

Singapore Treaty on the Law of Trademarks (STLT)

Assembly

**Tenth (5th Ordinary) Session
Geneva, October 2 to 11, 2017**

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 has submitted for consideration by the Assembly of the Singapore Treaty at each ordinary session, a report on the assistance provided for the implementation of the Treaty. The present document contains a report covering the period from June 2015 to May 2017. Activities are 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/territory. Legislative advice and comments were provided to all requesting States/territories, 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:

- Albania: Comments on the Draft Law on Industrial Property, provided on June 14, 2016;
- Barbados: Comments on trademark-related provisions of the Trade Marks Act, Cap 319, as amended and the Trade Marks Regulations 1984, provided on March 22, 2016;
- Bhutan: Comments on the application of trademark-related provisions of the 2001 Industrial Property Act, provided on July 10, 2015;
- Cambodia: Comments on the trademark-related provisions of the 2002 Law Concerning Marks, Trade Names and Acts of Unfair Competition, provided on June 15 and 20, 2016;
- Curaçao: Comments regarding the implementation of the STLT, which is applied in Curaçao following the Declaration made by the Kingdom of Netherlands upon acceding to the STLT in 2014, provided on October 9, 2015;
- Democratic People's Republic of Korea: Advice on the application of the Singapore Treaty on the Law of Trademarks, provided on November 23, 2015;
- Ecuador: Comments on provisions of the Regulations concerning the indication of the type of mark in applications for registration, provided on January 20, 2017;
- Kazakhstan: Advice concerning the procedures relating to applications and requests filed with the national office of a Contracting Party to the STLT, provided on June 1, 2015;
- Maldives: Advice on the elaboration of Trademark Regulations, including Office Forms in accordance with the STLT, provided on August 15, 2016;
- Mauritius: Advice on selected provisions of the Draft Industrial Property Bill 2016, provided on January 20, 2017;
- South Africa: Advice on provisions relating to extension of time limits, provided on January 19, 2017;

- Tonga: Comments on the Industrial Property Act 1994, provided on January 26, 2017;
- Trinidad and Tobago: Comments on the Draft Trade Marks Regulations, provided on May 8, 2015.

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.

Advisory Missions

- On April 7 and 8, 2016, a WIPO advisory mission was undertaken to Phnom Penh, Cambodia, in order to ascertain the compatibility of national trademark procedures with the provisions of the STLT.

Seminars and Workshops

- On November 5 and 6, 2015, a Sub-Regional Seminar on the Singapore Treaty on the Law of Trademarks (STLT) – The Challenges of our Every-day Business was held in Manila, Philippines. The WIPO Singapore Office, in cooperation with the Intellectual Property Office of Philippines (IPOPPL) and the Association of Southeast Asian Nations (ASEAN) Working Group on Intellectual Property Cooperation (AWGIPC) organized this activity. Two participants of each of the following ASEAN Member States took part in the Seminar: Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Singapore, Thailand and Viet Nam.
- On July 7, 2016, the XXXIV Regional Workshop for Industrial Property Offices of Latin America was organized by the WIPO Brazil Office in Rio de Janeiro. A training session was devoted to the STLT. Participants of the following Latin American countries took part in this activity: Argentina, Bolivia (Plurinational State of), Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela (Bolivarian Republic of).
- From August 29 to 31, 2016, a National Workshop on the Trademark Law Treaty (TLT) and on the Examination of Non-traditional Marks took place in San José, Costa Rica. This activity was organized by WIPO in cooperation with the Industrial Property Registry of Costa Rica.
- On September 1 and 2, 2016, a National Workshop on the Implementation of the TLT took place in Guatemala City. This activity was organized by WIPO in cooperation with the Intellectual Property Office of Guatemala.
- On September 6 and 7, 2016, a Sub-regional Seminar on the Singapore Treaty on the Law of Trademarks (STLT) took place in Santiago, Chile. The activity was organized by WIPO in cooperation with the National Industrial Property Institute (INAPI) of Chile and the Spanish Patent and Trademark Office (OEPM). Officials

responsible for trademark matters from Argentina, Brazil, Ecuador, Paraguay, Peru and Uruguay attended the Seminar. A speaker from the European Union Intellectual Property Office (EUIPO) participated in the Seminar by videoconference.

