the Paris Convention or any other party bound to apply Article 6*ter* of the Paris Convention. In order to remind parties of the semi-annual electronic publication, the International Bureau has established an e-mail alert service for notification of every new publication. This service is available for subscription on the WIPO website at: http://www.wipo.int/article6ter/en/.

3. The Secretariat has noted that, to date, a relatively small number of States party to the Paris Convention (only 30 out of 173) and two parties bound to apply Article 6*ter* have made use of this facility. Therefore, representatives of States party to the Paris Convention, of any other party bound to apply Article 6*ter* of the Paris Convention, as well as any interested party, are reminded of the existence of this e-mail alert service and are invited to make use of it, by subscribing directly at the Web interface, which is reproduced hereunder.



4. The SCT is invited to take note of the contents of the present document.

[Annex follows]

Decision by the Assembly of the Paris Union¹

- 1. The reciprocal communication through the intermediary of the International Bureau, under Article 6*ter*(3)(a) and (b) of the Paris Convention for the Protection of Industrial Property ("Paris Convention"), of signs for which protection under Article 6*ter*(1)(a) and (b) is requested will be made through a semi-annual publication, in an electronic database on the website of the World Intellectual Property Organization ("WIPO").
- 2. This periodical publication will be made on the last working day² of the months of March and September, respectively, starting in March 2009.
- 3. The published signs will be transmitted simultaneously in electronic format stored on a hard carrier to the trademark registration administrations of the States party to the Paris Convention and of the Members of the World Trade Organization (WTO) that are not party to the Paris Convention, which have made an express request to that effect.
- 4. For the purposes of Article 6*ter*(4) and (6) of the Paris Convention, the date of the electronic publication shall be considered to constitute the date of receipt of a communication by any State party to the Paris Convention or any other party bound to apply Article 6*ter* of the Paris Convention.
- 5. This decision is without prejudice to the application of Article 6*ter*(3)(a) *in fine*.

[End of Annex and of document]

² According to the WIPO calendar.

Document P/A/40/1, Annex 1. For adoption, see document P/A/40/2, paragraph 8.