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Delegations will find in the Annex, for information, the statements delivered on behalf of the EU and its Member States at the above mentioned WIPO meeting.

General / Opening Statement
(Item 5)

Chairman,

I am honoured to take the floor on behalf of the European Union and its Member States, as Estonia is presiding the Council of the European Union until the end of this year.

1. The EU and its Member States would like to thank you, Ambassador Kārklīņš, for all the work you have done in the run-up to this General Assembly. We are confident that your leadership abilities and constructive approach to difficult topics will help to ensure that this General Assembly is a success. We would also like to thank the WIPO Secretariat for preparing the broad range of documents that will be discussed in the following days. Furthermore, the EU and its Member States offer our sincere congratulations to the Ambassador of Vietnam on his election as the next Chair of the WIPO General Assemblies.

2. The protection and promotion of intellectual property rights remains a key priority for the European Union and its Member States. In our increasingly knowledge-based economies, the protection of intellectual property is important for promoting innovation and creativity, developing employment, and improving competitiveness and growth. To illustrate this, I would like to share a few figures with you: 39% of the EU's total economic activity is generated by IPR-intensive industries and approximately 35% of all employment in the EU is provided either directly or indirectly by these industries. IPR-intensive industries also pay significantly higher wages than other industries, with a wage premium of more than 40%.

3. The digital revolution is clearly a key factor exposing the current IP enforcement system to new challenges. Goods and services that do not respect the intellectual property created by others concern us all as citizens, consumers, businesses and taxpayers. The EU intends to take action later this year by launching a package to complement our existing directive on the enforcement of IP rights, complemented by other initiatives related to IP enforcement, and looks forward to a future discussion on a common approach towards IP enforcement at WIPO. The WIPO Advisory Committee on Enforcement is an important committee and would be an appropriate forum for this discussion.

4. The World Intellectual Property Organisation is the central hub for global IP infrastructure. We recall that WIPO's core mission remains the servicing of PCT, Madrid, Hague and Lisbon systems and that further resources should be allocated to promoting and strengthening these core rights systems on an equal basis. In this regard, we highlight the importance of developing an internationally balanced system of protection of all categories of intellectual property rights. WIPO is also a unique forum for global intellectual property policy and norm-setting. We note the increased level of WIPO's normative work over the years and emphasise that this work should not only ensure the proper functioning of the global IP system, but should make concrete improvements thereto.

5. To enable us to call this General Assembly a success from the perspective of WIPO's normative work, a clear matter of priority should be the convening of a diplomatic conference for the adoption of the Design Law Treaty. We expect this General Assembly to break the political deadlock and take the long-awaited decision. The Treaty would greatly benefit designers world-wide by simplifying and harmonising design registration formalities, while a successful conclusion of this long-standing issue would enhance the credibility of WIPO's normative agenda. As regards the proposal to include a mandatory disclosure requirement in the DLT, the EU and its Member States consider the WIPO IGC to be the appropriate forum to discuss the underlying issues in relation to a disclosure requirement.

6. Another area where we would like to see progress at this General Assembly is the Treaty on the Protection of Broadcasting Organisations, which continues to be discussed in the Standing Committee on Copyright and Related Rights (SCCR). The EU and its Member States place great importance to these discussions and we believe that they should ultimately result in a treaty which would be meaningful and efficiently respond to the needs of broadcasting organisations in the 21st century.
7. As to the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), the EU and its Member States take note of the recommendation of the Committee to the General Assembly that the work of the Committee should continue in the next biennium, provided the General Assembly can agree to a mandate. Despite very limited progress on the three topics under discussion in the IGC during the current mandate, it became apparent that the IGC cannot engage in meaningful negotiations when there is no common understanding of the objectives of the Committee and the core issues, several of which are cross-cutting between the three topics. Thus, if the General Assembly decides to renew the IGC mandate, reaching a common ground on these core issues should be the main objective of the Committee's work during the next biennium. The EU and its Member States stand ready to participate actively in discussions on a possible new mandate and work programme for the IGC.
8. Regarding the work of other WIPO Committees, we would like to highlight the success of the recent 26th session of the Standing Committee on the Law of Patents (SCP). After long discussions, the Committee managed to agree on a balanced and reasonable work programme, to which the EU and its Member States look forward to contributing. As regards the on-going work in relation to WIPO's Development Agenda, the EU and its Member States would like to reaffirm their support and commitment to the appropriate implementation of the recommendations of the Development Agenda.

