

Special Union for the Protection of Appellations of Origin and their International Registration (Lisbon Union)

Assembly

Twenty-Eighth (9th Extraordinary) Session
Geneva, October 1 to 9, 2012

REVIEW OF THE LISBON SYSTEM

Document prepared by the International Bureau

1. At its twenty-seventh (19th ordinary) session held from September 26 to October 5, 2011, the Assembly of the Lisbon Union took note of the considerable progress made, and the planned work ahead, in the review of the Lisbon system, on which the Working Group on the Development of the Lisbon System (hereinafter referred to as “the Working Group”) had embarked with a view to improving the Lisbon system so that it might attract a much wider membership, while preserving the principles and objectives of the Lisbon Agreement (document LI/A/25/3).
2. Since then, the Working Group has met twice, in December 2011 and in June 2012, to discuss the contemplated establishment of an international registration system for geographical indications and appellations of origin. These discussions were held on the basis of drafts for a new instrument and regulations, as prepared by the International Bureau upon the Working Group’s request for each of these meetings.
3. As a result of the discussion under the Working Group’s two-fold mandate, it was agreed that the work of the Working Group will continue towards: (i) a revision of the Lisbon Agreement that would involve the refinement of its current legal framework and the inclusion of the possibility of accession by intergovernmental organizations, while preserving the principles and objectives of that Agreement; and (ii) the establishment of an international registration system for geographical indications. However, further reflection is needed as to how these elements

could be combined in substantive and procedural terms. The Working Group was, therefore, not yet in a position to recommend when a Diplomatic Conference might be convened. Work should, however, continue aiming at a revision of the Lisbon Agreement and/or the conclusion of a new treaty or protocol supplementing the Lisbon Agreement.

4. In view of the progress made, three further sessions of the Working Group will be convened in the present biennium – one more in 2012 and two in 2013.

5. At its next session, the Working Group will continue its examination and discussion of the draft new instrument and draft regulations, on the basis of revised versions to be prepared by the International Bureau, which should take into account the comments and drafting suggestions made and should reflect, where appropriate, alternative provisions and different options between brackets. On substance, the revised draft new instrument should reflect, in particular, that the prevailing view in the Working Group is that the minimum level of protection should be ambitious and the same for both geographical indications and appellations of origin.

6. The Working Group agreed that an electronic forum should be established allowing participants to exchange comments and drafting suggestions between Working Group sessions, for information purposes only and without prejudice to the role of the Working Group and the formal discussions therein.

7. The Assembly of the Lisbon Union is invited to take note of the present document.

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