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

**Thirty-Seventh Session
Geneva, March 27 to 30, 2017**

SUMMARY BY THE CHAIR

adopted by the Committee

AGENDA ITEM 1: OPENING OF THE SESSION

1. Mr. Francis Gurry, Director General of the World Intellectual Property Organization (WIPO), opened the thirty-seventh session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) and welcomed the participants.
2. Mr. David Muls (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 re-elected Chair. Mr. Alfredo Carlos Rendón Algara (Mexico) was re-elected Vice-Chair, and Mr. Simion Levițchi (Republic of Moldova) was elected Vice-Chair.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

4. The SCT adopted the draft Agenda (document SCT/37/1 Prov. Rev.2).

AGENDA ITEM 4: ACCREDITATION OF A NON-GOVERNMENTAL ORGANIZATION (NGO)

5. The SCT considered document SCT/37/7.
6. The SCT approved the accreditation of the Centre for International Governance Innovation (CIGI).

AGENDA ITEM 5: ADOPTION OF THE DRAFT REPORT OF THE THIRTY-SIXTH SESSION

7. The SCT adopted the draft Report of the thirty-sixth session (document SCT/36/6 Prov.).

AGENDA ITEM 6: INDUSTRIAL DESIGNS

Design Law Treaty (DLT)

8. The Chair recalled his conclusion at SCT/36 that, “while the DLT would remain on its Agenda, the SCT should abide by the decision of the General Assembly”¹ and encouraged delegations to make use of the time available until the next session of the General Assembly in October 2017 to bridge remaining gaps.

Graphical User Interface (GUI), Icon and Typeface/Type Font Designs

9. The SCT considered documents SCT/36/2 Rev. and SCT/37/2.
10. After discussions, the Chair requested the Secretariat to:
 - invite Member States to submit additional and/or revised replies to the *Questionnaire on Graphical User Interface (GUI), Icon and Typeface/Type Font Designs*, as well as relevant examples;
 - invite accredited NGOs to submit additional comments and observations on the topic, from the perspective of their experience;
 - compile all replies, examples, comments and observations received in a revised document of SCT/36/2 Rev., for consideration of the SCT at its next session;
 - prepare a revised document SCT/37/2, taking into account the additional comments, observations and examples received, for consideration of the SCT at its next session; and
 - organize an information session, which will take place at SCT/38, addressing (i) the practices of offices and (ii) the experience of users, with regard to graphical user interface (GUI), icon and typeface/type font designs.

¹ The 2016 General Assembly decided that “at its next session in October 2017, it will continue considering the convening of a diplomatic conference on the DLT, to take place at the end of the first half of 2018.”

Information on the Digital Access Service (DAS) for Priority Documents

11. The Chair noted the statements of certain delegations, which indicated that they are taking steps towards the implementation of the DAS for industrial designs in the short term.

12. While encouraging also other Member States to consider using the DAS for the exchange of priority documents for industrial designs and trademarks, the Chair concluded that the SCT would continue to take stock of the progress made in this regard at its future sessions.

AGENDA ITEM 7: TRADEMARKS

13. The SCT considered the documents under this Agenda item (documents SCT/32/2, SCT/37/3, SCT/37/4, SCT/37/5, SCT/37/6).

Protection of Country Names Against Registration and Use as Trademarks: Practices, Approaches and Possible Areas of Convergence – Comments by Members

14. After discussions, the Chair requested the Secretariat to:

- invite Member States to submit further comments and observations, in priority, to Areas of Convergence Nos. 1, 2, 5 and 6;
- compile all comments and observations received in a revised document SCT/37/3, in which any comments and observations to Areas of Convergence Nos. 3 and 4 will be moved to an Annex to the document; and
- prepare an analytical document² based on revised document SCT/37/3, for consideration of the SCT at its next session.

International Nonproprietary Names for Pharmaceutical Substances (INNs)

15. The SCT took note of the presentation made by the Representatives of the World Health Organization (WHO) regarding the Internet-based mechanisms made available by WHO to parties with appropriate credentials to access INN data directly online.

16. After discussions, the Chair requested the Secretariat:

- to liaise with the WHO to explore whether, and how, national and regional industrial property offices of WIPO Member States could make use of the above-mentioned mechanisms, and to report back to the SCT on this matter at SCT/39; and
- in the meantime, to continue its existing practice of informing offices of lists of proposed and recommended INNs.

² Analyzing the replies, comments and observations contained in the revised document SCT/37/3.

Update on Trademark-Related Aspects of the Domain Name System (DNS)

17. The SCT requested the Secretariat to keep delegations informed of future developments in the DNS.

AGENDA ITEM 8: GEOGRAPHICAL INDICATIONS

18. The Chair noted that the Information Session, which took place on March 28, 2017, provided useful information on i) the features, experiences and practices of the different national and regional geographical indication protection systems, and ii) the protection of geographical indications on the Internet, and geographical indications and country names in the DNS. The Information Session was a good basis to initiate an exchange of views on points i) and ii) referred to above.

19. The Chair concluded that, at its next session, the SCT will consider further steps based on his proposal on the matter. All proposals on this item will remain on the Agenda.

AGENDA ITEM 9: SUMMARY BY THE CHAIR

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

AGENDA ITEM 10: CLOSING OF THE SESSION

21. The Chair closed the session on March 30, 2017.

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