9. Over the last 12 months the EU has been working to ensure compliance of its legislation with its commitments undertaken in the WIPO framework. In particular, the EU and its Member States are pleased to announce that on 13 September this year the European Parliament and the Council of the European Union have adopted two legislative proposals aiming at ensuring compliance of EU legislation with the obligations in the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.

10. The EU and its Member States reiterate their commitment to being a constructive party in the discussions which will take place during this General Assembly. We hope to experience a positive working atmosphere and cooperative spirit in solving the complex issues before us this year, in order for the organisation to make progress and maintain its global relevance.

Thank you.

Report on the Standing Committee on Copyright and Related Rights (SCCR)

Item 13

(WO/GA/49/5)

Chairman,

1. The EU and its Member States would like to thank the outgoing as well as the current Chairman of the Standing Committee on Copyright and Related Rights (SCCR) for their efforts in facilitating engagement and progress in the work of the Committee. We would like to also thank the WIPO Secretariat for all the preparatory work done over the course of the year.
2. The EU and its Member States have been actively involved in the discussions on the Treaty for the Protection of Broadcasting Organisations. These discussions are of great importance and we believe that they should ultimately result in a treaty which would be meaningful and efficiently respond to the current and future needs of broadcasting organisations. We thank the outgoing Chairman for preparing the document SCCR 34/3 on definitions, object of protection, rights to be granted and other issues, and hope that we will be able to advance our discussions on those complex and technical matters at the upcoming SCCR session.
3. The EU and its Member States suggest that in order to ensure progress on this important and long-standing issue, a roadmap on future work on the treaty in the SCCR together with a list of outstanding issues should be established, allowing the Committee to reach a level of consensus that could lead us to the convening of a diplomatic conference as soon as practically possible, provided that the text is sufficiently mature. We would expect the General Assembly's decision under this item to reflect this position.

4. The EU and its Member States continue to be ready to discuss the topic of limitations and exceptions for libraries and archives, as well as educational, teaching and research institutions and persons with other disabilities. In this context, we would like to reemphasise that we believe that the current international copyright framework already empowers WIPO Member States to introduce, maintain and update limitations and exceptions that can meaningfully respond to their local needs and traditions, while continuing to ensure that copyright is an incentive and a reward to creativity. Our proposed approach therefore remains one where WIPO Member States take responsibility for their own legal frameworks, supported by an exchange of ideas, guidelines and best practices during the SCCR meetings. Work in the Committee should not be geared towards the normative track with the aim of arriving at a legally binding instrument. Such an outcome is not warranted by the evidence and would not meet with consensus in the Committee.

5. The EU and its Member States furthermore take note that some of the agenda items of the SCCR have by now been discussed for a substantial period of time without a tangible outcome whereas at the same time there have been proposals to reflect upon the future agenda of the Committee. In that context we would be in favour of including the topic of the resale right on the permanent agenda of the SCCR. In any event, and when reflecting upon the future agenda, our view is that issues of common interest need to be identified in a concrete manner and the objective of our discussions agreed at the start so as to ensure the best chances for success.

6. During last year's General Assembly, we announced that the European Commission had just proposed two legislative proposals aiming at ensuring compliance of EU legislation with the obligations in the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. We are pleased to inform you that these legislative proposals have been adopted by the European Parliament and the Council of the European Union on 13 September this year.

Thank you.

Report on the Standing Committee on the Law of Patents (SCP)

Item 14

(WO/GA/49/6)

Chairman,

1. The EU and its Member States note the progress made by the Committee since the last General Assembly and consider the 26th session a successful one. There have been interesting discussions on the five main topics on the agenda of the SCP, namely (i) the Quality of Patents, including Opposition Systems; (ii) Client-Attorney Privilege; (iii) Exceptions and Limitations to Patent Rights; (iv) Transfer of Technology, and (v) Patents and Public Health.
2. We welcome the agreement that was reached on future work of the Committee at its 26th session which enables the Committee to continue its work in a balanced and forward-looking manner.
3. In particular, we attach considerable importance to advancing work on the Quality of Patents, and are glad that the next session of the SCP will include a sharing session on examples and cases relating to assessment of inventive step, giving particular attention to the topics suggested in the proposal made by Spain and endorsed by other EU Member States. We believe that this sharing session could be helpful in preparing a study on inventive step for SCP 28. The EU and its Member States look forward to making a contribution to this work.
4. On Patents and Health, we welcome the evidence-based approach of the Committee. We consider the supplementing of existing studies, holding information and sharing sessions an appropriate way to work on the topic, as it enables to better understand the role of patents in health-related issues, including the many benefits to innovation.

