

Working Group for the Preparation of Common Regulations Under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement

First Session
Geneva, June 7 to 9, 2016

REPORT

adopted by the Working Group

1. The Working Group for the Preparation of Common Regulations under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement (hereinafter referred to as “the Working Group”) met in Geneva, from June 7 to 9, 2016.
2. The following Contracting Parties of the Lisbon Union were represented at the session: Algeria, Bulgaria, Costa Rica, Czech Republic, Cuba, Democratic People’s Republic of Korea, France, Gabon, Georgia, Haiti, Hungary, Iran (Islamic Republic of), Israel, Italy, Mexico, Nicaragua, Peru, Portugal, Republic of Moldova, Slovakia (20).
3. The following States were represented as observers: Australia, Brazil, Cameroon, Canada, Chile, China, El Salvador, Finland, Germany, Guatemala, Japan, Kuwait, Morocco, Pakistan, Panama, Philippines, Republic of Korea, Romania, Senegal, Spain, Switzerland, Thailand, Ukraine, United Kingdom, United Republic of Tanzania, United States of America (26).
4. Representatives of the following international intergovernmental organizations (IGOs) took part in the session in an observer capacity: African Intellectual Property Organization (OAPI), African Regional Intellectual Property Organization (ARIPO), European Union (EU), European Public Law Organization (EPLO), Food and Agriculture Organization of the United Nations (FAO), Organization of Islamic Cooperation (OIC), South Centre (SC), World Trade Organization (WTO) (8).
5. Representatives of the following international non-governmental organizations (NGOs) took part in the session in an observer capacity: Centre for International Intellectual Property Studies (CEIPI), Health and Environment Program (HEP), International Association for the Protection of Intellectual Property (AIPPI), International Center for Trade and Sustainable Development (ICTSD), International Trademark Association (INTA), International Wine Law

Association (AIDV), MARQUES - Association of European Trademark Owners, Organization for an International Geographical Indications Network (oriGIn) (8).

6. The list of participants is contained in Annex I.

AGENDA ITEM 1: OPENING OF THE SESSION

7. The Director General of the World Intellectual Property Organization (WIPO), Mr. Francis Gurry, opened the session and welcomed the participants.

8. He started the meeting by pointing out that, since the Diplomatic Conference, the total number of signatories to the Geneva Act of the Lisbon Agreement had grown to 15 following the signature by Italy, Portugal, Costa Rica and the Republic of Moldova. He further recalled that the Act would enter into force following the deposit of five instruments of ratification or accession.

9. Regarding the day-to-day operations of the Lisbon Registry, he pointed out that, since the previous Lisbon Union Assembly, 50 new international applications had been received – 34 from Italy and 16 from Iran (Islamic Republic of) – which had brought the total number of international registrations under the Lisbon System at 1'060. He went on to say that certain automation initiatives were under way. In that regard, he added that the International Bureau was confident that these initiatives would lead to a significant reduction in processing time for international applications.

10. He then recalled that, in October 2015, the Lisbon Union Assembly had taken a decision consisting of five elements. First, it had taken note of the outcome of the Diplomatic Conference which had led to the adoption of the Geneva Act in May 2015. Second, it had approved the establishment of the present Working Group for the Preparation of Common Regulations under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement – a task that WIPO previously had undertaken on a number of occasions with respect to, for example, the Madrid System and the Hague System, where there had been more than one act in force for each System at the same time. Third, it had designated Arabic, Chinese and Russian as languages in which official texts of the Lisbon Agreement and the Regulations thereunder would be established. The fourth element of the Assembly's decision had been to modify the fee schedule. Finally, as a last element, the Assembly had decided that the Lisbon Union would take advantage of the meetings of the present Working Group to consider the financial sustainability of the Lisbon Union, including the options contained in document LI/A/32/3 or any other practical solution, and to present a proposal to the next session of the Assembly in October 2016.

11. Referring to the agenda for the Working Group, the Director General stressed that the two main tasks of the present session would be, first, to consider and discuss the proposed draft Common Regulations under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement (hereinafter referred to as "the Common Regulations") and, second, to further consider the question of the financial sustainability of the Lisbon Union. Regarding the latter, he encouraged all participants to try to find an appropriate solution, taking into account the variety of views expressed during the 2016 Assemblies with a view to making a proposal to the next meeting of the Assemblies, in October 2016.

AGENDA ITEM 2: ELECTION OF A CHAIR AND TWO VICE-CHAIRS

12. Mr. Nikoloz Gogilidze (Georgia) was unanimously elected as Chair of the Working Group and Mr. Alfredo Rendón Algara (Mexico) was unanimously elected as Vice-Chair.

13. Ms. Alexandra Grazioli (WIPO) acted as Secretary to the Working Group.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

14. The Working Group adopted the draft Agenda (document LI/WG/PCR/1/1 Prov.) without modification.

AGENDA ITEM 4: DRAFT COMMON REGULATIONS UNDER THE LISBON AGREEMENT FOR THE PROTECTION OF APPELLATIONS OF ORIGIN AND THEIR INTERNATIONAL REGISTRATION AND THE GENEVA ACT OF THE LISBON AGREEMENT ON APPELLATIONS OF ORIGIN AND GEOGRAPHICAL INDICATIONS

15. Discussions were based on documents LI/WG/PCR/1/2 CORR and LI/WG/PCR/1/3 CORR.

GENERAL STATEMENTS

16. The Delegation of France highlighted the readiness of the French Delegation as well as the other Lisbon Union member delegations to make further progress on the issues under discussion at the present session. The Delegation further indicated that some preparatory work had been done in Paris in the past few months to be able to participate at the present session in the most constructive way possible with a view to making progress both on issues concerning the preparation of the draft Common Regulations and on funding-related issues. The Delegation concluded by saying that time had passed since the adoption of the Geneva Act in May 2015 and that France hoped that use could be made of the time allocated to the present session of the Working Group in a wise manner.

17. The Delegation of the United States of America indicated that it fully appreciated the complexity involved in the drafting of some of the provisions of the draft Common Regulations under consideration. The Delegation went on to say that, while it recognized that the Lisbon Assembly had the right to revise the Regulations relating to the Lisbon Agreement and had the authority to review the fees established under that Agreement, it was of the view that the Geneva Act of the Lisbon Agreement was a different instrument with a broader scope and potentially different membership. Furthermore, as provided for in Article 22(2)(iii) of the Geneva Act of the Lisbon Agreement, the Lisbon Union Assembly had the authority to amend the Regulations for matters concerning only the Lisbon Agreement, whereas, as far as the Geneva Act was concerned, only the Contracting Parties to that Act would be in a position to decide. In consequence, the Delegation cautioned against deciding on many matters that only concerned the Geneva Act members, at the present session. The Delegation added that, while those possible future Contracting Parties would probably appreciate the perspective of the Lisbon Agreement Contracting Parties, it was still of the view that it would be clearly premature to decide those matters for them. Moreover, the WIPO membership did not yet know whether WIPO would be the appropriate forum in which the decision to amend the Regulations for matters concerning the Geneva Act of the Lisbon Agreement could take place under the WIPO Convention. In that regard, after acknowledging that the WIPO General Assembly, the Paris Union Assembly and the Bern Union Assembly could certainly agree to approve measures proposed by the Director General to administer a new agreement, the Delegation pointed out that no such measures had been proposed, nor adopted, to the present date. The Delegation recognized that there was a difference of views as to whether measures would be necessary in that particular instance. In that regard, the Delegation recalled that, while members of the Lisbon Union argued that WIPO would be required to perform the work, the Delegation had an

entirely different view on the matter. The Delegation further indicated that members of the Lisbon Union could resolve the issue by asking the Director General to make a proposal in that regard and let the WIPO membership decide whether the Geneva Act should be administered by WIPO or not. Hence, until WIPO would be sanctioned to administer the Geneva Act, the Delegation was of the view that WIPO should not and could not do so. As a result, since the Geneva Act was neither in force nor could be regarded as a WIPO treaty for the time being, the Delegation expressed the view that the preparation of Common Regulations for the 1967 Act and the Geneva Act wrongly assumed that WIPO would administer the Geneva Act when WIPO had not yet agreed to perform that task. While the Delegation appreciated the work of the International Bureau in putting together the document under consideration, it did not believe that the Lisbon Union Common Regulations that would result from the discussions at the present session could be adopted by the Lisbon Assembly without the agreement of the other Assemblies. The Delegation concluded by saying that until such time as those Assemblies would accept the responsibility of the Organization to administer the Geneva Act, any decision by the Lisbon Union suggesting that the Organization would administer the Geneva Act would be beyond their powers. In that regard, the Delegation asked that paragraph 1 of the International Bureau's Notes on the draft Common Regulations contained in document LI/WG/PCR/1/3 Corr. be corrected to indicate that the statement made thereunder only represented one view. On financing, the Delegation stated that it looked forward to the discussion on the financial sustainability of the Lisbon System beyond the projected deficit and also added that it was very glad to hear from the Delegation of France that fruitful discussions had already taken place on the matter. The Delegation further expressed its satisfaction to hear that Lisbon Union members were trying to find a way to finance the Lisbon Union operations without using funds from the PCT and the Madrid Union or without continuing to use other members' contributions. Although the Delegation deeply deplored the inconsistency of the Lisbon Agreement and the Geneva Act with the legislation of the United States which prevented them from joining either agreement, the Delegation recognized that many applicants in the United States would still need to seek protection in jurisdictions that would have acceded to those agreements, which in turn explained their participation at the present session to take part in the discussions and constructively contribute to the work of the Working Group.

