

Working Group on the Development of the Lisbon System

Fourth Session
Geneva, June 14 to 16, 2022

SUMMARY BY THE CHAIR

adopted by the Working Group

1. The Working Group on the Development of the Lisbon System (hereinafter referred to as “the Working Group”) met in Geneva, from June 14 to 16, 2022.
2. The following Contracting Parties of the Lisbon Union were represented at the session: Albania, Algeria, Bulgaria, Cambodia, Czech Republic, Democratic People’s Republic of Korea, European Union, France, Georgia, Ghana, Hungary, Iran (Islamic Republic of), Israel, Italy, Mexico, Nicaragua, Peru, Portugal, Republic of Moldova, Slovakia, Switzerland (21).
3. The following States were represented as observers: Australia, Azerbaijan, China, Colombia, Côte d’Ivoire, Ethiopia, Germany, India, Japan, Kyrgyzstan, Lithuania, Madagascar, Pakistan, Philippines, Poland, Russian Federation, Saudi Arabia, Senegal, Slovenia, Spain, Thailand, Türkiye, United States of America (23).
4. Representatives of the following international intergovernmental organizations (IGOs) took part in the session in an observer capacity: World Trade Organization (WTO) (1).
5. Representatives of the following national and international non-governmental organizations (NGOs) took part in the session in an observer capacity: Centre for International Intellectual Property Studies (CEIPI), Consortium for Common Food Names (CCFN), Denver Museum of Nature and Science (DMNS), European Law Students’ Association (ELSA International), French Association of Industrial and Artisanal Geographical Indications (AFIGIA), International Trademark Association (INTA), International Wine Law Association (AIDV), Omani Association for Intellectual Property (OAIP), Organization for an International Geographical Indications Network (oriGIn) (9).

6. The list of participants is contained in document LI/WG/DEV-SYS/4/INF/1*.

AGENDA ITEM 1: OPENING OF THE SESSION

7. Ms. Wang Binying, Deputy Director General, Brands and Designs Sector, World Intellectual Property Organization (WIPO), opened the session and welcomed the participants.

AGENDA ITEM 2: ELECTION OF A CHAIR AND TWO VICE-CHAIRS

8. Mr. Erik Thévenod-Mottet (Switzerland) was unanimously elected as Chair of the Working Group and Ms. Grace Issahaque (Ghana) and Mr. Lao Reasey (Cambodia) were unanimously elected as Vice-Chairs.

9. Ms. Alexandra Grazioli (WIPO) acted as Secretary to the Working Group.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

10. The Working Group adopted the draft agenda (document LI/WG/DEV-SYS/4/1 Prov.) without modification.

AGENDA ITEM 4: PROPOSED AMENDMENTS TO THE COMMON REGULATIONS UNDER THE LISBON AGREEMENT FOR THE PROTECTION OF APPELLATIONS OF ORIGIN AND THEIR INTERNATIONAL REGISTRATION AND THE GENEVA ACT OF THE LISBON AGREEMENT ON APPELLATIONS OF ORIGIN AND GEOGRAPHICAL INDICATIONS

11. Discussions were based on document LI/WG/DEV-SYS/4/2.

12. On the basis of the discussions that took place under agenda item 4, the Working Group recommended to the Assembly of the Lisbon Union the adoption of the proposed amendments to the Common Regulations under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, as amended by the Working Group, for their entry into force on January 1, 2023.

13. Upon taking note of the positions expressed by Delegations with respect to Rule 5(4) of the Common Regulations under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, the Chair invited the Delegation of the European Union to resubmit a written proposal in due course for further consideration at the next session of the Working Group.

14. For ease of reference, the Annex to this Summary by the Chair contains the amendments to the Common Regulations, as recommended by the decision set out in paragraph 12, above.

* The final list of participants will be made available at:
https://www.wipo.int/meetings/en/details.jsp?meeting_id=70449.

AGENDA ITEM 5: ADOPTION OF THE SUMMARY BY THE CHAIR

15. The Working Group approved the Summary by the Chair, as contained in the present document.

AGENDA ITEM 6: CLOSING OF THE SESSION

16. The Chair closed the session on June 16, 2022.

[Annex follows]

Common Regulations Under the Lisbon Agreement for the Protection of Appellations of Origin and Their International Registration and the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications

as in force on [January 1, 2023](#)~~December 8, 2021~~

Chapter II Application and International Registration

Rule 7

Entry in the International Register

[...]