5. A welcome development was the discontinuation of discussions on a possible revision of the 1979 Model Law for developing countries on inventions, and opting for an alternative approach to address the problems raised by GRULAC. The EU and its Member States are convinced that individual and tailor-made legislative and technical assistance enables to take into account country-specific needs and is thus a lot more efficient than a “one size fits all” approach. We hope that the informative session which will be held during the 27th session of the SCP will help Member States to gain a better understanding of the various types of assistance already provided by WIPO, and how these measures can be used to address their needs.
6. The EU and its Member States are committed to contributing to the work of the Committee in accordance with the agreed work plan. Although the EU and its Member States regard all topics on this agenda as equally important, we would like to reiterate our interest in enhancing international cooperation and improving the technical knowledge on patentability requirements, thus ensuring a more efficient, effective and higher quality patent system. As for the long-term work of the SCP, the EU and its Member States would like to see more discussion on the issues relevant to harmonisation of substantive patent law.
7. Finally, we would like to highlight that the European Union is still working on the European Patent with unitary effect adopted under enhanced cooperation and the creation of the Unified Patent Court. The EU hopes that these two instruments will become effective rapidly. The Unitary Patent and the new Court will help to attract and retain innovation, talent and investment.

Thank you.

Report on the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)

Item 15

(WO/GA/49/7)

Chair,

1. The EU and its Member States recognise the importance of the work carried out by the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT). It is important to hold fruitful discussions in all key areas covered by the SCT but, in the end, also to come to clear and tangible results that have a positive impact on stakeholders.
2. With regard to trademarks, the Committee has been discussing the protection of country names against registration and use as trademarks. The EU and its Member States share the view that it is important to confer effective protection to country names. However, there are means in place to secure appropriate protection and the work carried out in the Committee has not revealed a need for additional action in this regard. Therefore, at this stage we remain to be convinced that more needs to be done than awareness raising, which should focus in particular on the availability of grounds for refusal or invalidation of trademarks containing country names and on the possibility of addressing the relevant issues in examination manuals. At the same time, we note calls for further work on this issue and remain open to paving the way for greater transparency of national practices. In order to further explore implications of diverging solutions currently in place and to mutually explain various rationales, we would like to propose that the Committee consider the merits of organising an information session dedicated to country names.
3. We appreciate the valuable updates regarding trademark-related aspects of the domain name system (DNS) as well as trademarks and international non-proprietary names for pharmaceutical substances (INNs) that have been shared in the SCT.

4. In relation to industrial designs, the issue of the Design Law Treaty and the convening of a diplomatic conference thereof, has long been on the table but has reached a deadlock of a political nature. The EU and its Member States reiterate their position that the DLT should not be discussed in the SCT. Rather, this General Assembly should decide on the convening of a diplomatic conference for the adoption of the Treaty on the basis of a draft text that can lead to consensus.
5. As to geographical indications (GIs), the SCT's current agenda includes three specific proposals. An information session has taken place and a work programme is being developed. It is the view of the EU and its Member States that the future work programme on GIs should be based on the mandate of the SCT, ought not to revise or interpret the Lisbon Agreement or the Geneva Act, nor duplicate any work already completed by the SCT or covered by existing Treaties and IP systems. The focus of the programme should be on acute topics which are relevant to stakeholders, such as GIs on the internet and GIs in the domain name system.
6. In view of the above, the EU and its Member States look forward to continuing work in all three key areas of the SCT as well as reaching tangible results on the DLT.

Thank you.