18. Upon taking note of the position of the United States of America, the Chair pointed out that the Working Group received its mandate from the Lisbon Union Assembly and that the Working Group would not adopt the proposed draft Common Regulations regarding the Geneva Act and the Lisbon Agreement at the present stage as it only had a mandate to discuss the position of the Member States on a preliminary basis in order to solve the outstanding general issues that were contained in the agenda. The Chair opened the discussions on Agenda item 4 and invited the International Bureau to present the two working documents before them.

19. The Chair opened the discussions on the draft Common Regulations and suggested following a rule-by-rule review in respect of those rules which contained a significant number of amendments, before moving to a chapter-by-chapter review with respect to the remaining rules.

Rule 1: Definitions

20. The Representative of INTA had three suggestions regarding Rule 1. The first one referred to paragraph 1(ii) which appeared to put emphasis on the 1958 Act of the Lisbon Agreement and which indicated that any reference to the 1967 Act would be a reference to the 1958 Act whenever the 1958 Act would be applicable rather than the 1967 Act. In that regard, he was of the view that such principle would be better clarified by starting the sentence by "Whenever the Lisbon Agreement of October 31, 1958 is applicable rather than the 1967 Act, any reference to the 1967 Act shall be understood". The second remark concerned paragraphs (1)(viii) and (ix) as he was of the view that the wording "application that is filed under the 1967 Act as regard the mutual relations" was a bit difficult to understand. He therefore

wondered whether the meaning of that sentence would not be better expressed by a reference to Article 31 of the Geneva Act indicating that “an application governed by the Geneva Act” would mean an application that is filed under the Geneva Act where the mutual relations of the Contracting Parties involved are governed by the Geneva Act, and the same comment would apply as regards item (viii) for applications governed by the 1967 Act. As regards the second line of paragraph 2(iii) he was of the view that the word “as” in the sentence “the periodical as referred to in Article 5(2)” appeared to be superfluous and therefore suggested amending the text so that the sentence would read “the periodical referred to in Article 5(2)”.

21. The Delegation of France had a few editorial comments regarding Rule 1, since the editing of the various paragraphs and definitions thereunder was not easy. More specifically, the Delegation stated that it would submit a couple of drafting suggestions in writing as regards paragraphs (1)(ii) and (iii) of Rule 1.

22. The Chair stated that the comments made by the Delegation of France and the Representative of INTA had been duly noted and that a written proposal would be prepared by the International Bureau in the revised version of the document that would be submitted to the next session of the Working Group.

Rule 3: Working Languages

23. As regards Rule 3(5), the Delegation of Hungary sought additional clarification as to the possible practical implications of that provision. It was the Delegation’s understanding that Rule 3(5) was only related to the translation of the appellation of origin itself and, in that regard, the Delegation pointed out that there were cases where the translation of the appellation of origin could play an important role. For example, if the name of the capital of Austria “Vienna” was translated into German “*Wien*”, or into Hungarian “*Bécs*”, then both the visual appearance of the term and the phonetic differences would be significant. The Delegation wondered whether the possibility to submit translations of the appellation of origin had been frequently used in the past by the Contracting Parties to the Lisbon Agreement and asked whether the International Bureau would be in a position to provide practical examples in that regard to better understand the issue under consideration.

24. Referring to Rule 3(5), the Delegation of Italy stated that it was in favor of maintaining the possibility to submit an application containing one or more translations of the appellation of origin for the sake of clarity. Moreover, the Delegation was of the view that such possibility would be all the more useful following the recent introduction of additional languages in the Lisbon System, such as Chinese or Arabic.

25. In response to the question raised by the Delegation of Hungary, the International Bureau indicated that the practice varied from country to country as far as the submission of applications was concerned. However, the Lisbon Registry had nonetheless noted in recent applications that, in addition to the national language, countries had an increasing tendency to translate their appellations of origin also in the other official languages of the United Nations namely Russian, Arabic or Chinese, in addition to French, English and Spanish.

26. Upon receiving the explanation provided by the International Bureau, the Delegation of Hungary stated that it would support what had been put forward by the Delegation of Italy since Hungary was in favor of maintaining the provision in question.

27. As regards the fourth line of Rule 3(2), which read “the beneficiaries or the natural person or legal entity referred to in its Article 5(2)(ii)”, the Representative of INTA suggested replacing “its” by a full reference to the Geneva Act so that the text would read “referred to in Article 5(2)(ii) of this Act” for greater clarity, as was the case in the French version of the document.

Rule 4: Competent Authority

28. The Delegation of France stated that it supported the extension of the application of Rule 4(1)(b) to those States that were also members of the Lisbon Agreement as that would ensure transparency regarding the enforcement of rights at the national level, thereby contributing to an effective grant of protection.

29. With regard to Rule 4(1)(b), the Delegation of the United States of America wondered whether the provision could be slightly adjusted to include the provision of information regarding all applicable procedures, not just regarding the enforcement of rights but also regarding administrative procedures. For example, if the national legislation would permit an interested party to request a refusal as provided for in Article 15(1)(a) of the Geneva Act, the Contracting Party should also notify those procedures. The Delegation further indicated that the objective would be to increase transparency for all stakeholders who should be able to get more information about the applicable procedures in the Lisbon Union members. The Delegation therefore wondered whether Rule 4(1)(b) could be slightly amended so as to read “the applicable procedures in its territory to obtain, challenge and enforce”, rather than just referring to the enforcement of rights.

30. The Chair expressed the view that the “information on the applicable procedures in its territory for the enforcement of rights” under Rule 4(1)(b) also referred to information regarding administrative procedures.

31. Upon pointing out that the requirement of providing information on the applicable procedures for the enforcement of rights already existed in respect of those appellations of origin registered under the 1967 Act, the Delegation of Hungary stated that it was not in a position to support the proposal made by the Delegation of the United States of America for the time being but also stated that it was not opposed to including it as an alternative in the text.

32. The Delegation of France took note of the proposal made by the Delegation of the United States of America but wondered how useful it would be as regards the possibility of enforcing rights regarding the appellation of origin in the Contracting Party of Origin. The Delegation wished to receive further clarification in that regard and therefore requested a written version of the proposal to be able to consider it further. By way of conclusion, the Delegation cautioned against changing the scope of the provision in question, namely the implementation of the protection in the Contracting Party of Origin, rather than the implementation of the protection in the other Contracting Parties.

33. The Chair invited the Delegation of the United States of America to submit its proposal in writing for further consideration by the Working Group.

Rule 5: Requirements Concerning the Application

34. Referring to the last line of Rule 5(1), the Representative of INTA indicated that the remark he had already made with respect to Rule 3(2) applied throughout the text, namely the replacement of “its” by “of this Act”. As regards Rule 5(2)(ii), he noted that the text made it compulsory to include details identifying the beneficiaries or the natural person or legal entity referred to in Article 5(2)(ii). Among those details, he was of the view that one element was extremely important and had to be spelled out somewhere in the provision, namely the contact details of the beneficiaries. In that regard, he pointed out that whenever the application would be filed by an entity other than the Competent Authority of the Contracting Party of Origin it would be very difficult for users to put themselves in contact with the beneficiaries, natural person or legal entity, if they did not have their contact details. He was of the view that the optional indication of the addresses of the beneficiaries in Rule 5(6) would not be sufficient and

should in any event also be extended to the legal entity referred to in Article 5(2)(ii) of the Geneva Act. Referring to Rule 5(2)(vii) he suggested adding the terms “and number” in the first sentence so that the text would read “the identifying details, including the date and number of the registration”, as he was of the view that what best identified any given registration was its registration number. As regards Rule 5(5), he pointed out that the provision was clearly referring to an application governed by the Geneva Act, although the sixth line of paragraph (5) still contained a reference to “the Contracting Party of Origin that is party to the Geneva Act”. For this reason, he suggested deleting the expression “that is party to the Geneva Act” to avoid any ambiguity in that regard. He further indicated that the same comment would apply to Rule 6(1)(d). As regards the sentence “any such elements shall be indicated in the application in a working language” that was contained in the last sentence of Rule 5(5), which referred to certain elements of the appellation of origin or geographical indication for which there was no protection, he was of the view that such requirement would make it very difficult to identify those specific terms in the language of the Contracting Party of Origin because the translation would not indicate which particular word or element of the appellation of origin or geographical indication would not be protected. He therefore suggested amending the last sentence so that it would, for example, read “shall be indicated in the application together with the translation in the working language”, or something to that effect. In addition to the comment he had already made as regards Rule 5(6), he noted that, under subparagraph b) of that Rule, the particulars referred to in paragraph (6)(a)(i) of Rule 5, namely the addresses of the beneficiaries and legal entities, were to be provided in a working language. In that regard, he pointed out that the indication of an address would be useful when it would easily be read by the postman for purposes of delivering a communication and he therefore suggested that the address be indicated in a language that would be understandable to the postman, namely the language of the Contracting Party of Origin.

35. The Delegation of France clarified that the issue of extending Rule 5 only concerned certain elements of the Rule. The Delegation specified that the signature of the owner was not an issue under discussion. The Delegation supported the harmonization between the two systems with respect to the proposed editing of the language in Rule 5(2)(a)(iv). Referring to the proposed elimination of the expression “to the best knowledge of the applicant” in Rule 5(5), the Delegation of France recalled the discussions that had taken place on that matter during the Diplomatic Conference and stated that it was not in favor of deleting that type of clarification. Concerning paragraph 6(v), the Delegation recalled that a decision had been taken not to remove translations in Rule 3 and therefore expressed the view that the issue should no longer be debated.

36. The Delegation of Hungary supported the position of the Delegation of France concerning the expression “to the best knowledge of the applicant” in Rule 5(5). The Delegation stated that it was not in favor of deleting that part of the text.

37. The Delegation of Costa Rica, referring to the proposal made by the International Bureau to delete the reference “to the best knowledge of the applicant” in Rule 5(5), considered it preferable to delete that reference as it gave greater legal certainty to the provision making it compulsory and with practical application.