(4) *[Implementation of Articles 29(4) and 31(1) of the Geneva Act]*

(a) In case of the ratification of, or accession to, the Geneva Act by a State that is party to the 1967 Act, Rules 5(2) to (4) shall apply *mutatis mutandis* with regard to international registrations or appellations of origin effective under the 1967 Act in respect of that State. The International Bureau shall verify with the Competent Authority concerned any modifications to be made, in view of the requirements of Rules 3(1) and 5(2) to (4), for the purpose of their registration under the Geneva Act and shall notify international registrations thus effected to all other Contracting Parties that are party to the Geneva Act. Modifications [relating to Rule 5\(2\)](#) shall be subject to payment of the fee specified in Rule 8(1)(ii).

[...]

Rule 8

Fees

(1) *[Amount of Fees]* The International Bureau shall collect the following fees, payable in Swiss francs:

(i)	fee for international registration ³	1000
(ii)	fee for each one modification of an international registration ³	500
	complementary fee for additional modification(s) submitted in the same request	300
(iii)	fee for providing an extract from the International Register	150
(iv)	fee for providing an attestation or any other written information concerning the contents of the International Register	100
(v)	individual fees as referred to in paragraph (2).	

[...]

³ For an international registration referring to a geographical area located in a least developed country (LDC), in accordance with the lists established by the United Nations, the fee is reduced to 50 per cent of the prescribed amount (rounded to the nearest full figure). In such case, the fee will amount to 500 Swiss francs for an international registration referring to a geographical area of origin located in an LDC, ~~and~~ to 250 Swiss francs for ~~each one~~ modification of an international registration referring to a geographical area of origin located in an LDC, ~~and to 150 Swiss francs for a complementary fee for additional modification(s) submitted in the same request.~~ These fee reductions will apply three years after the entry into force of the Geneva Act.

Chapter III Refusal and Other Actions in Respect of International Registration

Rule 9 Refusal

(1) *[Notification to the International Bureau]*

[...]

(b) The refusal shall be notified within a period of one year from the receipt of the notification of the international registration under Article 5(2) of the 1967 Act or under ~~the~~ Article 6(4) of the Geneva Act. In the case of Article 29(4) of the Geneva Act, this time limit may be extended by another year.

(c) Unless demonstrated to the contrary by the Competent Authority referred to in subparagraph (a), the notification of an international registration referred to in subparagraph (b) shall be deemed to have been received by the Competent Authority 20 days after the date indicated in the notification.

[...]

Rule 15 Modifications

(1) *[Permissible Modifications]* The following modifications may be recorded in the International Register:

(i) a modification of the beneficiaries consisting in the addition or deletion of a beneficiary or some beneficiaries, or a modification of the names or addresses of the beneficiaries or of the natural person or legal entity referred to in Article 5(2)(ii) of the Geneva Act;

(ii) ~~a modification of the names or addresses of the beneficiaries or of the natural person or legal entity referred to in Article 5(2)(ii) of the Geneva Act; [Deleted]~~

(iii) a modification of the limits of the geographical area of production or the geographical area of origin of the good or goods to which the appellation of origin, or the geographical indication, applies;

(iv) a modification relating to the legislative or administrative act, the judicial or administrative decision, or the registration referred to in Rule 5(2)(a)(vii);

(v) a modification relating to the Contracting Party of Origin that does not affect the geographical area of production or the geographical area of origin of the good or goods to which the appellation of origin, or the geographical indication, applies;

(vi) ~~a modification under Rule 16. [Deleted]~~

[...]

Rule 16
Renunciation of Protection

[...]

(2) *[Withdrawal of a Renunciation]* (a) Any renunciation, including a renunciation under Rule 6(1)(d), may be withdrawn, in whole or in part, at any time by the Competent Authority of the Contracting Party of Origin or, in the case of Article 5(3) of the Geneva Act, the beneficiaries or the natural person or legal entity referred to in Article 5(2)(ii) of that Act or the Competent Authority of the Contracting Party of Origin, subject to ~~payment of the fee for a modification and, in the case of a renunciation under Rule 6(1)(d),~~ the correction of the irregularity in the case of a renunciation under Rule 6(1)(d).

[...]

[End of Annex and of document]