

LI/R/PM/3 ORIGINAL: ENGLISH DATE: AUGUST 25, 2014

Preparatory Committee of the Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications

Geneva, October 30 and 31, 2014

LIST OF INVITEES TO THE DIPLOMATIC CONFERENCE AND THE TEXTS OF THE DRAFT LETTERS OF INVITATION

prepared by the Secretariat

- 1. <u>Member Delegations</u>: It is proposed that the Member States of WIPO which are members of the Lisbon Union be invited to the Diplomatic Conference as "Member Delegations", that is, with the right to vote (see the draft Rules of Procedure of the Diplomatic Conference in document LI/R/PM/2 ("draft Rules of Procedure"), Rule 2(1)(i)). The list of those States and the draft of the invitation to be addressed to them are attached (Annex I).
- 2. <u>Special Delegation</u>: It is proposed that the African Intellectual Property Organization (OAPI) and the European Union (EU) be invited to the Diplomatic Conference as "Special Delegations," that is, with the same status as Member Delegations, except that those delegations could not be members of the Credentials Committee and would not have the right to vote (see draft Rules of Procedure, Rules 2(1)(ii), 11(2) and 33(2) and (3)). The proposal to confer the status of special delegation to those intergovernmental organizations is due to the fact that they have competence for the registration of regional appellations of origin or geographical indications and a number of their Member States are members of the Lisbon Union. A draft of the invitations to be addressed to the EU and OAPI is attached (Annex II).
- 3. <u>Observer Delegations</u>: It is proposed that the Member States of WIPO which are not Members of the Lisbon Union and the States members of the United Nations which are not members of WIPO be invited to the Diplomatic Conference as "Observer Delegations," that is, *inter alia*, without the right to vote (see draft Rules of Procedure, Rule 2(1)(iii)). The list of those States and the draft of the invitation to be addressed to them are attached (Annex III).
- 4. <u>Observers:</u> It is proposed that Palestine, intergovernmental organizations and non-governmental organizations be invited to the Diplomatic Conference as "Observers" (see draft Rules of Procedure, Rule 2(1)(iv)). The draft of the invitation to be addressed to Palestine is attached (Annex IV) and the lists of organizations and the draft of the invitation to be addressed to them are attached (Annex V). As far as the non-governmental organizations are concerned, the list comprises those organizations which have participated in the Working Group on the Development of the Lisbon System, as well as organizations which have permanent observer status in WIPO and appear to have an interest in appellations of origin, geographical indications or trademarks. The Preparatory Committee Meeting may suggest other non-governmental organizations to be invited to the Diplomatic Conference. The Director General may also invite other non-governmental organizations at his own discretion.

5. The Preparatory Committee is invited to approve these proposals.

[Annexes follow]

<u>LIST OF STATES PROPOSED TO BE INVITED AS MEMBER DELEGATIONS</u> (THAT IS, THE STATES MEMBERS OF WIPO WHICH ARE ALSO MEMBERS OF THE LISBON UNION)

Algeria, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Congo, Costa Rica, Cuba, Czech Republic, Democratic People's Republic of Korea, France, Gabon, Georgia, Haiti, Iran (Islamic Republic of), Israel, Italy, Mexico, Montenegro, Nicaragua, Peru, Portugal, Republic of Moldova, Romania, Serbia, Slovakia, The former Yugoslav Republic of Macedonia, Togo, Tunisia (28).

<u>DRAFT OF THE INVITATION PROPOSED TO BE ADDRESSED TO EACH MEMBER DELEGATION</u>

The Director General of the World Intellectual Property Organization (WIPO) presents his compliments to the Minister for Foreign Affairs and has the honor to invite Her/His Excellency's Government to be represented as a Member Delegation at the Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications.