Rule 7: Entry in the International Register

38. The Delegation of the United States of America sought further clarification as to the process proposed in Rule 7(4). The Delegation stated that during the Diplomatic Conference it had understood that there was a two-step process, consisting of an application and a modification step. The Delegation indicated that the proposed Rule 7(4) appeared to blur the distinction between the two steps so that the application of the Geneva Act to a new Contracting Party via accession or ratification would become a modification of a registration made under the 1967 Act. The Delegation considered the proposed Rule 7(4) inconsistent with Article 29(4) of the Geneva Act, which provided that in those situations the provisions of the Geneva Act would apply to international registrations effected before accession or ratification. The Delegation was of the view that nothing in the text of the Geneva Act required a Contracting Party to the Geneva Act to give effect to registrations made only under the 1967 Act. The Delegation pointed out that the proposed Rule 7(4) attempted to implement Article 31(1) so that an international registration under the 1967 Act would simply have to be modified to gain protection under the Geneva Act. Once registered under the Geneva Act, through that modification process, according to Article 29(4), the international registration would be subject to the provisions of the Geneva Act; therefore, it would also be subject to Article 7(4) on individual fees and Chapter IV. The Delegation stated that it had no opinion as to whether such an effect would be appropriate between the Contracting Parties to the 1967 Act. However, the Delegation believed that, with respect to the Contracting Parties to the Geneva Act alone, the requirements of the Geneva Act would need to be met, including the payment of the fee under Article 7(1). The Delegation then wondered when the individual fees would be allowed to be collected and what the legal mechanisms for that process would be. The Delegation pointed out that in Rule 7(4)(a) the language “in view of the requirements of Rules 3(1) and 5(2) to (4)” had been moved elsewhere which seemed to change the meaning of the sentence. The Delegation sought further clarification about the timing and actions set out by the references in Rule 7(4)(a)(i). Lastly, the Delegation was of the view that the expression “for its remainder” in Rule 7(4)(c) was unclear.

39. The Delegation of Hungary sought further explanations concerning the deletion of former paragraph (1)(b) of Rule 7, as it was not fully convinced that the essence of that particular provision would be covered by Rule 3(1) and Rule 5 of the Common Regulations.

40. The Delegation of Australia indicated that it shared the concerns of the Delegation of the United States of America about the modification process in Rule 7. The Delegation was of the view that the provision provided for a cut-rate fee for existing Lisbon members to seek protection of their existing registrations under the Geneva Act, thereby also shifting significant costs to the new Contracting Parties to the Geneva Act. In that regard, the Delegation further indicated that Rule 7 would provide to existing Lisbon members protection in new countries without paying the full international fee. The Delegation wondered if further consideration could be given to the idea of having a modification fee limited to an update of address details that would be set at a lower level, while also having re-notifications under Rule 4 set at a higher fee. Lastly, the Delegation was of the view that the proposed arrangements regarding individual fees remained unclear.

41. Referring to the questions posed by the Delegations of the United States of America, Hungary and Australia, the International Bureau explained that the elements set out by Rules 3(1) and Rule 5(2) corresponded to those that already existed under the 1967 Act, in particular the mandatory elements to be contained in the application for purposes of obtaining an international registration. The International Bureau then specified that the requirements under Rules 5(3), 5(4), or those related to the individual fees, would become mandatory only when a Contracting Party to the Geneva Act would make the required declaration and only in the case of international registrations that were not protected by that Contracting Party under

the 1967 Act. The International Bureau stated that an existing international registration of a State party to the 1967 Act would become part of the new International Registry following its ratification of or accession to the Geneva Act, since the new International Register would be valid for the two acts. The International Bureau specified that it would verify with the Competent Authority concerned any modifications to be made to existing international registrations, in view of the relevant requirements under the Geneva Act, for the purpose of their registration under this Act. Since a clear convergence existed between the old and the new regime of mandatory requirements for applications, most likely a modification would not have to be made to those international registrations. A fee will be paid only in case of modifications of existing international registrations. The International Bureau further clarified that the international registrations would be notified to the members of the Geneva Act, that were not member of the 1967 Act, to give them the opportunity to notify a refusal of the effects of international registration, in principle, within the period of one year. The International Bureau pointed out that the requirements under Rules 5(3) and 5(4) would have to be taken into account for international registrations made under the 1967 Act only in respect of a Contracting Party that would have made a declaration upon its accession to the Geneva Act and only in the case of international registrations that were not protected by that Contracting Party under the 1967 Act. The International Bureau drew the attention of the delegations to the fact that the Competent Authority of a State party to the 1967 Act that would have ratified or acceded to the Geneva Act would be requested to modify its existing international registrations according to the new requirements under Rules 5(3) and 5(4) – e.g. to make a declaration of intention to use in the territory of a Contracting Party to the Geneva Act – only after a Contracting Party to the Geneva Act would have formally requested such additional requirements in a declaration to that effect. In other words, if a Contracting Party to both the 1967 Act and the Geneva Act wished to extend the protection of its international registrations in a new Contracting Party to the Geneva Act that would have formally requested such additional requirements in a declaration to that effect, it would then have to make the necessary modifications and pay the corresponding fees. The International Bureau clarified that the Contracting Parties to the Geneva Act would periodically receive notifications in respect of new Contracting Parties demanding those additional requirements. The International Bureau further indicated that this was the reason why two different stages had been foreseen in the draft Common Regulations, one for verifying the existing international registrations as far as the mandatory requirements are concerned and the other for making the necessary modifications when required, while also specifying that modifications might not even be required in each case. Referring to the question raised by the Delegation of Hungary, the International Bureau stated that it had not been considered necessary to keep former paragraph (1)(b) of Rule 7 because the same elements had been integrated in other provisions of the draft Common Regulations. The International Bureau clarified that all the necessary elements that an applicant had to provide under the 1967 Act had been introduced in other provisions. In that regard, the International Bureau recalled that when the Regulations under the Geneva Act had been developed, the idea of having a single text for both Acts had not been considered yet. By joining the two sets of regulations into a single one, the International Bureau had tried to reflect every single existing provision in the proposed draft Common Regulations.

42. The Delegation of the United States of America inquired whether there were provisions in the Geneva Act which indicated that the international registrations under the 1967 Act would receive automatic protection under that Act without having to submit a new application or modification.

43. The International Bureau indicated that according to the Geneva Act there would be a single register for both the Lisbon Agreement and the Geneva Act. Hence, whenever a Contracting Party to the Lisbon Agreement would accede to the Geneva Act, the International Bureau would have the obligation to check with the Competent Authority the need to modify an existing international registration for purposes of meeting the requirements under the Geneva

Act. The International Bureau went on to say that if, as a result of the examination, no modification would be needed, the transfer of that international registration in the International Register would be automatic. The International Bureau recalled, however, that those Contracting Parties to the Geneva Act that would not be party to the Lisbon Agreement would have the possibility to refuse the protection of those international registrations in their territories.

44. The Delegation of the United States of America noted that Rule 7(4) referred to Article 31(1) and, thus also indirectly referred to Article 29(4). However, the Delegation reiterated that it failed to see authority for an automatic protection in either one of those articles. The Delegation wondered whether there was another provision in the Geneva Act where the protection of international registrations effected under the 1967 Act would appear to be qualified as automatic under the Geneva Act.

45. Upon reiterating that, from the overall text, it could be understood that there would be a single International Register, the International Bureau stated that it would further examine that particular aspect.

46. The Representative of INTA recalled that there had been a request from the Delegation of the United States of America regarding the clarification of the words “for its remainder” in Rule 7(4)(c) and stated that he was equally interested in that clarification.

47. The International Bureau recalled that when an application had been filed by a member of the Lisbon Agreement before its accession to the Geneva Act, the other members of the Lisbon Agreement would have a one-year period to refuse protection to that appellation of origin. The International Bureau clarified that the expression under consideration sought to reflect the fact that when a Lisbon member would join the Geneva Act, the other members of the Geneva Act that would also be members of the Lisbon Agreement would not have a new one-year period to refuse, but only the time remaining from the notification made under the Lisbon Agreement. The International Bureau stated that, under the Geneva Act, there was an obligation for the Contracting Parties to the Lisbon Agreement not to diminish the protection granted to international registrations effected under the 1967 Act. The International Bureau further specified that new members of the Geneva Act that would not be members of the Lisbon Agreement would have a full year to issue a refusal.

Rule 7bis: Date of the International Registration and of Its Effects

48. The Representative of AIDV sought clarification on how Rule 7bis should be read in conjunction with the definitions set out in Rule 1(viii) and (ix). He also pointed out that Rule 7bis seemed to deal with the mutual relations of Contracting Parties that were both party to the 1967 Act and the Geneva Act with respect to appellations of origin governed by the 1967 Act, while Rule 1 (viii) and (ix) seemed to indicate the opposite and considered that situation as governed by the Geneva Act.

49. The International Bureau stated that the language of Rule 7bis did not refer to the two definitions laid down in Rule 1(viii) and (ix). It stated that each subtitle that had been given to each paragraph of Rule 7bis clarified which particular case and which particular relation was being regulated. The International Bureau pointed out that, in paragraph 2, the situation of an international registration filed under the 1967 Act by a Contracting Party of Origin that was party to that Act without being party to the Geneva Act had been considered. Upon clarifying that the relation considered in paragraph 2 was limited to the members of the 1967 Act, the International Bureau indicated that paragraph 3 dealt with the situation of an international registration based upon an application filed under the 1967 Act when the Contracting Party of Origin would then become a member of the Geneva Act.