**Matters concerning the convening of a Diplomatic Conference for the Adoption of a Design
Law Treaty
Item 16
(WO/GA/49/8)**

Chair,

1. The EU and its Member States would like to express regret that final stage progress on the Design Law Treaty has been hindered for several years now. The basic text of the DLT has been stable since 2014 and ripe for the convening of a diplomatic conference for the adoption of the Treaty. Considering the benefits of harmonising and simplifying design registration procedures for users and WIPO members across the spectrum of development, the current delay in its adoption could be viewed as unreasonable and a challenge to the credibility of WIPO's normative agenda.
2. The EU and its Member States expect this General Assembly to make the decision to convene a diplomatic conference for the adoption of the Design Law Treaty a priority. However, before such decision can be made, a solution must be found to the two remaining open issues – the proposal of the African Group for a disclosure requirement to be included in Article 3 of the Treaty, and the specific nature of the instrument on technical assistance and capacity building to assist developing countries in implementing the Treaty.
3. As regards the proposal to include a mandatory disclosure requirement, the EU and its Member States do not consider it possible to have a diplomatic conference if the question of inclusion of a disclosure requirement remains on the table. We remain convinced that such a requirement is not relevant to industrial designs, and its inclusion in the Treaty would work against our common aim of simplifying and harmonising current design registration procedures. On the contrary, the proposal moves the text further away from the objective of simplification and alignment of design registration formalities.

4. Instead of inserting it in the DLT where it does not belong, the EU and its Member States consider that the WIPO IGC is the appropriate forum to discuss the underlying issues in relation to a disclosure requirement and we look forward to engaging on this subject in the IGC framework.
5. We therefore call on the proponents to withdraw their proposal for a disclosure requirement in the DLT as it is extraneous to our common purposes. The EU and its Member States do not see a place in the DLT for a disclosure requirement as proposed.
6. In relation to technical assistance, the EU and its Member States continue to support the effective delivery of technical assistance and capacity building in implementing the DLT. We remain flexible with regard to the options on the table. Whichever form is agreed should be geared towards the requirements of end users.
7. As the two outstanding matters have been discussed extensively and repeatedly in the Committee without resolution, this General Assembly has a responsibility to take a decision on these two issues, as well as the future of the DLT. We regret that a decision to convene a diplomatic conference was not made at the 2016 General Assembly. We feel that it was mainly due to the insufficient time devoted to this topic last year. Thus, the EU and its Member States invite the Chair of the General Assembly to treat the DLT as a matter of clear priority at this year's Assembly and dedicate enough time and resources to secure a successful outcome.
8. The EU and its Member States invite all parties to engage in constructive discussions towards a successful conclusion of the DLT. This would serve the interests of designers across the globe. It will also contribute to a positive working atmosphere and promote cooperative spirit during this General Assembly.

Thank you.

Report on the Committee on Development and Intellectual Property (CDIP) and Review of the Implementation of the Development Agenda Recommendations

Item 17

(WO/GA/49/9, WO/GA/49/10)

Chair,

1. The EU and its Member States recognise the importance of the work carried out by the Committee on Development and Intellectual Property (CDIP), the main aim of which is, on the one hand, to set out to develop a work programme for the implementation of the 45 adopted Development Agenda Recommendations (DARs), and, on the other hand, to discuss various IP and development-related issues such as the UN Sustainable Development Goals (SDGs).
2. The EU and its Member States refer to the summaries of CDIP 18 and 19 as well as the Director General's Report on Implementation of the Development Agenda. We acknowledge that the implementation and mainstreaming of the Development Agenda has consistently progressed over the past eight years. We also welcome the 34 projects that have been developed and executed with the aim of operationalising the Development Agenda Recommendations. However, whilst there are a number of recommendations which the EU and its Member States fully support, there are also those which require further discussion. Nevertheless, the EU and its Member States remain committed to working towards implementing the Development Agenda Recommendations in an appropriate and consensus-driven manner, and we hope to see progress made in this regard.
3. We also reiterate our commitment to achieving the UN Sustainable Development Goals. We see the potential of WIPO to contribute to the achievement of these goals with the specific know-how and activities of the organisation addressing all aspects of IP. However, in order to ensure that this work is effective and results-oriented, WIPO should focus on those SDGs that are of greatest relevance to its work and general aim of promoting the protection of IP.

4. In conclusion, we acknowledge the vast amount of work currently on the table of the CDIP, and remain committed to contributing to further progress in all areas relevant to the Committee, bearing in mind the objective of WIPO, as set out in its establishing Convention, to promote the protection of intellectual property throughout the world through cooperation among States.

