



**FICPI Report on Standing Committee on  
the Law of Trademarks, Industrial  
Designs and Geographical Indications,  
21<sup>st</sup> Session- Trade Mark issues**  
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for Trade Marks**  
PURPOSE **For Information**

DATE: **December 14, 2009**  
REFERENCE: **EXCO/AR10/CET/1102**  
MEETING: **ExCo Buenos Aires, AR**  
MEETING DATE : **January 10-14, 2010**  
TABLED TO : **All attendees**

### *Executive Summary*

Documents for SCT/21 (June 22-26, 2009) are available at the WIPO Meetings database  
[http://www.wipo.int/meetings/en/details.jsp?meeting\\_id=17447](http://www.wipo.int/meetings/en/details.jsp?meeting_id=17447). Topics discussed:

SCT 21/2: Grounds for Refusal of All Types of Marks

- Signs not constituting a mark;
- descriptiveness;
- functionality;
- deceptiveness;
- bad faith;
- prior rights;
- acquired distinctiveness.

SCT 21/3: Certification and Collective Marks – discussion of differences and practical difficulties caused.

SCT 21/6 and SCT 21/5: Article 6 *ter* Paris Convention – proposal for addition of names of countries to categories that are to be refused or invalidated as trade marks.

Papers were to be revised for SCT/22, November 23-26, 2009.

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