50. The Representative of AIDV wondered whether the international registration referred to in paragraph 3 would be governed by the 1967 Act *vis-à-vis* another country that would be party to both the 1967 Act and the Geneva Act, or whether it would be governed by the Geneva Act. More specifically, he sought clarification on the situation of two countries that would be party to both Acts and had effected their registrations before their accession to, or ratification of, the Geneva Act. In that regard, he wondered if when one of those two countries would accede to the Geneva Act, the existing registration would remain regulated by the 1967 Act or whether it would be governed by the Geneva Act from that moment onwards.

51. The International Bureau stated that it would be necessary to distinguish between the Acts to which the country of protection would be party. The date of an international registration and the date of its effects for an application filed before a State party to the 1967 Act would have acceded to the Geneva Act would remain unchanged in respect of those Contracting Parties already party to the 1967 Act. As regards the date of effect of such international registration in respect of a State party to the Geneva Act that was not party to the 1967 Act when the application was made, the date of accession to or ratification of the Geneva Act by that Contracting Party would have to be taken into account. The International Bureau then added that the situation of a State party to the 1967 Act that would have filed an application following its accession to the Geneva Act also had to be considered. The International Bureau stated that in that case the Geneva Act would apply for the date of registration and the date of its effects in respect of parties to the Geneva Act only, while the Lisbon Agreement would apply in respect of parties to the Lisbon Agreement only. Referring to the Notes of the draft Common Regulations relating to Rule 7*bis*, the International Bureau pointed out that there was another set of issues relating to the date of international registration and of its effects that had already been dealt with in the Geneva Act and the Lisbon Agreement.

52. The Representative of CEIPI was of the view that it would be extremely helpful if the Notes of the draft Common Regulations would contain more details on all the different cases. He therefore suggested that a table be prepared to help understand the various situations under consideration and facilitate the discussion.

53. The Chair asked the International Bureau to explore the suggestion made by the Representative of CEIPI, as well as the opportunity to have a detailed roundtable discussion regarding the issues that would still be outstanding after the present Working Group meeting.

Rule 8: Fees

54. Referring to Rule 8, the Delegation of the Republic of Moldova suggested introducing a clause similar to Article 9*sexies* of the Protocol relating to the Madrid Agreement which specified that two parties bound by the two Acts would not collect individual fees from each other, but would only be able to request the payment of individual fees in respect of those countries that would only be party to the Geneva Act.

Rule 9: Refusal

55. Referring to Rule 9(1)(b), the Representative of INTA indicated that it was his understanding that a constant source of difficulty both for the International Bureau and for third parties was to identify the date on which a Contracting Party would have received the notification of the international registration, since it was the date that commanded the beginning of the refusal period. He wondered whether the International Bureau could study the possibility of a shortcut which would make those dates more certain for every party involved, by stating, for instance, that the refusal period would start to run 15 days after the date of the notification of the international registration to the Contracting Parties. In that way, the International Bureau would not have to make inquiries when it would not have received an acknowledgement of receipt of

the notification, while third parties would be able to know precisely the commencement and expiry date of the refusal period.

56. The Chair asked the Representative of INTA whether his comment on the wording “each Article” made in relation to Rule 7(3) would also apply to Rule 11(3).

57. The representative of INTA confirmed that his comment concerned the alignment of the wording everywhere in the text.

58. The Delegation of Australia, referring to Rule 9(1)(b), pointed out that it seemed possible that a large number of international registrations would be notified to new Contracting Parties who would have acceded to the Geneva Act, and that they would be modified when necessary. In that regard, the Delegation, expressing concern regarding the consistency of this Rule with Rule 7(4), asked if the extension of time for the notification of refusal under Rule 9(1)(b) for Article 29(4) would also be available in relation to Rule 7(4) as regards the Article 31(1) mechanism.

59. As regards the question raised by the Delegation of Australia concerning the possibility to introduce a reference to Article 29(4) in Rule 7(4) in order to clarify the option for a Contracting Party to the Geneva Act to ask for a one-year extension of the period of refusal, the International Bureau felt that it could be interesting to include it as a point that would be considered at the next session of the Working Group, with a view to assess whether it would be appropriate to expressly introduce that option in Rule 7(4), or whether it was already implied.

Rule 15: Modifications

60. As regards Rule 15(1)(i) and (ii), the Representative of INTA expressed the view that those items would have to include the possibility to record the modifications of the names or addresses of the natural person or legal entity referred to in Article 5(2) and (3) of the Geneva Act. He also pointed out that the possibility given to Contracting Parties to notify the refusal of the effects of an international registration, that was available both in the case of a withdrawal of the renunciation of protection mentioned in Rule 16 and in the case of corrections made under Rule 18, was not available in relation to the modifications listed in Rule 15(1). In particular, the Representative considered that the modification of the limits of the geographical area of production or of origin might also deserve a possibility of refusal by Contracting Parties.

61. With respect to the point made on the concept of “beneficiaries”, the International Bureau underlined the definition of the term, referred to in Rule 1 of the Common Regulations, that was contained in Article 1(xvii) of the Geneva Act, according to which “beneficiaries” was a broader concept meaning “natural persons or legal entities entitled under the law of the Contracting Party of Origin to use an appellation of origin or a geographical indication”. Concerning the second point raised by the Representative of INTA, the International Bureau indicated that, since the list of the possible modifications was rather limited, it would perhaps be interesting for the Working Group to consider broadening the scope of the possible modifications. If the list would expand to modifications that could not be considered as minor any more, a need to introduce a refusal of the effects of an international registration in relation to those modifications recorded in the International Registry might consequently arise. Accordingly, the International Bureau welcomed any comments by Member States on the point raised by the Representative of INTA.

62. The Delegation of France drew the attention of the Working Group to the fact that the procedure under Rule 15 was exactly the same than the one which existed under the Lisbon Agreement, including the possibility of recording modifications to the geographical area of production or origin of the indication without notifying the other Contracting Parties. The Delegation specified that the only change to the system was introduced by Rule 15(1)(vi) which concerned the modifications under Rule 16 (Renunciation of Protection), and expressed the view that it would be normal to notify changes regarding that particular aspect. With regard to the mechanism that had been specifically designed in the case of corrections made to the International Register under Rule 18, which allowed a Contracting Party to declare that it could not ensure the protection of the geographical indication anymore after the correction, the Delegation believed that the reason behind that provision was that when the correction – even if it only involved the simple rectification of an error – concerned the name of the geographical indication or the list of goods and services covered it could have important consequences for the rights of a third party. For that reason, the Delegation was of the view that it would be normal to allow Contracting Parties to submit a refusal following a correction. The Delegation concluded by saying that, when discussing Rule 15, it would be necessary to distinguish between those cases and those involving minor modifications to what already existed under the Lisbon Agreement.

Rule 16: Renunciation of Protection

63. The Delegation of the Republic of Moldova sought clarification as to the effects of the withdrawal of the renunciation of protection on the rights of beneficiaries, and in particular whether the international registration would in that case be effective from the date of registration of the geographical indication or from the date of withdrawal.

64. The International Bureau replied that, following the logic of the date of effect of an international registration, the date of effect of the withdrawal of a renunciation should correspond to the date on which the withdrawal would be received by the International Bureau, while the starting point of the one-year period to submit a refusal by the Contracting Party in which the renunciation applied would be the date of the receipt of the notification of the withdrawal by that Contracting Party.

Rule 18: Corrections Made to the International Register

65. As regards the explanatory notes concerning Rule 18, the International Bureau expressed its interest in knowing whether the Working Group would consider expanding the type of corrections that might be the subject of a refusal of protection under Rule 18(4), for instance when the correction concerned a significant extension of the geographical area, or the requirements under Rule 5(3).

66. The Delegation of France stated that it would not be in favor of an extension of the types of corrections that could lead to a notification to Contracting Parties.

Rule 25: Entry into Force; Transitional Provisions

67. The Representative of INTA, underlining that the Common Regulations would have to be approved by the Assembly, including the members of the Geneva Act, in order to enter into force, expressed the view that the Regulations could hardly enter into force on the date of entry into force of the Geneva Act. With regard to Rule 25(2)(i), the Representative wished to receive confirmation that what was considered was an application governed by the 1958 Agreement or the 1967 Act but not by the Geneva Act. He expressed the view that such clarification might be spelled out, so as to make sure that any application that would be received before the entry into

force of the Geneva Act would not be taken into account if it would not conform to the Regulations under the 1967 Act.

68. The International Bureau confirmed the comment made by the Representative of INTA regarding Rule 25(2)(i). Upon indicating that it would make the necessary clarifications concerning that point, it further agreed that the entry into force of the Common Regulations would not be automatic but would depend on a decision by the Assembly. The International Bureau pointed out that the issue relating to the fees under the Geneva Act was another element that had to be addressed before the entry into force of the Common Regulations or, if appropriate, of the Regulations under the Geneva Act, and that discussions were open on that issue.

69. The Chair suggested that the Working Group invited the Assembly of the Lisbon Union to take note of the comments made during the present session and to ask the International Bureau to prepare a revised version of the draft Common Regulations on the basis of the comments made at the present session.

70. The Chair closed the discussions under Item 4 of the Agenda and indicated that a revised version of the draft Common Regulations that would reflect all the comments made at the present session would be prepared by the International Bureau and distributed for discussion at the next meeting of the Working Group.

AGENDA ITEM 5: FINANCIAL SUSTAINABILITY OF THE LISBON UNION

71. Discussions were based on document LI/WG/PCR/1/4.

72. Highlighting that the document under discussion was related to the long-term financial sustainability of the Lisbon Union, the Chair proposed to delegations to also make statements on their position regarding the elimination of the projected deficit for the biennium 2016/17, expressing the view that it was also a very important question to deal with.

