



Council of the
European Union

**Brussels, 9 November 2020
(OR. en)**

12706/20

PI 70

NOTE

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	12247/1/20
Subject:	3rd Session of the Working Group on the Development of the Lisbon System (Geneva, 2 to 3 November 2020) - Final EU/Member States statements

Delegations will find at annex, for information, the EU/Member States statements as delivered at the above-mentioned WIPO meeting.

3rd Session of the Working Group on the Development of the Lisbon System**(Geneva, 2-3 November 2020)****Agenda item 4****Development of the Lisbon system (LI/WG/DEV-SYS/3/2)**

Thank you Chair,

1. The European Union and its Member States would like to thank the WIPO Secretariat for preparing document LI/WG/DEV-SYS/3/2 on the development of the Lisbon system. We welcome the entry into force of the Geneva Act and the accessions of Contracting Parties that have taken place so far, and we are looking forward to the accession of new members in the next few months. We encourage other WIPO members to consider joining the Geneva Act as well. The Lisbon System is less well known among IP users by comparison with the other IP Global Systems managed by WIPO (i.e. PCT, Madrid and Hague systems). Therefore, following up on the entry into force of the Geneva Act, and in order to support and promote new accessions, we consider that increased resources (both human and financial) should now be allocated to the Lisbon Registry to enable the Lisbon System to become better known and more widely used. It would also be important that the promotion of the Lisbon System be undertaken through dedicated and focused initiatives, without the obligation to promote at the same time – as has been the case so far – the trademark system or the use of generic terms.
2. The European Union is currently concluding the implementation of its membership in the Lisbon system under the Geneva Act and is confident to be able to file the first applications for the international registration of some of its GIs in the first half of next year. That would generate new income for the system, making it more attractive to new Members.

3. The EU and its Member States have taken due note of the decision taken during the fifty-ninth series of meetings of the Assemblies of the Member States of WIPO relating to the proposed Program and Budget for the 2020/21 Biennium. As is the case for other WIPO Global Systems, we are convinced that it is possible to find a way to provide financial support to the Lisbon Union in line with the principle of the capacity to pay while securing full respect of the long-standing principles of financial solidarity between the different WIPO Unions and equality of treatment for each area of IP.
4. In this respect, the EU and its Member States reiterate the importance of dedicated, robust and focused promotion activities to increase the membership of the Lisbon System, and in particular the Geneva Act of the Lisbon Agreement. Having regard to the prevailing current circumstances due to the COVID-19 crisis, we remain committed to further discuss appropriate measures to ensure the financial sustainability of the Lisbon Union in the future, including the review of the Schedule of Fees on a regular basis, while recognising the need to assess first the impact of the entry into force of the Geneva Act on the financial situation of the Union.

Thank you.

Agenda item 5

Proposed Amendments to the 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 (LI/WG/DEV-SYS/3/3. 6)

1. The European Union and its Member States would like to thank the WIPO Secretariat for preparing document LI/WG/DEV-SYS/3/3. 6. In response to severe disruptions for users of the Lisbon System resulting from the COVID-19 pandemic, we welcome the initiative to propose amendments to the ‘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’.
2. The proposed new Rule 2bis in the Lisbon Common Regulations, entitled ‘Excuse of Delay in Meeting Time Limits’ is intended to give users of the Lisbon System relief equivalent to that provided for in Rules 82 and 82quarter of the PCT Regulations.
3. The European Union and its Member States have expressed their support for similar adaptations of the procedural rules for the Hague and Madrid Union, essential for the objective of coping with the challenges of the COVID-19 pandemic and ensuring WIPO’s full functionality and operational capacity¹.
4. Likewise, the European Union and its Member States consider that the proposed amendments constitute a positive step forward in the modernisation of the Lisbon System.
5. Accordingly, we can support the amendments as proposed by the WIPO Secretariat.

Thank you.

¹ Cf. EU coordination for the 61st series of the Assemblies of the Member States of WIPO (Geneva, 21 – 29 September 2020), Doc. 9148/20 of 29 June 2020.