The Diplomatic Conference will take place in [city/country], at the [venue], from [dates], and will open at 10 a.m. on the first day. In order to facilitate the registration process of participants, an online registration system has been put in place. It would therefore be appreciated if the representatives of Her/His Excellency's Government could register online by (date) at: (url)

Simultaneous interpretation will be provided from and into English, Arabic, Chinese, French, Russian and Spanish and from Portuguese into the other six languages.

- The draft Agenda of the Diplomatic Conference and the draft Rules of Procedure of the Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications are enclosed with this Note.
 - The draft Articles and the draft Regulations together constitute the "Basic Proposal" mentioned in Rule 29(1)(a) of the draft Rules of Procedure. The draft Basic Proposal is also enclosed with this Note.

Her/His Excellency's attention is drawn to the fact that the representatives of Her/His Excellency's Government will need to be provided with credentials, and, for signing the Revised Lisbon Agreement on Appellations of Origin and Geographical Indications, with full powers (see Rule 6 of the draft Rules of Procedure of the Diplomatic Conference, document LI/R/PM/2). The said full powers should be signed by the Head of State, the Head of Government or the Minister for Foreign Affairs.

It would be appreciated if the names and titles of the representatives of Her/His Excellency's Government could be communicated to the Director General of WIPO by [date].

[date]

Enclosures: LI/DC/1 Prov., LI/DC/2, LI/DC/3 and LI/DC/4

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[Annex II follows]

DRAFT OF THE INVITATION PROPOSED TO BE ADDRESSED TO THE EU AND OAPI

[date]

Dear President [....],

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I have the pleasure to invite the [EU, OAPI] to be represented as a Special Delegation at the Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications.

The Diplomatic Conference will take place in [city/country], at the [venue], from [dates], and will open at 10 a.m. on the first day. In order to facilitate the registration process of participants, an online registration system has been put in place. It would therefore be appreciated if the representatives of the [EU, OAPI] could register online by (date) at: (url).

The draft Agenda of the Diplomatic Conference and the draft Rules of Procedure of the Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications are enclosed with this Note.

The draft Articles and the draft Regulations together constitute the "Basic Proposal" mentioned in Rule 29(1)(a) of the draft Rules of Procedure. The draft Basic Proposal is also enclosed with this Note.

The Delegation of the [EU, OAPI] will need to be provided with credentials (see Rule 6 of the draft Rules of Procedure of the Diplomatic Conference, document LI/R/PM/2). The question of whether the Delegation of the [EU, OAPI] may become party to the WIPO Revised Lisbon Agreement on Appellations of Origin and Geographical Indications, will be answered by the WIPO Revised Lisbon Agreement on Appellations of Origin and Geographical Indications itself whose adoption is expected to take place towards the end of the Conference: if the answer is in the affirmative and the Delegation of the [EU, OAPI] wishes to sign the WIPO Revised Lisbon Agreement on Appellations of Origin and Geographical Indications, it will need full powers.

I would appreciate it if the names and titles of the persons who will represent the [EU, OAPI] could be communicated to me by [date].

Yours sincerely,

Francis Gurry, Director General

Enclosures: LI/DC/1 Prov., LI/DC/2, LI/DC/3 and LI/DC/4

[Annex III follows]

LIST OF STATES PROPOSED TO BE INVITED AS OBSERVER DELEGATIONS (THAT IS, THE STATES MEMBERS OF WIPO WHICH ARE NOT MEMBERS OF THE LISBON UNION AND THE STATES MEMBERS OF THE UNITED NATIONS WHICH ARE NOT MEMBERS OF WIPO)

a) States members of WIPO which are not members of the Lisbon Union

Afghanistan, Albania, Andorra, Angola, Antiqua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cyprus, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kiribati, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Qatar, Republic of Korea, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Tonga, Trinidad and Tobago, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruquay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe (159).

b) States members of the United Nations which are not members of WIPO

Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Solomon Islands, South Sudan, Timor Leste (7).