73. The Delegation of France, speaking on behalf of the Lisbon Union members, reported on the preliminary talks and informal discussions that had taken place prior to and during the present session. The Delegation indicated that there was a strong political will on the part of Lisbon member States to make real progress and to try to find a financial solution for the 2016/17 biennium. Underlining that more than half of the Lisbon Union members had participated in the discussions, the Delegation further indicated that participants had expressed a true desire to resolve the outstanding financial issues and to make concrete decisions for the current biennium in order to eliminate the projected deficit. The Delegation felt confident that there were various possible sources of financing and was therefore of the view that future discussions would have to focus on the manner in which such payments would be made. Upon mentioning that there had been interesting discussions among Lisbon Union members regarding the ways in which financial contributions could be calculated for the 2016/17 biennium and that some delegations had already indicated that funds had been set aside, the Delegation indicated that some delegations were more comfortable with calculations based on a similar method than the one established by the Paris Convention as it appeared in Article 11 of the Lisbon Agreement, while others preferred to use calculations that would benefit from flexibilities in order to take into account the number of registrations from each member State, even before the entry into force of the Geneva Act. With respect to the question of long-term financing beyond the biennial deficit, the Delegation emphasized that the operational issue would rather be how to structure the debate over the following two or three years before the entry into force of the Geneva Act. The Delegation considered that, although a number of ideas had already been raised, they would need more time to negotiate a lasting agreement. In an attempt to

summarize the different solutions discussed, the Delegation indicated that one idea, related to the baseline of the contributions to be made, was to move from a calculation system based on the Paris Union classes to one that would better reflect the number of registrations. While underscoring the need to work with the International Bureau in order to develop models that would be sustainable, the Delegation reported that the questions of increasing the fees for registration as well as of including a maintenance fee, were still on the table. Finally, the Delegation stated that an indirect solution to the financial situation that had also been proposed was to put emphasis on the promotion of the Lisbon System, in order to encourage countries to ratify or join the Lisbon Agreement or the Geneva Act. Stressing that time was counted for purposes of taking measures concerning the short-term sustainability in particular, the Delegation recognized that an important issue to consider was how to use time as efficiently as possible before the next Assemblies in September. For that reason, it had been suggested by some participants to the discussions that the International Bureau send some preparatory information to Lisbon member States with a view to holding a meeting alongside the upcoming Program and Budget Committee (PBC).

74. Upon thanking the Delegation of France for the comprehensive overview of the informal discussions and of the very positive messages that had been put on the table by the member States, and upon fully agreeing with the comment concerning the promotion of the Lisbon System as an indirect solution for the long-term financial deficit of the Lisbon Union, the Chair opened the floor to delegations that wished to state their position or introduce questions regarding the document under consideration.

75. Regarding the document under discussion, the Delegation of Hungary raised a question about the unitary contribution system, which, according to its understanding, had been introduced at the beginning of the 1990s to provide a balanced financial situation in WIPO, and had then been broadly accepted as a common practice. The Delegation pointed out that on pages 5 and 6 of document WO/PBC/24/16 Rev. there was a quite detailed explanation on the historical background and how the system operated, whereas there was a rather short explanation why the Lisbon System was excluded from that scheme. The Delegation therefore asked the International Bureau to provide delegations with detailed information on the legal or non-legal grounds for the exclusion of the Lisbon System from such a broadly applied and accepted principle.

76. The Chair stated that the question raised by the Delegation of Hungary would be answered by the Legal Counsel at a later stage.

77. The Delegation of Portugal expressed concern with the Lisbon System deficit situation and the wish to engage in finding solutions to solve it in line with the decision taken at the last session of the Lisbon Union Assembly. Highlighting its openness to discuss wise financial measures to overcome the financial difficulties of the Lisbon System, it endorsed those envisaged in document LI/A/32/3, or any other practical solutions, taking into consideration the specificities of each country and their respective degree of utilization of the System. Moreover, it very much supported the idea of introducing a gradual increase of the registration fees in line with the proposal set out in document LI/A/32/2, as well as of discussing any cost-saving measures with the International Bureau. It further requested the International Bureau to help set a specific time frame in order for members of the Lisbon Union to present a consensual solution, ideally before the next Program and Budget Committee.

78. The Chair confirmed that the International Bureau would note that Portugal was in favor of the gradual increase of the fees which was an option proposed as an alternative solution for the long-term sustainability, and that it had requested the International Bureau to assist in organizing the next meeting and to facilitate the setting of a deadline in order to provide clear answers on how to deal with the short-term problem.

79. The Delegation of Italy, recalling that the financial sustainability of the Lisbon Union had been discussed and examined at the twenty-fourth session of the Program and Budget Committee on the basis of document WO/PBC/24/16, noted that the document analyzed different solutions to solve the budget deficit of the Lisbon Union with reference to the 2016/17 biennium, and that amongst the various proposals, the Lisbon Union members had agreed that establishing a Working Capital Fund seemed to be the best option. In that framework, the Delegation reiterated that a financial simulation had been prepared by the International Bureau for the calculation of the contributions from the Lisbon Union members on the basis of two alternative options, namely, an option A which would base the contributions on member States' contribution classes according to the Paris Convention and an option B that would base contributions on the number of registrations in force in each Country of Origin. The Delegation held the view that a revised and updated document that would include the comments made by member States as regards their possible contribution would be very useful. In line with the decision taken by the Lisbon Union Assembly during its thirty-second session that the Lisbon Union should adopt measures to eliminate its projected biennial deficit, the amount of which had been estimated at about 1,523,000 Swiss francs, the Delegation informed that the Italian Patent and Trademark Office, as the Competent Authority for the Lisbon Union, was adopting all the necessary measures to cover the Italian contribution that had been estimated at about 312,000 Swiss francs according to option A. It further clarified that the required administrative and financial procedures had been initiated and that the Minister for Economic Development still had to sign the request that had been addressed to the Ministry of Economy and Finance for the conclusion of those procedures. The Delegation felt confident that those financial resources would be available before the end of the year, and that Italy's contribution could be sent in a single payment to the International Bureau not later than the first half of 2017, in time to solve the deficit for the 2016/17 biennium. As regards the long-term solution for the sustainability of the Lisbon Union, the Italian Delegation also expressed its willingness to discuss further measures to undertake in the future once the budget deficit for the current biennium would be overcome.

80. The Delegation of France, based on the instructions received from the capital, was able to indicate that, as committed at the Diplomatic Conference, France was taking all steps relating to its responsibility and wished to respond with seriousness and commitment to the request made by the General Assembly at its last session, namely to take specific measures to address the deficit of the Lisbon Union. It reported that inter-ministerial consultations had taken place in Paris, and since the political will was there, France was in a position to reserve a considerable sum that would improve the budget of the Lisbon Union. Calculations had been made based on the financing method of the Paris Union, which it believed to be the existing legal basis to calculate a potential contribution, and they appeared to result in approximately 35 per cent of the total budget of the Lisbon Union, namely around 500,000 Swiss francs. The Delegation believed that France would certainly be able to commit to that rather considerable sum, while stressing, however, that it would need to be put into perspective with a collective decision and movement on the part of the other members of the Lisbon Union. As regards the payment modalities, the Delegation of France was at first glance in favor of a compulsory contribution based on the one which existed in the Paris Union since that would enable all Lisbon members to move together at the same time. Yet, the Delegation expressed its openness with regard to other possibilities that could be discussed at various informal meetings, and it stood ready to hear from other Lisbon Union members so as to leave them sufficient room for maneuver both from a legal and a budgetary point of view. It concluded that this had been the decision taken by the General Assembly and that France would be able to honor its contribution. The Delegation of France further proposed working closely with the International Bureau in order to define a time schedule to continue discussions within the Lisbon Union until the next session of the General Assembly in late September. For that purpose, it held the view that a meeting in parallel with the Program and Budget Committee would be a good opportunity to devise a final solution to present to the Lisbon Union Assembly. In the meantime, the Delegation suggested

preparing documents and materials for delegations so that they would have all the necessary elements to take decisions and make budgetary declarations, looking into the funds that each Lisbon Union member was able and willing to commit to. Regarding the long-term, the Delegation of France was confident that Members would work together with the International Bureau in order to build a new sustainable and lasting system.

81. The Delegation of Israel stated that it supported in spirit the statements made by other delegations and that it also acknowledged the collective responsibility of the Lisbon Union members for the deficit of the Lisbon Union in the short term. In that regard, the Delegation expressed its willingness to contribute to reducing the short-term deficit even if it would prefer that a different calculation method be used as far as the amount of contributions was concerned, namely it would prefer that the amount be linked to the total number of registrations per Lisbon member State. Upon indicating that Israel supported the standard principle that any treaty should be self-sustainable, the Delegation favored the continuation of discussions to find a solution for the long-term deficit, including through a gradual increase of the registration fees.

82. The Delegation of Mexico also believed that the Lisbon System had to be self-sustainable. In that regard, their national authorities were still analyzing the various options before them, including voluntary contributions to eliminate the short-term deficit of the Lisbon Union. Meanwhile, the Delegation also expressed the view that, together with the International Bureau, it would be interesting to promote the involvement of more countries in the Lisbon System and to look at attracting more members so that in the future the System could be financially sustainable.

83. The Delegation of Costa Rica stated that it was fully aware of the need to take specific and relevant measures to resolve the financial deficit affecting the Lisbon System. Nevertheless, the Delegation further clarified that there was not yet a firm decision on the specific path or payment method that would be favored by Costa Rica. For the time being, Costa Rica would not be able to support the principle of compulsory contributions, but rather the principle of payments effected on a voluntary basis. In that regard, Costa Rica would favor a calculation system based on classes rather than on the number of registrations. The Delegation concluded by stating that it would also agree to a gradual increase in the fees even it was fully aware that such a measure in itself would not be enough to address the financial deficit of the Lisbon Union.