Thank you.

**Report on the Intergovernmental Committee on Intellectual Property and Genetic Resources,
Traditional Knowledge and Folklore (IGC)**

Item 18

(WO/GA/49/11)

Mr Chairman,

1. The EU and its 28 Member States recognise the importance of the work carried out by the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC). We also acknowledge the recommendation of the Committee to the General Assembly that the work of the Committee could continue during the 2018-2019 biennium, provided the General Assembly can agree to a mandate.
2. We note that in all three topics of genetic resources, traditional knowledge and traditional cultural expressions, some limited progress has been achieved in the course of the current biennium. However, substantive differences in participants' positions regarding core issues remain. These differences continue to be reflected in gaps that lengthy and intensive discussions have not been able to considerably narrow.
3. The 2016/2017 biennium clearly showed that despite some advancement, progress in the IGC is difficult to achieve without first reaching an agreement on the core issues, several of which are cross-cutting between the three topics and cause them to be interlinked. In order to achieve progress on the text of specific instruments, the Committee first needs to reach a common understanding of its objectives and define the central concepts such as what is the subject matter under discussion, who should be the beneficiaries and what is understood by protection/safeguarding. Unless these key issues are resolved, it is not possible to even consider appropriate sanctions and exceptions, or have meaningful text-based negotiations. It is our view that reaching a common ground on these core issues should be the aim and desired result of the work of the IGC during the next biennium.

4. It follows from the above that the EU and its Member States do not support prioritisation of any single instrument. As the topics are interlinked and there are several cross-cutting issues, progress can only be made on all three in parallel. In particular, the Committee should work on the issues of its objectives, definitions and subject matter across all three topics, having regard to the relevant interactions as well as the wider context.
5. The EU and its Member States remain committed to achieving an efficient and reasonable work programme for the IGC. At the outset, we do not support establishing any intersessional working groups outside the IGC, as this would harm transparency of negotiations and unduly limit the possibilities of WIPO Members to participate in the discussions. Furthermore, we are of the opinion that any stock-taking and decisions on further actions should be done at the end of the mandate period, i.e. by the 2019 General Assembly, as this is the established practice of the IGC.
6. As to the working methods, the EU and its Member States continue to stress the importance of evidence-based discussions and reliance on national experiences in the IGC. We support the conduct of seminars, colloquiums and expert panel discussions to inform our discussions, but only if they form an integral part of the IGC sessions. We also support the updating of existing studies and call for the conduct of new studies on the important areas which have remained uncovered. In particular, the interaction of possible instruments on GRs, TK and TCEs with existing international and national instruments needs further scrutiny. The EU itself has submitted two proposals related to studies during the 32nd and 33rd sessions of the IGC. We reiterate our interest in the *Proposal for the Terms of Reference for a Study* related to TK (document WIPO/GRTKF/IC/32/9) and the *Proposal for a Study* related to TCEs (document WIPO/GRTKF/IC/33/6) which remain on the table.
7. We look forward to participating actively in the discussions on a possible new mandate and work programme for the IGC. To facilitate a successful outcome the EU has tabled a proposal for a new IGC mandate for the 2018/2019 biennium. It is a comprehensive and coherent proposal that has a real potential to achieve consensus and therefore should provide the framework for our negotiations.

