

Special Union for the International Classification of the Figurative Elements of Marks (Vienna Union)

Committee of Experts

Eighth Session
Geneva, February 1 to 3, 2021

REPORT

adopted by the Committee of Experts

INTRODUCTION

1. The Committee of Experts of the Vienna Union (hereinafter referred to as “the Committee”) held its eighth session in Geneva on February 1 to 3, 2021. The following members of the Committee were represented at the session: Austria, Malaysia, Mexico, Poland, Republic of Korea, Romania, Saudi Arabia, Sweden, Tunisia, Turkey, Ukraine, United Kingdom and Uruguay (13). The following States were represented by observers: Algeria, Belarus, Colombia, Czech Republic, Germany, Lithuania, Madagascar, Philippines, Portugal, Russian Federation, Spain, Switzerland and Thailand (13). Representatives of the following international intergovernmental organization took part in the session in an observer capacity: European Union (EU). Representatives of the following non-governmental organizations attended the session in an observer capacity: American Bar Association (ABA), Association for the Protection of Intellectual Property (AIPPI) and International Trademark Association (INTA). The list of participants appears as Annex I to this report.

2. The session was opened by Mr. Daren Tang, Director General, WIPO, who welcomed the participants.

OFFICERS

3. The Committee unanimously elected Ms. Natalie Morgan (United Kingdom) as Chair.
4. Ms. Alison Züger (WIPO) acted as Secretary of the session.

ADOPTION OF THE AGENDA

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

DISCUSSIONS, CONCLUSIONS AND DECISIONS

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

ENTRY INTO FORCE OF THE DECISIONS OF THE COMMITTEE OF EXPERTS

7. The Committee agreed that amendments and additions to the eighth edition of the Vienna Classification would enter into force on January 1, 2023, which meant that, in accordance with Article 6(1) of the Vienna Agreement, the notification containing the decisions of the Committee should be sent by the International Bureau at the latest on July 1, 2022.
8. The Committee noted that the International Bureau would publish the new (ninth) edition of the Vienna Classification, in English and in French, on the Internet. However, the new edition would be made available on the electronic forum in Word and PDF formats.
9. The Committee invited the International Bureau to take the opportunity of correcting any obvious typing or grammatical errors which it found in the text of the Classification.

CONSIDERATION OF PROPOSALS FOR AMENDMENTS AND ADDITIONS TO THE EIGHTH EDITION OF THE VIENNA CLASSIFICATION

10. Discussions were based on project [VE082](#), [Annex 1](#), which contained a summary table of proposals for amendments and additions to the eighth edition of the Vienna Classification.
11. The Committee adopted a certain number of amendments and additions, as contained in Annex III to this report.

VIENNA CLASSIFICATION-RELATED IT TOOLS

12. The IB presented the Vienna Classification Assistant.
13. The Committee was invited to take note of the presentation.

FUTURE DEVELOPMENTS IN THE VIENNA CLASSIFICATION

(a) RESULTS OF THE 2018 QUESTIONNAIRE

14. Discussions were based on project [QV001](#), [Annex 7](#), which contained the results of the 2018 Questionnaire relating to the future development of the Vienna Classification.

15. The Chair invited the delegates to take note of this document and to provide any additional feedback. No further comments were received.

(b) PROCEDURES RELATING TO THE SUBMISSION OF PROPOSALS THROUGH THE ELECTRONIC FORUM

16. Discussions were based on project [VE082](#), [Annex 2](#), which contained a proposal by the IB concerning the procedure for submitting proposals for modifications to the Classification and for adopting decisions by electronic means.

17. The Committee agreed to the following procedure:

- (i) The IB will send a circular letter inviting the IP Offices of Vienna Union member States to submit proposals for modifications to the Classification on the e-forum. The deadline for submitting proposals will be fixed at four to five months before the date of the session.
- (ii) Once all proposals have been posted on the e-forum, the IB will create individual projects for each proposing Office.
- (iii) The deadline for the submission of proposals will be followed by a four-week period in which members of the Vienna Union and the IB will be able to post comments on submitted proposals.
- (iv) Proposing Offices will then have a two-week period for responding to comments. During this period, a proposing Office may modify or withdraw any of its proposals as a consequence of the remarks received from other Offices, explain or justify its proposals or simply not react at all, in which case the IB will consider that the original proposal is maintained. It should be noted that it will not be possible to submit new proposals during this period, i.e. proposals that have no relation to the original ones.
- (v) After the two-week period mentioned in the previous paragraph, all proposals, in their original form if they are maintained, or in their modified form if they are modified by the proposing Office, will be included in the final working documents for the session and translated by the IB into either English or French, depending on the original language of the proposal. In accordance with Article 5(5) of the [Vienna Agreement](#), the final working documents for the session must be available two months before the session.

- (vi) Example of a basic schedule for a session of the CE beginning on Monday, November 11, 2024:

Deadline for submitting proposals on the e-forum: June 30, 2024
Period for comments: July 1 to 31, 2024
Period for reacting to comments: August 1 to 15, 2024
Period for translating proposals and preparing final working documents:
August 16 to September 6, 2024
Deadline for publishing final working documents on the e-forum:
September 11, 2024.

(c) PERIODICITY OF THE SESSIONS OF THE COMMITTEE OF EXPERTS

18. Discussions were based on project [VE082](#), [Annex 3](#), concerning the periodicity of the sessions of the Committee of Experts.

19. The Committee agreed that it would hold its next session in three years' time as a trial, keeping open the possibility of modifying the periodicity of the sessions if necessary.

NEXT SESSION OF THE COMMITTEE OF EXPERTS

20. The Committee agreed that the next (ninth) session would be held in the latter half of 2024.

CLOSING OF THE SESSION

21. The Chair closed the session.

22. The Committee of Experts unanimously adopted this report by electronic means on March 15, 2021.

[Annexes follow]