84. The Delegation of Georgia stated that it would be ready to support the voluntary contribution system according to the Paris Union share.

85. The Delegation of the Republic of Moldova stated that it was not yet in a position to indicate the exact amount of the Republic of Moldova's contribution but added that it favored the idea of compulsory contributions. As regards the calculation method for the establishment of those contributions, the Delegation noted that three options had to be further discussed, namely contributions based on the Paris Convention classes, contributions based on the number of registrations, and what seemed to be a third combined option.

86. The Delegation of Iran (Islamic Republic of) supported the idea to take appropriate measures to resolve the financial deficit of the Lisbon Union and further indicated that its national authorities were still considering the various options, and also whether the contributions should be voluntary or compulsory. The Delegation added nonetheless that it would have a preference for a contribution system that would be in accordance with the Paris Convention classes.

87. The Delegation of the Czech Republic stated that it highly valued the opportunity to discuss matters related to the Lisbon System, in particular with the aim of strengthening the System and making it more attractive for existing and potential users. The Delegation added that it fully recognized that there were challenges regarding the financial sustainability of the Lisbon System due to its unique nature. As regards the short-term gap in the financing, the Delegation indicated that its national authorities were still considering the various options on the table and therefore it did not have a final position to communicate for the time being. The Delegation went on to state that it fully respected the decision of the General Assemblies that had been adopted the previous year and that the Czech Republic was prepared to continue the discussions that had already started earlier that day. In that regard, the Delegation further indicated that it would currently prefer to explore a solution based on Article 11(3)(v), namely a contribution system based on the existing Regulations which should form the common legal basis as it had been mentioned. The Delegation indicated that it should be a collective effort and therefore would clearly prefer a compulsory contribution system for purposes of addressing the short-term deficit. With respect to the mid-term or long-term solution, the Delegation stated that it would also be ready to continue the discussion on the possibility of gradually increasing the fees and the further exploration of other cost-saving measures. In any event, the Delegation would welcome the provision of additional information about the fixed and variable costs of the System and what the possible options would be in that respect. Lastly, the Delegation agreed with the idea that greater promotion of the Lisbon System would also contribute to achieving greater financial sustainability.

88. As regards the elimination of the existing financial deficit, the Delegation of Hungary stated that it was ready to consider a voluntary contribution system that would be calculated on the basis of the Paris Convention contribution classes, in combination with the number of registrations that a particular Lisbon member State would have. The Delegation further indicated that discussions on the matter were still been conducted in Budapest. As regards the long-term solution, the Delegation stated that it also favored the principle of self-sustainability of the Lisbon System and that it therefore would be open to any kind of solution that would not appear to be discriminatory against the Lisbon System. The Delegation indicated, in particular, that it would not be opposed to increasing the level of the registration fees and other fees. However, the Delegation went on to state that it should be borne in mind that the success of the Lisbon System would also depend on the number of Contracting Parties and if they wished to attract new members to the Lisbon System, especially among developing or least developed countries, a significant increase of the registration fees and other fees would not make the System attractive at all for those countries. The Delegation therefore concluded that a good balance between those two arguments would have to be found.

89. The Chair expressed the view that the positions that had been taken by the Lisbon member States provided a very positive ground to try to come up with a concrete decision regarding the short-term deficit of the Lisbon Union in the very near future. In that regard, he further recalled the suggestion made by the Delegation of France to organize the next informal meeting among Lisbon Union members in the margins of the next Program and Budget Committee meeting and to set a tentative deadline for Lisbon member States to convey a specific proposal from their respective capitals. The Chair therefore requested the International Bureau to facilitate the holding of such meeting in parallel with the next meeting of the Program and Budget Committee in order to reach a final solution regarding the short-term deficit of the Lisbon Union. As regards the long-term deficit, the Chair recalled that there were three options on the table for purposes of achieving the long-term financial sustainability of the Lisbon System. He pointed out that, even though different positions had been expressed by Lisbon member States in that regard, there was a common understanding that a solution had to be found for purposes of ensuring the financial sustainability of the Lisbon System. He recalled that one of the options involved a gradual increase of the fees, which would in any event only constitute a partial solution to the problem. The second and third options would be a

contribution system that would be based either on the Paris classification or on the number of registrations per Lisbon Contracting Party, or even a combination of both. In that regard, the Chair invited the International Bureau to provide a new simulation regarding all those models and also invited the Delegation of Portugal to provide its assistance for the preparation of a new proposal regarding the combination of the Paris classification system and a registration-based system. Lastly, the Chair invited the Legal Counsel to respond to the question that had been raised by the Delegation of Hungary earlier that day.

90. Referring to the question raised by the Delegation of Hungary regarding the reasoning behind the exclusion of the Lisbon System from the unitary contribution system, the Legal Counsel called the member States' attention to the decision that had been taken by the WIPO Assemblies in 1993 for the application of the unitary contribution system as of 1994. The Legal Counsel pointed out that in that decision the unitary contribution system had been adopted to replace the multiple contribution system provided for in the WIPO Convention and that the six contribution-financed unions that had been enumerated in that decision, were Paris, Bern, IPC, Nice, Locarno and Vienna. Since Lisbon was a fee-financed union it had not been included among the six enumerated financed unions when that decision was taken.

91. The Delegation of Hungary clarified that the reason for its question was the formulation of a specific sentence within a document submitted to the Program and Budget Committee (document WO/PBC/24/16 Rev), which stated that "the Lisbon Union is rather a fee-financed Union". Hence, the Delegation was of the view that the use of the term "rather" conveyed the impression that even the working document was not certain as to whether Lisbon was purely a fee-financed Union or not. The Delegation was therefore of the view that there was some sort of legal uncertainty in that regard. The Delegation further indicated that it was its understanding that the uniform contribution system had been adopted in the early 1990s to bring clarity and simplicity to the management of the finances of the Organization and therefore failed to see why the Lisbon System would be taken out from that kind of financial scheme all the more as that would also cause difficulties in other areas.

92. The Delegation of Iran (Islamic Republic of) inquired whether it would be possible for the Lisbon Union to request a loan from the other Unions, or from the reserves of the Organization, for purposes of covering its deficit.

93. Referring to the long-term measures for purposes of ensuring the self-sustainability of the Lisbon System, the Delegation of Italy believed that the goal could only be reached through the active contribution and efforts of all interested parties. The Delegation added that the financial sustainability of the Lisbon System would significantly contribute to increase its attractiveness for possible new Contracting Parties and Intergovernmental Organizations. With that objective in mind, the Delegation of Italy proposed some measures that could be seen as a first step forward for the near future. As a first option, the Delegation of Italy was of the view that the Lisbon Registry should undertake actions and adopt measures aimed at promoting new accessions as much as possible. The Delegation of Italy further indicated that other actions could also be undertaken by the Competent Authorities of the current Contracting Parties of the Lisbon Union in order to promote and encourage an awareness campaign with the aim to increase the number of applications that would be submitted to the International Bureau. In that regard, the Delegation recalled that Italy had already implemented actions of that nature over the past three years by communicating to the International Bureau more than 100 new applications. The Delegation stated that additional efforts from all Lisbon Contracting Parties to further promote the System and submit new applications would represent a major step forward. The Delegation also stated that providing greater visibility to the Lisbon System on the WIPO website, in addition to easier and more user-friendly content, would be helpful to increase awareness and knowledge of the System. In that respect, the Delegation stated that it was fully available to discuss any other ideas with delegations and the International Bureau.

94. The Chair stated that he fully agreed with the suggestion made by the Delegation of Italy to further increase promotion activities regarding the Lisbon System by the International Bureau, but also by the Lisbon member States themselves.

95. The Delegation of the United States of America stated that it appreciated that the Lisbon Union was taking concerted steps to explore and agree on a solution to the Union's short-and long-term financial situation. However, concerning the statements on the promotion of the System as a solution to the financial problems, the Delegation stated that it could have understood that perspective had the treaty been created in a manner that genuinely attracted members. The Delegation noted that revising the System without the participation of the full membership of WIPO on equal footing led to the consequence that the attractiveness of the System was affected by the non-inclusiveness of the approach. The Delegation considered essential that WIPO took a balanced approach and encouraged a balanced discussion in the context of promoting GI systems both internally and externally. The Delegation stated that, whether that would be via technical assistance, on the WIPO website, or in Committee discussions, particularly within the Standing Committee on Trademarks, Geographical Indications and Industrial Designs (SCT), if Lisbon had to be proposed as an option to those interested in international GI protection, it would have to be part of a comprehensive balanced discussion.

96. The Representative of oriGI welcomed the positive spirit that Lisbon member States had demonstrated in order to find a solution for the deficit and also in exploring possible solutions for the long-term sustainability of the Lisbon System. Referring to the proposal to increase fees, he drew the attention of delegations to the fact that the System had been mainly conceived for small GI producers in developed countries and for GIs in developing and emerging economies. While negotiations on GIs were ongoing, experts had found solutions on the international protection of the major geographical indications, either through bilateral agreements between the respective countries or through direct registration in key export markets. The Representative was of the view that promotion was important as it meant explaining the System. The Representative considered it important to explain to countries the flexibility achieved by the System which would make it appealing to a number of them. The Representative believed that it would be important to illustrate the novelties of the Geneva Act as that could in turn partly contribute to solving the problem of the financial sustainability in the long term.

97. The Delegation of Australia welcomed the spirit displayed in the present discussions to address the short-term deficit and the long-term financial sustainability of the Lisbon System and also reiterated that a suite of efforts would be necessary to address the finances of the System. In relation to the long-term financial sustainability, after pointing out that contributions and increased fees alone would not be sufficient, the Delegation stated that additional measures would still have to be considered. In that regard, the Delegation believed that the analysis of analogous registration systems for IP rights could provide some useful ideas for such additional measures. The Delegation of Australia supported the statement made by the Delegation of the United States of America in relation to the need for balanced and open discussions on GIs and noted that the SCT would be an excellent and appropriate forum for such discussions.