8. The topics of GRs, TK and TCEs are interlinked in nature. Therefore, progress should take place equally across all subjects if we are to achieve the objectives of the IGC. To reflect this our proposal is based on a holistic approach that takes into account the common themes to GRs, TK and TCEs, as well as their relationship with existing international and national legal regimes and instruments. We are proposing a comprehensive solution encompassing all three topics without prioritisation and open to variable outcomes.
9. The EU and its Member States firmly believe that the IGC cannot hold meaningful discussions unless the fundamental principles underlying its work have been agreed on. Therefore, for the next biennium we propose a working method consisting of two stages. First, we should aim at reaching a common understanding on our objectives and the core issues pertinent to all three topics. Then, we could progress with text-based negotiations on the basis of mutually accepted base lines to reach shared objectives. This is a coherent approach which in our view would give the best chance for the IGC to succeed.
10. We should strive to reach agreement on the subject matter under discussion, who are the beneficiaries, if and to what extent are current IP regimes insufficient to ensure the necessary protection, and what should be the nature of the measures taken to fill any possible gaps. These discussions should be driven by an evidence-based approach.
11. Once agreement has been reached on the core objectives and definitions, we must recognise the different nature of the three issues and tailor the work of the Committee accordingly:
 - (i) On GRs, we propose that the Committee will continue to work on the basis of the Consolidated Document Relating to Intellectual Property and Genetic Resources (WIPO/GRTKF/IC/34/4), having in mind the 2005 EU proposal for a formality disclosure requirement (WIPO/GRTKF/IC/8/11);
 - (ii) On TK and TCEs, the Committee will further explore the currently available protection regimes, including existing intellectual property instruments, as well as other relevant national and international instruments, with the aim of identifying possible gaps in the protection available for TK and TCEs and the possibilities of filling those gaps by amending or improving the existing protection regimes.

12. The EU and its Member States look forward to discussions on our proposal. We welcome constructive comments and suggestions on how to further refine it if necessary. We feel that the proposal takes into account the positions of many groups and hope that it will prove to be an optimal basis for our negotiations which could lead to a consensual outcome.

Thank you.

Report on the Advisory Committee on Enforcement (ACE)

Item 20

(WO/GA/49/13)

Chairman,

1. The European Union and its Member States welcome the interesting and useful discussions of the WIPO Advisory Committee on Enforcement. This is a highly important Committee, as IP infringements concern us all and require a common approach.
2. During the twelfth session of ACE in September we welcomed a balanced agenda: the state-centric agenda point complements well the issue-centric agenda points. The high number of contributions indicates the relevance of the state-centric agenda point for the WIPO Members. Basing our discussions on practical experiences of WIPO Member States enables us to learn from other countries and build on each other's best practices. We therefore support the Committee in continuing to place this item on future agendas.
3. The European Union and its Member States are confident that fruitful collaboration will continue between delegations in order to combat more effectively IPR infringements which affect us all.
4. With regard to future work in the ACE, the EU and its Member States would like to see more discussion, under the current work programme, on the possibilities and effect of cooperation between the public and private sector in IPR enforcement, in particular in the fight against commercial scale infringements. The EU could also contribute to these discussions, as we have adopted several novel solutions in the context of a general Follow-the-Money approach to IPR enforcement.

5. The EU and its Member States believe that WIPO, as a multilateral hub for all IP related issues, has an important role to play in coordinating enforcement activities across the Member States to ensure the long term integrity of global IP systems.

Thank you.

Madrid System

Item 22

(MM/A/51/1, MM/A/51/2)

Mr. Chair,

1. The EU and its Member States would like to welcome Brunei Darussalam as the newest member of the Madrid System and congratulate Thailand and Indonesia on depositing their instruments of accession to the Madrid Protocol. We also thank the International Bureau for preparing the documents for consideration by this Assembly.
2. We note that as from October 1st this year, the new EU Trade Mark Regulation no 2017/1001 has entered into force. In parallel, all EU Member States are working towards implementing the new Trade Mark Directive no 2015/2436 in their national trade mark laws. Deriving from the necessity of modernisation, both the Regulation and the Directive repeal the requirement of graphical representability, and replace it with a general condition that a trade mark must be capable of being represented on the register in a manner which enables the competent authorities and the public to determine the clear and precise subject matter of the protection afforded to its proprietor. This change involves the introduction of technical alternatives to graphic representation, in line with new technologies, bringing the registration process closer to technical developments. It is expected to result in an increased number of applications and registrations of non-traditional trade marks in the EU.
3. Following from the above, the EU and its Member States consider it of utmost importance that EU trade mark applicants and holders would have the opportunity to seek extended protection for their non-traditional marks by using the Madrid route according to the same modernised conditions that are available for them under the new EU legislation. Embracing the use of latest technologies in actual application practices would also facilitate the modernisation, digitalisation and enhanced user-friendliness of the Madrid System.

4. In any case, a potential situation in which there is a lack of legal certainty on how WIPO will treat such non-traditional trade marks must be avoided. The EU and its Member States stand ready to work with the International Bureau and the Members of the Madrid Union to find technical and legal solutions for adequate protection also of non-traditional trade marks via the Madrid System.

