

oriGIn series of webinars
30 June 2020

Implementing the Geneva Act of the Lisbon Agreement

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Process of accession for Switzerland

1. Preparation of the proposal
2. Consultation of other ministries
3. Public consultation
4. Consultation of other ministries
5. Decision of the government
6. Examination and approval by the Parliament
7. Facultative referendum
8. Entry into force

What is needed?

1. Competent authority
2. Which domestic GIs can be registered in the Lisbon system
3. How international registrations will take effect in Switzerland
4. Prior rights and flexibilities (regulations)
5. Enforcement



Competent authority

1. Legal and technical capacities
2. Fees
3. Collaboration with other authorities

International registration of Swiss GIs

1. Definition of GIs
2. Definition of applicants
3. Language
4. Procedures

Protection of international registrations in Switzerland

1. Publication
2. Examination
3. Procedures for oppositions
4. Fees
5. No need for notifications of grant of protection
6. Scope of protection

Prior rights / flexibilities (regulations)

1. Coexistence with prior trademarks
2. Grandfathering / phasing out
3. Procedures
4. Fees
5. No use of flexibilities (incl. “optional mandatory” content of applications)

Conclusions

- Law on the Protection of Trademarks and Indications of Source: a legislative amendment that is as light as possible and as detailed as required
- Mirroring the provisions implementing the Madrid system for TMs
- Demand-driven procedures
- Sensitive question of fees
- A regular and reasonable flow of international registrations will help the implementation!

All documents are available on <https://www.ejpd.admin.ch/ejpd/en/home/latest-news/mm.msg-id-79355.html>