

WIPO General Assembly

Fifty-Fifth (30th Extraordinary) Session **Geneva, July 14 to 22, 2022**

REPORT ON THE STANDING COMMITTEE ON THE LAW OF TRADEMARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS (SCT)

prepared by the Secretariat

1. During the period under consideration, the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) held its forty-fifth session (March 28 to 30, 2022). The session was chaired by Mr. Alfredo Rendón Algara (Mexico) and held in hybrid mode. One hundred and thirty eight delegations attended the session. The Summary of the Chair of the forty-fifth session is published as document SCT/45/8 and is available at https://www.wipo.int/edocs/mdocs/sct/en/sct_45/sct_45_8.pdf.

TRADEMARKS

2. The SCT considered a Revised Proposal by the Delegation of Jamaica for a Joint Recommendation Concerning Provisions on the Protection of Country Names (document SCT/43/9) and concluded that it would continue the discussion on that proposal, or on a revised proposal, at its next session.

3. The SCT also considered the Joint Proposal Concerning the Protection of Country Names and Geographical Names of National Significance (document SCT/43/6), presented by the Delegations of Georgia, Iceland, Indonesia, Jamaica, Liechtenstein, Malaysia, Mexico, Monaco, Peru, Senegal, Switzerland and the United Arab Emirates at SCT/43. The Chair concluded that the SCT would continue the discussion on that proposal, or a revised proposal, at its next session.

4. Furthermore, the SCT considered another joint proposal by the Delegations of Brazil, Georgia, Iceland, Indonesia, Jamaica, Liechtenstein, Malaysia, Mexico, Monaco, Peru, Senegal, Switzerland and the United Arab Emirates, namely the Joint Proposal Concerning the Protection of Country Names and Geographical Names of National Significance in the Domain Name System (DNS) (document SCT/41/6 Rev.). The Chair concluded that discussion on document SCT/41/6 Rev. would continue at its next session.

5. In addition, the SCT considered document SCT/43/8 Rev.2, which contained additional and updated replies to the Questionnaire on Nation-Brand Protection in Member States, and followed a presentation by the Secretariat on the main findings and trends identified in the responses provided to the Questionnaire. By way of background, the Questionnaire, proposed by the Delegations of Ecuador and Peru at the forty-second session of the SCT, was launched online in 2020. The Secretariat compiled all the returns into a document, presented to the SCT for consideration at its forty-third session (document SCT/43/8). The Questionnaire was re-opened for additional and updated replies, following the forty-third and forty-fourth sessions of the SCT. Document SCT/43/8 Rev.2, presented at the forty-fifth session of the SCT, reflected the overall number of replies received from Member States until September 30, 2021, *i.e.*, 65 replies. Having considered this document, the SCT agreed to re-open the Questionnaire once more, for further replies by September 30, 2022, and to update document SCT/43/8 Rev.2 accordingly.

6. The SCT also considered a proposal by the Delegations of Colombia and Peru for a program for an information session on nation brands (document SCT/45/6 Rev.) and decided to continue the discussion on that proposal at the next session.

7. Finally, the SCT considered document SCT/45/3 presenting updates on trademark-related aspects of the Domain Name System (DNS) and requested the Secretariat to keep members informed of future developments in the DNS.

INDUSTRIAL DESIGNS

8. Regarding the draft Design Law Treaty (DLT), reference is made to document WO/GA/55/4 (Matters Concerning the Convening of a Diplomatic Conference for the Adoption of a Design Law Treaty).

9. The SCT considered an Updated Proposal by the Delegations of Canada, Israel, Japan, the Republic of Korea, the United Kingdom, the United States of America and the European Union and its member states for a Joint Recommendation Concerning Industrial Design Protection for Designs for Graphical User Interfaces (GUI) (document SCT/44/6 Rev.4) and concluded to continue that discussion at the next session of the SCT.

10. As agreed by the forty-fourth session of the SCT, the Committee considered a prototype of a database including a number of replies to the Questionnaire on the Temporary Protection Provided to Industrial Designs at Certain International Exhibitions under Article 11 of the Paris Convention for the Protection of Industrial Property, as well as resources required (document SCT/45/2). In conclusion, the SCT requested the Secretariat to proceed with the full development of the database containing information obtained through the Questionnaire on the Temporary Protection Provided to Industrial Designs at Certain International Exhibitions under Article 11 of the Paris Convention for the Protection of Industrial Property, and to make the database available in all six United Nations (UN) languages.

GEOGRAPHICAL INDICATIONS

11. The SCT considered proposals for topics for an Information Session on Geographical Indications by the Delegations of the United States of America (document SCT/45/5) and Switzerland (document SCT/45/7) and agreed to hold an Information Session on Geographical Indications in conjunction with the forty-sixth session of the SCT. The program for that Information Session will comprise two panels on the following topics: (i) geographical indication protection for non-agricultural goods; (ii) geographical indication protection for services. Moreover, the SCT invited members to present, to the forty-sixth session of the SCT, proposals for topics for an Information Session on Geographical Indications, to be held in conjunction with the forty-seventh session of the SCT.

12. In conjunction with the forty-fifth session, a half-day Information Session on Geographical Indications took place, during which two panels presented the following topics: (i) examination of geographical indications in *sui generis* systems and trademark systems, including words in combination with graphic elements and geographical indications consisting solely of a graphic element; the weight given to descriptive elements; conflicts; and scope of protection; (ii) ways to prevent bad faith registration of domain names consisting of, or containing, geographical indications.

13. The program and presentations of the information session are available at https://www.wipo.int/meetings/en/details.jsp?meeting_id=69130.

14. The WIPO General Assembly is invited to take note of the "Report on the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)" (document WO/GA/55/3).

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