

# WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION  
GENEVA

UNION FOR THE INTERNATIONAL REGISTRATION OF MARKS  
(TRT UNION)

**ASSEMBLY**

**Seventh Session (6th Ordinary)**  
**Geneva, September 23 to October 2, 1991**

SITUATION OF THE TRT UNION

Memorandum of the Director General

1. The Trademark Registration Treaty (TRT), which was concluded at Vienna on June 12, 1973, entered into force on August 7, 1980, as the result of the deposit of instruments of accession by Burkina Faso, Congo, Gabon, the Soviet Union and Togo. Since then, no other States have joined the TRT Union, which therefore has only those five States as members.
2. During the eleven years which have elapsed since the entry into force of the TRT, only two registrations have been effected under the Treaty. They actually concern a single trademark, once written in Latin script and once written in Cyrillic script. The international registration date is the same for both registrations, i.e., August 11, 1981. The owner of both registrations is the same; it is an enterprise from the Soviet Union. The term of both registrations expired on August 11, 1991. Although renewal of both registrations could be demanded until February 12, 1992, it is expected that renewal will not be demanded by the owner, so that the effects of the two registrations will have definitively ceased to exist on August 11, 1991, in the two designated States (Congo and Togo).

3. In view of the foregoing, it is obvious that the TRT, despite its entry into force, has not "taken off" and nothing indicates that it will ever. Consequently, it is proposed to "freeze" the Treaty, with effect from October 2, 1991. Such freezing would consist of the following:

(a) it shall no longer be possible to file applications for international registration under the TRT (should, contrary to all expectations, the two above-mentioned registrations be renewed, those renewals would, however, be accepted and processed according to the Treaty and the Regulations thereunder);

(b) the Assembly of the TRT Union shall no longer be convened in ordinary sessions;

(c) the TRT and the TRT Union shall no longer be mentioned in any document or publication, in particular, in the documents containing the program and budget of WIPO and the reports on the activities of WIPO as well as in any document or publication listing the treaties administered by WIPO which are in force;

(d) no deposit of any instrument of ratification of, or accession to, the TRT shall be accepted.

4. Such freezing of the TRT would, however, not necessarily be for ever. It is proposed that "defreezing" be possible under the following conditions:

(a) defreezing shall have to be decided by the Assembly of the TRT Union in an extraordinary session;

(b) such extraordinary session shall be convened in accordance with the provisions of Article 32(7)(b) of the TRT, namely, either on the Director General's own initiative or at the request of one-fourth of the TRT Contracting States (i.e., at least two TRT Contracting States).

5. The Assembly of the TRT Union is invited to adopt the proposals contained in paragraphs 3 and 4, above.

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