<u>DRAFT OF THE INVITATION PROPOSED TO BE ADDRESSED TO</u> EACH OBSERVER DELEGATION

The Director General of the World Intellectual Property Organization (WIPO) presents his compliments to the Minister for Foreign Affairs and has the honor to invite Her/His Excellency's Government to be represented as an Observer Delegation at the Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications. The Diplomatic Conference will take place in [city/country], at [venue], from [dates], and will open at 10 a.m. on the first day. In order to facilitate the registration process for participants, an online registration system has been put in place. It would therefore be appreciated if the representatives of Her/His Excellency's Government could register online by (date) at: (url)

Simultaneous interpretation will be provided from and into English, Arabic, Chinese, French, Russian and Spanish and from Portuguese into the other six languages.

The draft Agenda of the Diplomatic Conference and the draft Rules of Procedure of the Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications are enclosed with this Note.

The draft Articles and the draft Regulations together constitute the "Basic Proposal" mentioned in Rule 29(1)(a) of the draft Rules of Procedure. The draft Basic Proposal is also enclosed with this Note.

Her/His Excellency's attention is drawn to the fact that the representatives of Her/His Excellency's Government will need to be provided with credentials.

It would be appreciated if the names and titles of the representatives of Her/His Excellency's Government could be communicated to the Director General of WIPO by [date].

[date]

Enclosures: LI/DC/1 Prov., LI/DC/2, LI/DC/3 and LI/DC/4

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[Annex IV follows]

DRAFT OF THE INVITATION PROPOSED TO BE ADDRESSED TO PALESTINE

The International Bureau of the World Intellectual Property Organization (WIPO) presents its compliments to the Permanent Observer Mission of Palestine to the United Nations Office at Geneva and has the honor to invite Palestine to be represented as an observer at the Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications.

The Diplomatic Conference will take place in [city/country], [venue], from [date], and will open at 10 a.m. on the first day. In order to facilitate the registration process of participants, an online registration system has been put in place. It would therefore be appreciated if the representatives of Palestine could register online by (date) at: (url)

Simultaneous interpretation will be provided from and into English, Arabic, Chinese, French, Russian and Spanish and from Portuguese into the other six languages.

The draft Agenda of the Diplomatic Conference and the draft Rules of Procedure of the Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications are enclosed with this Note.

The draft Articles and the draft Regulations together constitute the "Basic Proposal" mentioned in Rule 29(1)(a) of the draft Rules of Procedure. The draft Basic Proposal is also enclosed with this Note.

Attention is drawn to the fact that the representatives of Palestine will need to be provided with letters of appointment (see Rule 7 of the draft Rules of Procedure of the Diplomatic Conference, document LI/R/PM/2).

It would be appreciated if the name(s) and title(s) of the persons who will represent Palestine could be communicated to the International Bureau by [date].

[date]

Enclosures: LI/DC/1 Prov., LI/DC/2, LI/DC/3 and LI/DC/4

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[Annex V follows]

<u>LIST OF INTERGOVERNMENTAL ORGANIZATIONS PROPOSED TO BE INVITED AS</u> OBSERVERS

African, Caribbean and Pacific Group of States (ACPGroup)

African Regional Intellectual Property Organization (ARIPO)

African Union (AU)

Asian-African Legal Consultative Committee (AALCC)

Association of South East Asian Nations (ASEAN)

Benelux Office for Intellectual Property (BOIP)

Caribbean Community (CARICOM)

Commonwealth Fund for Technical Cooperation (CFTC)

Commonwealth of Independent States (CIS)

Communauté économique et monétaire en Afrique centrale (CEMAC)

Comunidade dos Países de Língua Portuguesa (CPLP)

Council of Europe (CE)

Economic Community of the Great Lakes Countries (CEPGL)

Economic Community of West African States (ECOWAS)

European Commission (EC)

European Free Trade Association (EFTA)

European Patent Organisation (EPO)

Federation of Arab Scientific Research Councils (FASRC)

Food and Agriculture Organization (FAO)

International Bank for Reconstruction and Development (IBRD)