98. The Representative of OAPI stated that his Organization was extremely interested in the Lisbon System and also made efforts to make sure that its member States, as well as other African States, were made aware of how valuable the Lisbon System was. The Representative stated that OAPI was also concerned by the financial viability of the System, since that would have an effect on its attempt to raise awareness in the African continent about the importance of the origin of products. The Representative stated that OAPI would encourage all efforts to promote the Lisbon System, in particular among its members and African countries in general,

in order to encourage the accession to the Lisbon System by other States, thereby also partially ensuring its financial sustainability.

99. The Delegation of the Slovak Republic expressed its preference for a contribution system based on the number of registrations, even if internal discussions were still ongoing in that respect. The Delegation added that it could also accept a contribution system based on the combination of criteria provided that such contribution system would be fair and well-balanced for all countries. The Delegation agreed that the promotion of the Lisbon System would be an excellent idea for addressing the long-term deficit.

100. The Delegation of Bulgaria expressed its willingness to participate in the process of resolving the financial deficit of the Lisbon System. The Delegation indicated its readiness to discuss different options concerning the short-and long-term resolution of the financial problems. The Delegation stated that it would welcome a detailed document reflecting all the elements of the ongoing discussion. Concerning the modalities of the contribution, the Delegation expressed its preference for a system based on the Paris classes.

101. Referring to the question by the Delegation of Iran (Islamic Republic of), the International Bureau stated that the matter had already been considered and reflected in the decision of the Lisbon Union Assembly in respect of the short-term deficit. The International Bureau stated that a loan would not constitute a long-term sustainable solution and that, by definition, a loan would only be part of the short-term solution.

102. The Chair summarized the discussions on Agenda item 5 regarding the financial sustainability of the Lisbon System. First, he noted that considerable progress had been made on the first issue concerning the short-term elimination of the deficit for the current biennium. In that respect, the Chair thanked the Delegations of Italy and France, which had set out their particular and concrete positions regarding the deficit. Second, the Chair noted that the majority of delegations agreed that the issue had to be solved with the resources of the Lisbon member States. In that regard, he recalled that several options proposed by the International Bureau had been discussed at the present session. Lastly, the Chair highlighted the initiative supported by many Lisbon Union member States to direct the activities of the International Bureau towards further promotion of the Lisbon System. In that regard, the Chair invited all Lisbon Union member States to further develop their work on that issue either within the Working Group or in any other flexible format.

103. The Delegation of Italy reiterated the importance that it attached to the promotion activities of the Lisbon System which had to be conducted by the Contracting Parties and also by the International Bureau.

104. The Delegation of Hungary supported the position of the Delegation of Italy by saying that efforts were needed from both sides, namely from Lisbon members and also from the International Bureau. Moreover, referring to the statement made by the Delegation of the United States of America on the need to adopt a balanced approach as far as the promotion of the Lisbon System is concerned, the Delegation of Hungary stated that, should that principle be followed, the International Bureau would also have to make sure that all promotion activities delivered by WIPO concerning other Global IP Systems would be equally balanced. In that regard, the Delegation pointed out that the reality of a balanced approach could also be raised, for instance, in relation to the Patent Cooperation Treaty (PCT) which could also promote certain items on the agenda of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) or, for instance, in relation to the Hague System which could also promote alternative design solutions such as copyright-based solutions, or, even when promoting the Madrid System, WIPO could also provide information on passing-off or promote non-registered forms of trademarks. Hence, the Delegation concluded

that the question concerning promotion activities, and the adoption of a balanced approach in that respect, should be carefully examined in a broader and inclusive context.

105. The Chair thanked the member States of the Lisbon Union for expressing their will to solve the short-term deficit of the Lisbon Union and for their engagement in providing proposals to address the long-term deficit. Concerning the financial sustainability of the Lisbon Union, the Chair noted that all delegations supported the idea of promoting the System in order to attract as many countries as possible, which would indirectly also contribute to solving the financial deficit.

AGENDA ITEM 6: ADOPTION OF THE SUMMARY BY THE CHAIR

106. The Working Group approved the Summary by the Chair, as contained in Annex I to the present document.

107. The Chair introduced the discussion on agenda item 6 concerning the adoption of the Summary by the Chair and opened the floor for comments by delegations.

108. The Delegation of Italy suggested amendments to paragraph 15 of the Summary by the Chair regarding agenda item 5. The Delegation suggested adding the words “further discussions on a possible” before the terms “gradual increase”. The Delegation then suggested completing the phrase “promotion of the Lisbon System” by adding “that should be effected by the Lisbon Registry”. The Delegation also proposed including the sentence “and internally by the member States in order to promote the filing of new applications, as much as possible” after “wider membership”. Finally, the Delegation suggested adding a sentence to paragraph 15 which would read “One Delegation questioned whether the issue of balanced promotion should not be discussed in a broader context”.

109. Referring to paragraph 15, the Delegation of the United States of America was satisfied with how it reflected and characterized its intervention on that Agenda item, and it did not believe that the request for an additional sentence made by the Delegation of Italy would be clear and accurate.

110. The Delegation of Italy, highlighting that the terms “one delegation” referred to the Delegation of Hungary, proposed the wording “one member Delegation” so as to make the sentence clearer.

111. The Chair accepted the new wording proposed by the Delegation of Italy and suggested putting that sentence in a separate paragraph to avoid any assimilation with the preceding sentence.

112. Referring to paragraph 14, the Delegation of the United States of America pointed out that the paragraph only referred to voluntary contributions and did not mention that a number of delegations also spoke about compulsory payments. The Delegation therefore requested a factual reflection of the discussion where both types of contributions should be included.

113. The Chair clarified that paragraph 14 reflected the position of the Delegations of France and Italy, indicating the amounts they were ready to pay in order to overcome the deficit for the short-term period, and that the paragraph in question did not address the long-term solution to the financial sustainability of the Lisbon System. He further recalled that the elimination of the short-term deficit required rapid action, and therefore the mandatory contribution system could not apply to the short-term deficit elimination.

114. Upon thanking the Chair for his clarifications, the Delegation of the United States of America explained that its confusion regarding that paragraph resulted from the fact that a number of delegations had made comments on how they would like to address both the short-term and the long-term situation, with some delegations expressing their preference for a voluntary approach, while others a preference for a compulsory approach. The Delegation therefore suggested making it clear that two Lisbon member States had announced their readiness to volunteer payments with a view to eliminate the deficit.

115. The Chair, reiterating that the elimination of the short-term deficit could only be achieved on a voluntary basis since there was no time to impose obligatory payments, further indicated that the mandatory contribution system was reflected in paragraph 15, where the measures to be adopted for the long-term financial sustainability included the establishment of a contribution system that could take the form of a voluntary or a mandatory system. The Chair further indicated that the statements of member States regarding a possible obligatory contribution system for the elimination of the short-term deficit would be reflected in the full report that would be prepared after the closing of the present session. He concluded by stating that the proposals made by the Delegations of France, Italy and Mexico contained in paragraph 14 represented a big step forward and that he had therefore divided the relevant statements into two separate paragraphs.

116. The Delegation of the United States of America thanked the Chair for his detailed explanation and added that it would not object to the proposed wording.

117. Upon saying that the proposal made by the Delegation of Italy would be reflected in the Summary by the Chair, the Chair closed Agenda item 6 with the adoption of the Summary by the Chair.

118. Before moving to the general statements and closing remarks, the Chair informed the participants about the procedure for the adoption of the full report of the present session and pointed out that a draft Report of the first session of the Working Group would be made available on the WIPO website for comments by delegations and representatives of Intergovernmental Organizations (IGOs) and Non-Governmental Organizations (NGOs) that had participated in the meeting. He further indicated that all participants would be informed when the draft Report would become available on the WIPO website since they would all be invited to submit their comments in that regard. Following the receipt of their comments, a revised version of the document taking into account all the comments made by the participants would be made available on the WIPO website. The revised version of the report would be formally adopted at the next session of the Working Group. The Chair then opened the floor for any general statement or closing remark on the part of the members of the Working Group.

119. The Delegation of the European Union thanked the Chair for the efficient steering of the present session of the Working Group as well as the International Bureau for the preparation of the excellent documents under consideration and the explanations given in that regard. The Delegation also welcomed the fruitful discussions and the progress made at the present session on the issues contained in the agenda and expressed the view that the present session had been a good start for the accomplishment of the tasks entrusted to the Working Group.

120. The Delegation of the Republic of Moldova stated that it was highly satisfied by the outcome of the present session of the Working Group, which showed once again the commitment of all participants to build an efficient system for the international protection of geographical indications.

121. Upon congratulating the Chair and the International Bureau for leading their efficient discussions over the last three days, the Delegation of Israel reiterated that it supported the constructive work which sought to find solutions to the financial deficit of the Lisbon Union. Regarding the long-term sustainability, the Delegation emphasized its view that the Lisbon Union had to be self-financed, either through a gradual increase of the fees, through a reduction of expenses or through any other option that had been put forward at the present session during the formal and informal discussions. As previously mentioned by some member States, the Delegation agreed that the attractiveness of the System had to be taken into consideration while the long-term solutions were still being discussed. In that regard, the Delegation pointed out that the attractiveness of the System would be influenced not only by the amount of the fees for the registrants but also by the cost of the Lisbon System to member States, especially when compared with existing less expensive and global alternatives to it.

122. The Chair concluded the session by saying that he was of the view that the work carried out at the present session constituted a big step towards the settlement of the issues contained in the agenda. He warmly encouraged participants to maintain the same constructive spirit for their future discussions.

