

**9<sup>th</sup> Session of the WIPO Working Group  
on the Development of the Lisbon System**

**Report by Giulio E. Sironi  
Chair of SC Q220 - Geographical Indications**

1.- The ninth session of the Working Group on the Development of the Lisbon System was held in Geneva at WIPO headquarters from June 23 to 27, 2014.

2.- 11 contracting parties of the Lisbon Union participated in the session – Algeria, the Czech Republic, France, Georgia, Hungary, Iran (Islamic Republic of), Italy, Mexico, Peru, Portugal, Republic of Moldova – and 22 States as observers – Argentina, Australia, Bhutan, Chile, Colombia, El Salvador, Fiji, Germany, Greece, Iraq, Kenya, Nepal, Paraguay, Republic of Korea, Romania, Russian Federation, Spain, Switzerland, Turkey, Ukraine, the United States of America, Venezuela (Bolivarian Republic of) -. Also present were representatives of International intergovernmental organizations – the African Regional Intellectual Property Organization, the European Union and the Organization of Islamic Cooperation – and of International non-governmental organizations – AIPPI, ABPI, CEIPI, CCFN, ECTA, INTA, MARQUES, KEI and oriGIn -.

3.- The work of the session was based on the LI/WG/DEV/9/2, LI/WG/DEV/9/3, LI/WG/DEV/9/4, LI/WG/DEV/9/5 documents (all published on the WIPO website), prepared following the eighth session held in December 2013. These documents contain a draft revised Lisbon Agreement on appellations of origin and geographical indications and draft Regulations under the draft revised Lisbon Agreement and the relative explanatory notes.

4.- The discussion initially focused on identifying pending issues to be submitted once again to the working group in its next session. At the end of the discussion numerous pending issues had been identified, relating to: the title and preamble of the draft revised Lisbon Agreement; provisions concerning cases in which a geographical area of origin consists of a trans-border geographical area; entitlement to file an application for registration of an appellation of origin or a geographical indication; possible introduction of maintenance fees, with regard to which there were various contrary positions; the possible introduction of individual fees; the scope of protection of registered appellations of origin and geographical indications, with regard to which very different positions emerged which gave rise to the formulation of a text in which there were various and contrasting options; the lasting protection of registered appellations and indications against acquiring a generic character; relations and conflicts with prior trademark rights; relations with prior rights on other appellations of origins or geographical indications and with third party rights relating to personal names and to denominations of plant varieties and animal breeds; grounds for invalidation; whether or not a contracting party may request a declaration of intention to use in respect of a registered appellation of origin or a registered geographical indication.

5.- During the session the LI/WG/DEV/9/6 document was also discussed. This contains a proposal to update the fee schedule under rule 23 of the regulation under the Lisbon Agreement. In this regard the Chair of the session noted that the general sentiment towards an increase in the amounts of fees was predominantly positive, even though a need had emerged for more time to further consider the proposal.

6.- At the end of the discussion, the Chair reminded those present that the Lisbon Union Assembly had, in 2013, already approved the convening of a diplomatic conference in 2015 for the adoption of a revised Lisbon Agreement. He then noted that the next session of the working group (tenth session to be held in October 2014) would have to focus on technically preparing the text of the draft revised Lisbon Agreement and the draft Regulations for the diplomatic conference and on the attempt to reduce the number of pending issues. The Chair stated that the discussions would be limited to the pending issues identified in the 9<sup>th</sup> session and that resolved issues would not be re-opened.

7.- In conjunction with the next session of the working group in October 2014, a preparatory committee meeting will be held for the purposes of deciding the exact dates and venue for the diplomatic conference.

8.- Following closure of the session a summary by the Chair on the session was published on the WIPO website.

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