Thank you.

Lisbon System

Item 23

(LI/A/34/1, LI/A/34/2, LI/A/34/3)

Chairman,

1. The EU attaches great importance to the protection of its Member States' geographical product names outside the EU through the Lisbon System. We note that the protection of GIs has the potential to support sustainable development, preservation of cultural heritage and international trade in specialised products. We would thus like to see the Lisbon Union being successful and viable, as well as attracting new members.
2. The EU and its Member States appreciate the work and effort of the Lisbon Union members in tackling the deficit of the current biennium through voluntary contributions, as well as discussing and taking measures aimed at preventing any future budget deficits of the Union and ensuring its long-term financial viability. We welcome the numerous ideas which have been brought forward in the Lisbon Union Working Group and acknowledge the progress made towards reaching an appropriate solution.
3. The EU and its Member States are convinced that a way can be found to provide financial support to the Union while securing full respect of the long-standing principles of solidarity and equality of treatment for each area of IP. We believe that it is also possible to find a long-term financing model for the Lisbon Union which would ensure the financial sustainability of the Union while at the same time being acceptable to all WIPO Member States and working well for WIPO as a whole. In this regard, we stress the importance of placing the Lisbon Union on an equal footing with all other Unions administered by WIPO.
4. As a means for ensuring the long-term viability of the Lisbon Union, we reiterate the importance of robust and focused promotion of the Lisbon System, including the Geneva Act, underlining the development potential of geographical indications with a view to attracting new Contracting Parties.

Thank you.

Closing Statements

Delivered after decision on Item 18:

Thank you, Mr Chair.

1. Our highest appreciations go to the facilitators, the Vice-Chair of the IGC, Mr Jukka Liedes from Finland, and Marcela Paiva from Chile. We thank you for your efforts and availability, and for lending us the occasional shoulder on which to lean on during these lengthy and sometimes arduous negotiations. With your help, our consultations were constructive, detailed, and in this case also fruitful.
2. Our positive discussions have led to a successful outcome. We are particularly pleased to note the renewed emphasis on evidence-based approach and the need to narrow existing gaps on the core issues and objectives of the Committee. We reiterate the need to reach a common understanding of these issues as a precondition before it is possible to engage in any meaningful text-based negotiations. In that regard, we consider the new mandate to be an improvement on the previous one. We look forward to using the various possibilities provided for in the mandate to examine more closely the many existing instruments and possibilities provided by IP regimes to address the needs of indigenous and local communities in the safeguarding of their genetic resources, traditional knowledge and traditional cultural expressions.

Thank you.

Delivered at the closing of the GA (Item 31):

Thank you, Mr Chair.

1. On behalf of the EU and its Member States, we would like to congratulate you, Ambassador Kārklīņš, on a successful General Assemblies. We thank you for your tireless efforts in facilitating progress and making your good offices available during these General Assemblies, both figuratively and literally. We are also very grateful to Ambassador Heredia for his able guidance in assisting with the work of the Assemblies. Our highest appreciations go to the facilitators, in particular the Chair of the SCT, Mr El-Maliki from Morocco, the Vice-Chair of the IGC, Mr Jukka Liedes from Finland, and Marcela Paiva from Chile. With your help, our consultations were constructive, detailed, and in some cases also fruitful.
2. The EU and its Member States came to these Assemblies with an intention to constructively engage in and contribute to the work on WIPO's normative agenda. Specifically, we hoped to finally see some long-awaited progress on the Design Law Treaty. We aimed to break the political deadlock of these last years which has prevented the GA from taking a decision on the convening of a diplomatic conference for its adoption. We saw a breakthrough as an important positive signal for the normative agenda of WIPO and a guarantor of its future relevance to global innovation and creativity. Regrettably, despite our best endeavors and unprecedented level of flexibility from the side of the EU and its Member States, and despite coming very close, an agreement proved yet again out of reach. We are now forced to conclude that there are normative issues for which no consensus is possible in the framework of this organisation. We will need to look at the broader spectrum of possibilities to see whether a solution can be found to answer the legitimate expectations of our stakeholders worldwide for more efficient means of protection.
3. On IGC, our positive discussions have led to a successful outcome.

Thank you, Mr Chair.