AGENDA ITEM 7: CLOSING OF THE SESSION

123. The Chair closed the session on June 9, 2016.

[Annexes follow]



Working Group for the Preparation of Common Regulations under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement

First Session
Geneva, June 7 to 9, 2016

SUMMARY BY THE CHAIR

adopted by the Working Group

1. The Working Group for the Preparation of Common Regulations under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement (hereinafter referred to as “the Working Group”) met in Geneva, from June 7 to 9, 2016.
2. The following Contracting Parties of the Lisbon Union were represented at the session: Algeria, Bulgaria, Costa Rica, Czech Republic, Cuba, Democratic People’s Republic of Korea, France, Gabon, Georgia, Haiti, Hungary, Iran (Islamic Republic of), Israel, Italy, Mexico, Nicaragua, Peru, Portugal, Republic of Moldova, Slovakia (20).
3. The following States were represented as observers: Australia, Brazil, Cameroon, Canada, Chile, China, El Salvador, Finland, Germany, Guatemala, Japan, Kuwait, Morocco, Pakistan, Panama, Philippines, Republic of Korea, Republic of Tanzania, Romania, Senegal, Spain, Switzerland, Thailand, Ukraine, United Kingdom, United States of America (26).
4. Representatives of the following international intergovernmental organizations (IGOs) took part in the session in an observer capacity: African Intellectual Property Organization (OAPI), African Regional Intellectual Property Organization (ARIPO), European Union (EU), European Public Law Organization (EPLO), Food and Agriculture Organization of the United Nations (FAO), Organization of Islamic Cooperation (OIC), South Centre (SC), World Trade Organization (WTO) (8).

5. Representatives of the following international non-governmental organizations (NGOs) took part in the session in an observer capacity: MARQUES – Association of European Trademark Owners, Centre for International Intellectual Property Studies (CEIPI), Health and Environment Program (HEP), International Association for the Protection of Intellectual Property (AIPPI), International Center for Trade and Sustainable Development (ICTSD), International Trademark Association (INTA), International Wine Law Association (AIDV), Organization for an International Geographical Indications Network (oriGIn) (8).
6. The list of participants is contained in document LI/WG/PCR/1/INF/1 Prov. 2*.

AGENDA ITEM 1: OPENING OF THE SESSION

7. Mr. Francis Gurry, Director General, opened the session.

AGENDA ITEM 2: ELECTION OF A CHAIR AND TWO VICE-CHAIRS

8. Mr. Nikoloz Gogilidze (Georgia) was unanimously elected as Chair of the Working Group and Mr. Alfredo Rendón Algara (Mexico) was unanimously elected as Vice-Chair.
9. Ms. Alexandra Grazioli (WIPO) acted as Secretary to the Working Group.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

10. The Working Group adopted the draft agenda (document LI/WG/PCR/1/1 Prov.) without modification.

AGENDA ITEM 4: DRAFT COMMON REGULATIONS UNDER THE LISBON AGREEMENT FOR THE PROTECTION OF APPELLATIONS OF ORIGIN AND THEIR INTERNATIONAL REGISTRATION AND THE GENEVA ACT OF THE LISBON AGREEMENT ON APPELLATIONS OF ORIGIN AND GEOGRAPHICAL INDICATIONS

11. Discussions were based on documents LI/WG/PCR/1/2 Corr and LI/WG/PCR/1/3 Corr. The Working Group examined in detail all the provisions of the draft Common Regulations under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications.

12. The Working Group requested the Secretariat to prepare a revised version of the draft Common Regulations under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications taking into account the comments made at the present session of the Working Group, for consideration at the next session of the Working Group.

* The final list of participants will be made available as an Annex to the Report of the session.

AGENDA ITEM 5: FINANCIAL SUSTAINABILITY OF THE LISBON UNION

13. Discussions were based on document LI/WG/PCR/1/4.

14. The Chair noted that a number of members of the Lisbon Union had announced their readiness to make voluntary payments in order to eliminate the projected biennial deficit of the Lisbon Union and that they would take the necessary steps to work with the Secretariat on the modalities of the payment.

15. The Chair also noted that there was agreement by the Working Group that measures had to be adopted for the long term financial sustainability of the Lisbon Union, including further discussions on a possible gradual increase in fees and the establishment of a contribution system to be discussed and agreed to in the future. Moreover, delegations recalled the importance of the promotion of the Lisbon system that should be effected by the Lisbon Registry in order to attract new Contracting Parties, which would help to share the financial burden among a wider membership, and internally by the Member States in order to promote the filing of new applications, as much as possible. In this regard, two Observer Delegations stated that WIPO should conduct promotion activities for geographical indications in a balanced manner. One Member Delegation questioned whether the issue of balanced promotion should not be discussed in a broader context.

16. The Working Group requested the Secretariat to organize meeting(s) for the members of the Lisbon Union to prepare proposals, with the assistance of the Secretariat, to address the long term financial sustainability of the Lisbon Union in time for consideration at the next session of the Lisbon Union Assembly in accordance with the decision of that Assembly (see document LI/A/32/5, paragraph 73(iii)).

AGENDA ITEM 6: ADOPTION OF THE SUMMARY BY THE CHAIR

17. The Working Group approved the Summary by the Chair, as contained in the present document.

AGENDA ITEM 7: CLOSING OF THE SESSION

18. The Chair closed the session on June 9, 2016.

[Annex II follows]



LI/WG/PCR/1/INF/1
ORIGINAL: FRANCAIS/ANGLAIS
DATE: LE 9 JUIN 2016 / JUNE 9, 2016

**Groupe de travail chargé d'élaborer un règlement d'exécution
commun à l'Arrangement de Lisbonne et à l'Acte de Genève de
l'Arrangement de Lisbonne**

**Première session
Genève, 7 – 9 juin 2016**

**Working Group for the Preparation of Common Regulations under the
Lisbon Agreement and the Geneva Act of the Lisbon Agreement**

**First Session
Geneva, June 7 to 9, 2016**

LISTE DES PARTICIPANTS
LIST OF PARTICIPANTS

*établie par le Secrétariat
prepared by the Secretariat*

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ORGANISATION MONDIALE DU COMMERCE (OMC)/WORLD TRADE ORGANIZATION (WTO)

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ORGANISATION RÉGIONALE AFRICAINE DE LA PROPRIÉTÉ INTELLECTUELLE (ARIPO)/AFRICAN REGIONAL INTELLECTUAL PROPERTY ORGANIZATION (ARIPO)

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Association internationale des juristes pour le droit de la vigne et du vin (AIDV)/International Wine Law Association (AIDV)

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Association internationale pour la protection de la propriété intellectuelle (AIPPI)/International Association for the Protection of Intellectual Property (AIPPI)

Elio DE TULLIO, Observer, Zurich

Centre d'études internationales de la propriété intellectuelle (CEIPI)/Centre for International Intellectual Property Studies (CEIPI)

François CURCHOD, chargé de mission, Genolier

Centre international pour le commerce et le développement durable (ICTSD)/International Center for Trade and Sustainable Development (ICTSD)

Pedro ROFFE, Senior Associate, Innovation, Technology and Intellectual Property, Geneva

Health and Environment Program (HEP)

Pierre SCHERB, conseiller juridique, Genève

Madeleine SCHERB (Mme), économiste, présidente, Genève

Association internationale pour les marques (INTA)/International Trademark Association (INTA)

Bruno MACHADO, Geneva Representative, Rolle

MARQUES - Association des propriétaires européens de marques de commerce/MARQUES - Association of European Trademark Owners

Alessandro SCIARRA, Chair, Geographical Indications Team, Rome

Organisation pour un réseau international des indications géographiques (oriGIn)/Organization for an International Geographical Indications Network (oriGIn)

Massimo VITTORI, Managing Director, Geneva
Ida PUZONE (Ms.), Project Manager, Geneva
Céline MEYER (Ms.), Consultant, Geneva
Pauline SERRA (Ms.), Consultant, Geneva
Tay Alexander BLYTH-KUBOTA, Filmmaker, Geneva
Eleonora IANNOTTA, E-Learning Developer, Geneva

V. BUREAU/OFFICERS

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Vice-président/Vice-chair: Alfredo Carlos RENDÓN ALGARA (Mexique/Mexico)
Secrétaire/Secretary: Alexandra GRAZIOLI (Mme/Ms.), (OMPI/WIPO)

VI. SECRÉTARIAT DE L'ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE (OMPI) / SECRETARIAT OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

Francis GURRY, directeur général/Director General

WANG Binying (Mme/Ms.), vice-directrice générale, Secteur des marques et des dessins et modèles/Deputy Director General, Brands and Designs Sector

Edward KWAKWA, conseiller juridique/Legal Counsel

Chitra NARAYANASWAMY (Mme/Ms.), directrice, Finances et planification des programmes (contrôleur), Département des finances et de la planification des programmes, Secteur administration et gestion/Director, Program Planning and Finance (Controller), Program Planning and Finance Department, Administration and Management Sector

Marcus HÖPPERGER, directeur, Division du droit et des services consultatifs en matière de législation, Secteur des marques et des dessins et modèles/Director, Law and Legislative Advice Division, Brands and Designs Sector

Alexandra GRAZIOLI (Mme/Ms.), directrice, Service d'enregistrement Lisbonne, Division du droit et des services consultatifs en matière de législation, Secteur des marques et des dessins et modèles/Director, Lisbon Registry, Law and Legislative Advice Division, Brands and Designs Sector

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Byambaa GANZORIG, administrateur principal au budget, Division de l'exécution des programmes et du budget, Département des finances et de la planification des programmes, Secteur administration et gestion/ Senior Budget Officer, Program Performance and Budget Division, Department of Program Planning and Finance, Administration and Management Sector

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