Interstate Council for the Protection of Industrial Property (ICPIP)

International Development Association (IDA)

International Institute for the Unification of Private Law (UNIDROIT)

International Fund for Agricultural Development (IFAD)

International Olive Oil Council (IOOC)

International Trade Center (ITC)

The Hague Conference on Private International Law (HCCH)

International Union for the Protection of New Varieties of Plants (UPOV)

International Vine and Wine Organization (OIV)

Islamic Education, Scientific and Cultural Organization (ISESCO)

Latin American Economic System (SELA)

Latin American Integration Association (LAIA)

League of Arab States (LAS)

Organization of American States (OAS)

Organization of the Islamic Conference (OIC)

Organisation internationale de la Francophonie (OIF)

Permanent Secretariat of the General Treaty of Central American Economic Integration (SIECA)

Secretariat, Convention on Biological Diversity (CBD)

Secretaría General de la Comunidad Andina (CAN)

Secretaría General Iberoamericana (SEGIB)

Southern African Development Community (SADC)

South Centre

United Nations (UN)

United Nations Industrial Development Organization (UNIDO)

West African Economic and Monetary Union (WAEMU)

World Health Organization (WHO)

World Trade Organization (WTO)

LIST OF NON-GOVERNMENTAL ORGANIZATIONS PROPOSED TO BE INVITED AS OBSERVERS

African Intellectual Property Organization (AIPA)

American Bar Association (ABA)

American Intellectual Property Law Association (AIPLA)

Arab Federation for the Protection of Intellectual Property Rights (AFPIPR)

Arab Society for Intellectual Property (ASIP)

Arab Society for the Protection of Industrial Property (ASPIP)

ASEAN Intellectual Property Association (ASEAN IPA)

Asian Patent Attorneys Association (APAA)

Association of European Trade Mark Owners (MARQUES)

Association of Practitioners in Trademark and Designs Law (APRAM)

Association for the Protection of Industrial Property in the Middle East and North Africa (APPIMAF)

Association pour la promotion de la propriété intellectuelle en Afrique (APPIA)

Association Romande de la Propriété Intellectuelle (AROPI)

Benelux Association of Trademark and Design Agents (BMM)

Brazilian Association of Intellectual Property (ABPI)

Brazilian Center for International Relations (CEBRI)

Chamber of Commerce of the United States of America (CCUSA)

Chartered Institute of Patent Attorneys (CIPA)

Center for International Environmental Law (CIEL)

Centre for International Intellectual Property Studies (CEIPI)

Chamber of Patent Attorneys (PAK)

Coalition for Intellectual Property Rights (CIPR)

Committee Against Counterfeiting (COLC International)

Committee of National Institutes of Intellectual Property Attorneys (CNIPA)

Committee of Nordic Industrial Property Agents (CONOPA)

Confédération européenne des producteurs de spiritueux (CEPS)

Confederation of Indian Industry (CII)

Consortium for Common Food Names (CCFN)

Consumers International (CI)

Coordination of European Independent Producers (CEPI)

CropLife International

European Brands Association (AIM)

European Communities Trade Mark Association (ECTA)

European Consumers' Organization (BEUC)

European Council of American Chambers of Commerce (ECACC)

European Crop Protection Association (ECPA)

European Federation of Agents of Industry in Industrial Property (FEMIPI)

European Law Students' Association (ELSA International)

Exchange and Cooperation Centre for Latin America (ECCLA)

Federation of Indian Chamber of Commerce and Industry (FICCI)

Global Anti-Counterfeiting Group (GACG)

German Association for the Protection of Industrial Property and Copyright Law (GRUR)

Health and Environment Program (HEP)

Indigenous ICT Task Force (IITF)

Institut de droit communautaire (IDC)

Institute for African Development (INADEV)

Institute of Intellectual Property of Japan (IIP)

Institute of International Trade Law and Development (IDCID)