- On December 5 to 7, 2016, a Sub-Regional Meeting of Experts on Trademark Administration from Central America and the Dominican Republic took place in Santo Domingo. WIPO, in cooperation with the National Office of Industrial Property of the Dominican Republic (ONAPI), organized this activity, which was attended by trademark experts from Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama.
- On December 8 and 9, 2016, a Trademark Examination Workshop covering aspects of TLT implementation, took place in Panama City. This activity was organized by WIPO in cooperation with the National Directory of the Industrial Property Registry (DIGERPI).
- On February 7 to 9, 2017, WIPO provided a trademark training covering the TLT and the STLT during a National Seminar on Intellectual Property, organized by the World Trade Organization (WTO) in Saint Vincent and the Grenadines.
- From April 18 to 21, 2017, WIPO, in cooperation with the Intellectual Property Office and the Investment Promotion Authority of the Ministry of Commerce and Industry of Papua New Guinea, organized a Regional Training for Trademark Examiners of the Pacific Island Countries, in Port Moresby. Specific sessions were devoted to the STLT. Eighteen officials of the following countries took part in the training: Fiji, Papua New Guinea, Samoa Islands, Tonga, Tuvalu and Vanuatu.
- From April 24 to 27, 2017, WIPO, in cooperation with the Ministry of Cultural Development of the Cook Islands and the Korean Intellectual Property Office (KIPO), organized a Regional Conference for the Pacific Island Countries in Rarotonga. Specific sessions were devoted to the STLT. Thirteen officials of the following countries took part in the training: Fiji, Kiribati, Marshall Islands, Micronesia (Federated States of), Nauru, Niue, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.
- On May 10 and 11, 2017, a National Workshop on the Protection of Non-traditional Marks: Current Status and Challenges, took place in Manama, Bahrain. The Workshop was organized by WIPO in cooperation with the Directorate of Industrial Property, Ministry of Industry, Commerce and Tourism of Bahrain. A speaker from the Intellectual Property Office of Australia (IP Australia) also participated in the Workshop.

Study Visits

- From November 30 to December 2, 2015, the International Bureau of WIPO hosted the visit of 20 government officials from Saudi Arabia, to discuss a number of trademark-related issues. Specific sessions were devoted to the TLT and the STLT. The study visit was organized in response to a request from the Office of the Commercial Attaché of the Permanent Mission of Saudi Arabia in Geneva.
- On February 22, 2017, WIPO hosted a working visit of a Delegation from Rwanda during which advice was provided on the trademark-related provisions of the Draft Law 2016 on the Protection of Intellectual Property.

- On November 30, 2016, and on May 16, 2017, WIPO hosted study visits of government officials from Myanmar to discuss the current draft IP Bill and the assistance that WIPO is providing on the future trademark Regulations.

Other

- In response to a request from Cambodia, WIPO delivered an “Impact Analysis on the Accession of Cambodia to the STLT”, on February 17, 2017.
6. A list of Contracting Parties to the Singapore Treaty, as of April 13, 2017, is contained in the Annex to this document.

7. The Assembly is invited to take note of the “Assistance for the Implementation of the Singapore Treaty on the Law of Trademarks” (document STLT/A/10/1).

[Annex follows]

Singapore Treaty on the Law of Trademarks
(Singapore 2006)
Status on April 13, 2017

State/IGO	Date on which State/IGO became party to the Treaty
Afghanistan	May 14, 2017
African Intellectual Property Organization (OAPI) ¹²	February 13, 2016
Armenia.....	September 17, 2013
Australia.....	March 16, 2009
Belarus.....	May 13, 2014
Belgium.....	January 8, 2014
Benelux Organization for Intellectual Property.....	January 8, 2014
Benin.....	February 13, 2016
Bulgaria ¹	March 16, 2009
Croatia.....	April 13, 2011
Democratic People's Republic of Korea.....	September 13, 2016
Denmark ³	March 16, 2009
Estonia.....	August 14, 2009
France.....	November 28, 2009
Germany.....	September 20, 2013
Iceland.....	December 14, 2012
Iraq.....	November 29, 2014
Ireland.....	March 21, 2016
Italy.....	September 21, 2010
Japan ⁴	June 11, 2016
Kazakhstan.....	September 5, 2012
Kyrgyzstan.....	March 16, 2009
Latvia.....	March 16, 2009
Liechtenstein.....	March 3, 2010
Lithuania.....	August 14, 2013
Luxembourg.....	January 8, 2014
Mali.....	February 13, 2016
Mongolia.....	March 3, 2011
Netherlands ⁵	January 8, 2014
New Zealand ⁶	December 10, 2012
Poland.....	July 2, 2009
Republic of Korea.....	July 1, 2016
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.....	May 18, 2009
Sweden.....	December 16, 2011
Switzerland.....	March 16, 2009
Tajikistan.....	December 26, 2014
The former Yugoslav Republic of Macedonia.....	October 6, 2010

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

² With the declaration provided for in Article 29(2)

³ Not applicable to the Faroe Islands nor to Greenland

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

⁵ 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.

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.

Ukraine.....	May 24, 2010
United Kingdom.....	June 21, 2012
United States of America.....	March 16, 2009

(Total: 46)

[End of Annex and of document]