

Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications

Twenty-Third Session
Geneva, June 30 to July 2, 2010

SUMMARY BY THE CHAIR

adopted by the Committee

Agenda Item 1: Opening of the Session

1. Ms. Binying Wang, Deputy Director General, opened the twenty-third session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) and welcomed the participants on behalf of the Director General.
2. Mr. Marcus Höpperger (WIPO) acted as Secretary to the SCT.

Agenda Item 2: Election of a Chair and two Vice-Chairs

3. Mr. Adil El Maliki (Morocco) was elected Chair and Mr. Imre Gonda (Hungary) and Mr. Joseph Kahwagi Rage (Mexico) were elected Vice-Chairs of the Committee.

Agenda Item 3: Adoption of the Agenda

4. The SCT adopted the Draft Agenda (document SCT/23/1 Prov.) without modifications.

Agenda Item 4: Adoption of the Revised Draft Report of the Twenty-Second Session

5. Discussion was based on document SCT/22/9 Prov.2.
6. The SCT adopted the Revised Draft Report of the twenty-second session based on document SCT/22/9 Prov.2, with modifications to paragraphs 126, 127, 143 and 213 as requested by the Representative of INTA.

Agenda Item 5: Industrial Designs

Possible Areas of Convergence in Industrial Design Law and Practice

7. Discussion was based on document SCT/23/5.
8. The SCT considered document SCT/23/5 in detail.
9. The SCT took note of a non-paper originally circulated by the Delegation of the United Kingdom and presented by the European Union and its member States, and of a contribution presented by the Representative of MARQUES.
10. The Chair concluded that all delegations attached great importance to the work of the SCT on possible convergences in the industrial design law and practice of Member States and that the SCT supported the advancement of that work. To that effect, the Secretariat was requested to prepare a revised working document, for consideration and future work in this area by the SCT at its twenty-fourth session, taking into account the conclusions presented in document SCT/23/5, as well as the comments made by delegations at the twenty-third session of the SCT.

Agenda Item 6: Trademarks

Grounds for Refusal of all Types of Marks

11. Discussion was based on document SCT/23/2.
12. A number of delegations underlined the importance of this document as a body of reference for their trademark administrations and users.
13. The Chair concluded that the Secretariat was requested to finalize document SCT/23/2 on grounds for refusal of all types of marks, by taking into account the comments made by delegations during the session, and to publish it as a reference document in all six official languages.

Technical and Procedural Aspects Relating to the Registration of Certification and Collective Marks

14. Discussion was based on document SCT/23/3.
15. The Chair concluded that the Secretariat was requested to finalize document SCT/23/3 on technical and procedural aspects relating to the registration of certification and collective marks, by taking into account the comments made by delegations during the session, and to publish it as a reference document.

Protection of Names of States

16. Discussion was based on document SCT/23/4.
17. A number of delegations and representatives of observer organizations made drafting suggestions to the draft questionnaire, which were incorporated by the Secretariat and presented to the Committee in the form of an unofficial document. Following the adoption of the draft questionnaire by the Committee, the Chair concluded that the questionnaire would be circulated to Member States with September 15, 2010, as the deadline for returns. The Secretariat was requested to compile the returns to the questionnaire and to present that compilation as a working document for the next session of the SCT.

Trademarks and Internet

18. The Chair, noting that the SCT had finished work on two out of three trademark-related items on its Agenda, suggested that the SCT give consideration to work on a new item concerning trademarks, namely trademarks and the Internet. In particular, he indicated that work on that issue could be initiated at the next session of the SCT on the basis of a background document to be prepared by the Secretariat and summarizing past and current developments in that area, in particular, the *WIPO Joint Recommendation Concerning Provisions on the Protection of Marks, and Other Industrial Property Rights in Signs, on the Internet*, and recent developments within ICANN on domain name issues. SCT members and observers were invited to present their contribution to that work to the Secretariat by September 15, 2010.
19. Noting that a large number of delegations supported his suggestion, the Chair concluded that it was agreed by the SCT.

Agenda Item 7: Geographical Indications

20. The Chair recalled that the Summary by the Chair of the twenty-second session of the SCT had noted that delegations would be given an opportunity to express their opinions, at the present session, whether they wished to pursue work under that agenda item on the basis of a specific working document.
21. Having noted the concerns as expressed by a number of delegations over the workload of the SCT as well as the priorities that they wished to accord to work on industrial designs, names of States and trademarks and the Internet, the Chair concluded that the item on geographical indications would remain on the agenda for the next session of the SCT, at which moment delegations might wish to revisit this issue.

Digital Access Service for Priority Documents

22. The Chair noted that the Secretariat was requested to make a presentation at the next session of the SCT concerning the current state of work on the WIPO Digital Access Service for Priority Documents for industrial designs and trademarks.

Twenty-Fourth Session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT/24)

23. The Chair announced the week from November 1 to 5, 2010, as tentative dates for SCT/24.

Agenda Item 8: Summary by the Chair

24. The SCT approved the Summary by the Chair as contained in the present document.

Agenda Item 9: Closing of the session

25. The Chair closed the session on July 2, 2010.

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