

# WIPO



SCT/18/9

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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
GENEVA

## **STANDING COMMITTEE ON THE LAW OF TRADEMARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS**

**Eighteenth Session**  
**Geneva, November 12 to 16, 2007**

### SUMMARY BY THE CHAIR

#### Agenda Item 1: Opening of the Session

1. Mr. Ernesto Rubio, Assistant Director General of the World Intellectual Property Organization (WIPO), opened the session and welcomed the participants on behalf of the Director General of WIPO.
2. Mr. Marcus Höpperger (WIPO) acted as Secretary to the Standing Committee.

#### Agenda Item 2: Adoption of the Agenda

3. The SCT adopted the Draft Agenda (document SCT/18/1 Prov.) with one modification as suggested by the Delegation of New Zealand, namely the addition of a new Agenda Item 7 entitled "Future Work".

#### Agenda Item 3: Adoption of the Draft Report of the Seventeenth Session

4. The SCT adopted the Draft Report of the Seventeenth Session (document SCT/17/8 Prov.) with modifications as requested by the Delegations of France, Romania, the United Kingdom and the Representatives of the European Community and the International Trademark Association (INTA).

Agenda Item 4: Trademarks

*Methods of Representation and Description of Non-Traditional Marks*

5. The SCT requested the Secretariat to prepare a new document for the nineteenth session in relation to methods of representation and description of non-traditional marks.

6. The document would identify possible areas of convergence, based on documents SCT/17/2 and SCT/18/2 and the report of the current session. In particular, the document would focus on those areas where there has been less widespread experience and which have not been addressed comprehensively in the Singapore Treaty on the Law of Trademarks.

*Relation of Established Trademark Principles to Non-Traditional Marks*

7. The SCT noted the contents of document SCT/17/3 and agreed that it provided a useful overview. The Chair noted that no further work was requested in this area.

*Trademark Opposition Procedures*

8. The SCT requested the Secretariat to finalize document SCT/18/3 Prov. on the basis of the report of the current session. Furthermore, the SCT requested the Secretariat to prepare a new working document for discussion at the nineteenth session, reflecting possible areas of convergence in the field of trademark opposition procedures taking into account administrative cancellation procedures.

*Trademarks and Their Relation with Literary and Artistic Works*

9. The SCT noted the contents of document SCT/18/4 and agreed that it provided a useful overview. The Chair noted that no further work was requested in this area.

*Article 6ter of the Paris Convention*

10. The SCT noted the contents of document SCT/18/5.

*International Nonproprietary Names for Pharmaceutical Substances (INNs)*

11. The SCT requested the Secretariat to invite the World Health Organization (WHO) Secretariat to make a presentation to the SCT at its next session concerning the application of the relevant WHO resolutions relating to the non-appropriation of proposed and recommended INNs.

Agenda Item 5: Industrial Designs

*Questionnaire Relating to Formalities of Industrial Design Registration (Part II)*

12. Discussion was based on document SCT/18/8.

13. Following an extended exchange of views, the SCT requested the Secretariat to modify the questionnaire according to the proposals made by Members of the Committee.

14. The SCT agreed that the revised questionnaire would be distributed to Members by mid-December 2007. Replies to the questionnaire should be provided to the Secretariat by the end of January 2008.

Agenda Item 6: Geographical Indications

15. The Chair noted that there were no working documents or proposals for discussion at this meeting.

Agenda Item 7: Future Work

16. The Chair noted that several delegations had made proposals for future work of the SCT and that this would be recorded in the report. He concluded that the nineteenth session would continue work on non-traditional marks, trademark opposition procedures, industrial designs and INNs in accordance with the outcomes of the present session. In addition, the Secretariat was requested to prepare a working document on procedural aspects of communications under Article 6ter of the Paris Convention. Furthermore, he noted that proposals were made for additional future work relating to the examination of traditional marks and technical aspects relating to the registration of certification marks to be tentatively taken up at later sessions of the SCT. Geographical indications would continue to be a standing item on the agenda.

*Nineteenth Session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT/19)*

17. The Chair announced as tentative dates for SCT/19, June 2 to 6, 2008.

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