

# Updates from the Office of Policy and International Affairs (OPIA)

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# Topics for discussion

- ICANN
- WIPO SCT update
- WIPO Madrid Working Group update
- TM5
- Trademark training
- NFT Study

# ICANN updates

- ICANN75 (Internet Corporation for Assigned Names and Numbers) Annual General Meeting on Sept. 17-22:
- Ongoing debates over defining “DNS Abuse,” with greater emphasis on enhanced abuse reporting
- “WHOIS Disclosure System” introduced, allowing for the consolidated approach to making requests for information
- No mention of anticipated review of Uniform Domain Name Dispute Resolution Policy (UDRP)
- ICANN still reviewing plans for new round of gTLDs, possibly now in 2026

# WIPO SCT updates

- Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) will meet from November 21-23, 2022
- Trademarks and Geographical Indications
  - Discussion on protection for country names in trademarks and in generic top-level domains (“gTLDs”), and countries’ development, use, and enforcement of nation brand
  - GI information session on the margins. Future GI information sessions and a proposed nation-brand protection session to be discussed further
- Industrial Designs
  - Matters concerning the convening of a diplomatic conference of a Design Law Treaty (DLT)
  - Updated proposal for a joint recommendation concerning industrial design protection for designs for graphical user interfaces (GUIs)

# WIPO Madrid working group update

- Annual meeting is on November 7 – 11, 2022
- Significant topics:
  - Dependency and the possible convening of Diplomatic Conference
    - TPAC preliminary feedback indicated interest in eliminating the basic mark requirement rather than reducing dependency period from 5 to 3 years
  - Adding new languages (Arabic, Chinese and Russian)
  - Examining limitations for scope, filed in international applications

# TM5

- TM5 Annual Meeting was held from October 24-26, 2022, in Brussels, Belgium.
- A full-day TM5 user session was held on October 26.
- 2021 annual statistics for each Partner office and new TM5 reports and statements are available at [tmfive.org](https://tmfive.org).

# TM5

- 2022 accomplishments & milestones
- TM5 10th anniversary
- Over 22,000 entries in ID List; accepted in 45 countries worldwide
- Publication of TM5's non-traditional marks search guide



# OPIA training – some highlights

- Workshop on opposition procedures in the USPTO and the Indian IP office
- USPTO practice concerning examination of trademark applications for the Bangladesh IP office
- Caribbean Peer to Peer Workshop on the Madrid Protocol with Trinidad & Tobago, Jamaica, Antigua & Barbuda, and Belize
- Webinar on the Intersection of Trademarks and Other IP in Examination with Mexico, Costa Rica and Dominican Republic
- Likelihood of confusion webinar for Haitian National Registry



# NFT study

- Joint USPTO / U.S. Copyright Office study on NFTs and IP rights
- Federal Register Notice
  - Announces three public roundtables to be held in January
  - Seeks public comments