

Special Union for the International Classification for Industrial Designs (Locarno Union)

Committee of Experts

Fourteenth Session
Geneva, November 18 to 21, 2019

REPORT

adopted by the Committee of Experts

INTRODUCTION

1. The Committee of Experts of the Locarno Union (hereinafter referred to as “the Committee”) held its fourteenth session in Geneva from November 18 to 21, 2019. The following members of the Committee were represented at the session: China, Czech Republic, Finland, France, Germany, Greece, Hungary, India, Italy, Japan, Mexico, Norway, Poland, Republic of Korea, Russian Federation, Slovakia, Spain, Switzerland and United Kingdom (19). The following States were represented by observers: Afghanistan, Algeria, Israel, Nicaragua, Saudi Arabia and United States of America (6). A representative of the following international intergovernmental organization took part in the session in an observer capacity: Eurasian Patent Organization (EAPO). The list of participants appears as Annex I to this report.
2. The session was opened by Mr. Yo Takagi, Assistant Director General, Global Infrastructure Sector, WIPO, who welcomed the participants on behalf of the Director General.

OFFICERS

3. The Committee unanimously elected Ms. Natalie Morgan (United Kingdom) as Chair, and Ms. Peggy Breuil (France) and Ms. Jitka Streitberg (Czech Republic) as Vice-Chairs.
4. Ms. Alison Züger (WIPO) acted as Secretary of the session.

ADOPTION OF THE AGENDA

5. The Committee unanimously adopted the agenda, which appears as Annex II to this report.

DISCUSSIONS, CONCLUSIONS AND DECISIONS

6. As decided by the Governing Bodies of WIPO at their tenth series of meetings held from September 24 to October 2, 1979 (see document AB/X/32, paragraphs 51 and 52), the report of this session reflects only the conclusions of the Committee (decisions, recommendations, opinions, etc.) and does not, in particular, reflect the statements made by any participant, except where a reservation in relation to any specific conclusion of the Committee was expressed or repeated after the conclusion was reached.

PROCEDURE FOR ADOPTION OF AMENDMENTS AND ADDITIONS TO THE TWELFTH EDITION OF THE LOCARNO CLASSIFICATION

7. Discussions took place on the understanding that:
 - (i) for amendments and additions to the Locarno Classification (hereinafter referred to as the "Classification") not entailing a transfer of goods from one class to another, a simple majority of the countries of the Locarno Union was required under Article 3(4) of the Locarno Agreement;
 - (ii) for the transfer of goods from one class to another, unanimity among the countries of the Locarno Union was required under the same Article 3(4).
8. The Committee noted that countries of the Union not represented at the session or not having expressed their vote during the session or within the period prescribed by the Rules of Procedure of the Committee were considered to have accepted the decisions of the Committee, as set forth in Article 3(6) of the Locarno Agreement.

CONSIDERATION OF PROPOSALS FOR AMENDMENTS AND ADDITIONS TO THE TWELFTH EDITION OF THE LOCARNO CLASSIFICATION

(a) VARIOUS PROPOSALS

9. Discussions were based on project [LO142](#), [Annex 1](#), which contained a summary table of proposals for amendments and additions to the current (twelfth) edition of the Classification.
10. The Committee adopted an important number of changes to the Classification. The decisions of the Committee are available on the electronic forum, project [LO140](#).

(b) CHANGES CONCERNING THE USE OF “OTHER THAN”, “EXCEPT FOR” AND SQUARE BRACKETS

11. Discussions were based on project [LO142](#), [Annex 2](#), submitted by the International Bureau (IB), which contained a proposal to harmonize the use of the expression “except for” between square brackets throughout the list of goods.

12. The Committee adopted the proposal with some modifications. The decisions of the Committee are available on the electronic forum, project [LO140](#).

(c) CHANGES CONCERNING THE CREATION OF NEW SUBCLASSES

13. Discussions were based on project [LO142](#), [Annex 3](#), submitted by China. The proposals aimed at creating two new subclasses for spectacles and for hair removing and hair styling apparatus and instruments that would group goods with similar characteristics, and by making certain transfers from other subclasses.

14. The overall principle of the proposals did not obtain consensus, and although some amendments were adopted by the Committee, the delegation of China withdrew the majority of its proposals. The decisions of the Committee are available on the electronic forum, project [LO140](#).

UPDATES ON LOCARNO-RELATED IT MATTERS

15. The Committee noted the recent and upcoming improvements regarding various IT-related matters, as outlined by the International Bureau:

- (i) the recent introduction of the WIPO IP Portal into the online publication of the Locarno Classification (LOCPUB);
- (ii) the upcoming restructuring and updating of the Locarno E-forum with a slightly different look and feel, whilst maintaining its main functions;
- (iii) information about the Revision Management Solution (RMS) project across all Classifications, of which development with regards to the Locarno Classification is expected to begin in the second half of 2020. This project aims to facilitate the revision process of the Classification. The Committee noted that the RMS may not be available for the next Locarno revision cycle, but that Member States would be kept informed of any possible developments through the mailing list/E-forum and some changes might be introduced as a transitional step at the next revision cycle, such as the use of a harmonized Excel template for submitting proposals.

NEXT SESSION OF THE COMMITTEE OF EXPERTS. ENTRY INTO FORCE OF THE NEXT EDITION

16. The Committee agreed that the next (fifteenth) session would be held in Geneva in the fall of 2021.

17. The Committee noted that the IB would prepare and publish online the new (thirteenth) edition of the Classification, in English and in French, in December 2020 and that the notification of entry into force would be sent by the end of June 2020.

18. The Committee agreed that amendments and additions to the twelfth edition of the Classification would enter into force on January 1, 2021.

CLOSING OF THE SESSION

19. The Chair closed the session.

*20. The Committee of Experts
unanimously adopted this report by
electronic means on
December 9, 2019.*

[Annexes follow]