Institute of Trade Mark Attorneys (ITMA)

Inter-American Association of Industrial Property (ASIPI)

International Anti-Counterfeiting Coalition, Inc. (IACC)

International Association for the Advancement of Teaching and Research in Intellectual

Property (ATRIP)

International Association for the Protection of Intellectual Property (AIPPI)

International Bar Association (IBA)

International Center for Trade and Sustainable Development (ICTSD)

International Chamber of Commerce (ICC)

International Commission of Jurists (ICJ)

International Cooperation for Development and Solidarity (CIDSE)

International Council for Science (ICSU)

International Environmental Law Research Centre (IELRC)

International Federation of Commercial Arbitration Institutions (IFCAI)

International Federation of Intellectual Property Attorneys (FICPI)

International Federation of Wines and Spirits (FIVS)

International Franchise Association (IFA)

International Intellectual Property Alliance (IIPA)

International Intellectual Property Institute (IIPI)

International Law Association (ILA)

International League of Competition Law (LIDC)

International Organization for Standardization (ISO)

International Trademark Association (INTA)

International Wine Law Association (AIDV)

Japan Intellectual Property Association (JIPA)

Japan Patent Attorneys Association (JPAA)

Japan Trademark Association (JTA)

Knowledge Ecology International (KEI)

Law Association for Asia and the Pacific (LAWASIA)

Licensing Executives Society (International) (LES)

Max Planck Institute for Intellectual Property, Competition Law and Tax Law (MPI)

Organization for an International Geographical Indications Network (oriGln)

Pacific Intellectual Property Association (PIPA)

Queen Mary Intellectual Property Research Institute (QMIPRI)

The Chartered Institute of Arbitrators (CIArb)

The Confederation of European Business (Business Europe)

The Federalist Society for Law and Public Policy Studies (The Federalist Society)

The Indian IPR Foundation (NIPO)

The Institute of Trade Mark Attorneys (ITMA)

Scandinavian Patent Attorney Society (PS)

South African Institute of Intellectual Property Law (SAIIPL)

Syrian Intellectual Property Association (SIPA)

Union of European Practitioners in Industrial Property (UNION)

Union of Manufacturers for the International Protection of Industrial and Artistic Property (UNIFAB)

World Association for Small and Medium Enterprises (WASME)

and such other non-governmental organizations as the Director General may invite.

DRAFT OF THE INVITATION PROPOSED TO BE ADDRESSED TO EACH OBSERVER ORGANIZATION

Madam, Sir,

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[date]

I have the pleasure to invite your Organization to be represented in an observer capacity at the Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications. The Diplomatic Conference will take place in [city/country], [venue], from [date], and will open at 10 a.m. on the first day. In order to facilitate the registration process of participants, an online registration system has been put in place. It would therefore be appreciated if the representatives of your Organization could register online by (date) at: (url)

Simultaneous interpretation will be provided from and into English, Arabic, Chinese, French, Russian and Spanish and from Portuguese into the other six languages.

The draft Agenda of the Diplomatic Conference, the draft Rules of Procedure of the Diplomatic Conference and the draft of the Basic Proposal (substantive, administrative and final clauses) of the Revised Lisbon Agreement on Appellations of Origin and Geographical Indications are enclosed with this Note.

The draft Articles and the draft Regulations together constitute the "Basic Proposal" mentioned in Rule 29(1)(a) of the draft Rules of Procedure.

Your attention is drawn to the fact that your representatives will need to be provided with letters of appointment (see Rule 7 of the draft Rules of Procedure of the Diplomatic Conference, document LI/R/PM/2). The said letters of appointment should be signed by the Executive Head of your Organization.

I would appreciate it if the names and titles of the persons who will represent your Organization could be communicated to me by [date].

Yours sincerely,

Francis Gurry Director General

Enclosures: LI/DC/1 Prov., LI/DC/2, LI/DC/3 and LI/DC/4

[End of Annex V and of document]