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ORGANIZATION

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

Thirty-First Session
Geneva, March 17 to 21, 2014

DRAFT SUMMARY BY THE CHAIR

prepared by the Secretariat

AGENDA ITEM 1: OPENING OF THE SESSION

1. Mr. Francis Gurry, Director General of the World Intellectual Property Organization (WIPO) opened the thirty-first session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) and welcomed the participants.

2. Mr. Marcus Höpferger (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. Mr. Imre Gonda (Hungary) and Ms. Günseli Güven (Turkey) were elected Vice-Chairs of the Committee.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

4. The SCT adopted the revised draft Agenda (document SCT/31/1 Prov.2) with the addition of one item entitled "Contribution of the SCT to the implementation of the WIPO Development Agenda Recommendations".

AGENDA ITEM 4: ADOPTION OF THE DRAFT REPORT OF THE THIRTIETH SESSION

5. The SCT adopted the draft report of the thirtieth session (document SCT/30/Prov.).

AGENDA ITEM 5: INDUSTRIAL DESIGNS

6. Discussions were based on documents SCT/31/2 and 3.
7. The Committee reviewed in detail all provisions which were presented within brackets, or for which footnotes indicated individual proposals or reservations of individual delegations. The Chair stated that all statements made by delegations would be recorded in the report of the thirty-first session.
8. With regard to technical assistance and capacity building, all delegations stated that progress was made on this matter. A number of delegations expressed the view that technical assistance provisions had to be in the form of an article. On this particular issue, other delegations said they were flexible. Some other delegations said that, although they preferred a resolution, they would consider an article at a diplomatic conference.
9. Concerning the convening of a diplomatic conference for the adoption of a Design Law Treaty, a number of delegations was of the view that an agreement to address technical assistance in the form of an article in the treaty had to be reached prior to convening such a diplomatic conference. Other delegations were of the view that the draft Treaty was mature enough in order to convene a diplomatic conference.
10. The Chair concluded that the SCT had made further progress on the draft DLT and that the WIPO General Assembly, at its extraordinary session in May, will take stock of, and consider the text, progress made and make its decision.

AGENDA ITEM 6: TRADEMARKS

Proposal by the Delegation of Jamaica

11. Discussions were based on document SCT/31/4.
12. A number of delegations expressed support for the proposal presented by the Delegation of Jamaica in document SCT/31/4, although some of them were of the view that the proposal needed to be further developed. Other delegations considered that it was premature to start text-based negotiations on this matter and preferred that further analysis be devoted to related issues, such as the consequences of any additional protection on currently applied trademark rules and procedures. The Delegation of Jamaica indicated that it was prepared to further develop its proposal and to submit it to the next session of the SCT.
13. The Chair concluded that the SCT would consider a revised version of the proposal by the Delegation of Jamaica at its thirty-second session. In preparation of that session, the Delegation of Jamaica, with the assistance of the Secretariat, would amend its proposal in accordance with the comments made at the present session as well as with additional comments to be provided by delegations in writing prior to the thirty-second session of the SCT.

Update on Trademark-Related Aspects of the Domain Name System

14. Discussions were based on document SCT/31/6.

15. The SCT took note of document SCT/31/6 and the Secretariat was requested to keep Member States informed on future developments in the Domain Name System.

AGENDA ITEM 7: GEOGRAPHICAL INDICATIONS

16. Discussions were based on documents SCT/31/7 and SCT/31/8 Rev.

17. A number of delegations expressed support for the proposal presented by the Delegation of the United States of America in document SCT/31/7. Other delegations considered that it was unnecessary to conduct a study on geographical indications based on that proposal, although some of them were of the view that, if such a study was to be conducted, it should cover the issue of the protection of geographical indications in the Domain Name System.

18. Furthermore, the Delegation of Hungary presented a proposal jointly sponsored by the Delegations of the Czech Republic, Germany, Hungary, Italy, Republic of Moldova, and Switzerland, to conduct a study concerning the protection of geographical indications in the domain name system. A number of delegations expressed support for that proposal. Other delegations indicated either that they needed more time to reflect on it, or that they could not support it.

19. The Chair concluded that, since delegations did not reach agreement on this matter, the SCT would revert to it at its next session.

AGENDA ITEM 8: CONTRIBUTION OF THE SCT TO THE IMPLEMENTATION OF THE RESPECTIVE WIPO DEVELOPMENT AGENDA RECOMMENDATIONS

20. Declarations on the contribution of the SCT to the implementation of the respective WIPO Development Agenda Recommendations were made. The Chair stated that they would be recorded in the report for the thirty-first session of the SCT and transmitted to the WIPO General Assembly.

AGENDA ITEM 9: SUMMARY BY THE CHAIR

AGENDA ITEM 10: CLOSING OF THE SESSION

21. The Chair closed the session on March 21, 2014.

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