

STANDING COMMITTEE ON THE LAW OF TRADEMARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS

Forty-Third Session

Geneva, November 23 to 26, 2020

RETURNS TO THE QUESTIONNAIRE ON NATION-BRAND PROTECTION IN MEMBER STATES

Document prepared by the Secretariat

1. At the conclusion of the forty-second session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT), the Chair of the SCT invited the Delegation of Peru to send to the Secretariat a proposal for a Draft Questionnaire on Nation-Brand Protection in Member States. The Chair also invited members to send questions they would like to include in the draft questionnaire, before December 31, 2019 (document SCT/42/8, paragraph 23). By that deadline, the Secretariat had received contributions from the following Member States: Australia, Brazil, Ecuador, Peru and Switzerland.
2. The Secretariat compiled all questions received in document SCT/43/3 Rev. 2 and, on that basis, prepared a Draft Questionnaire on Nation-Brand Protection in Member States. The document was posted on the SCT webpage as document SCT/43/7 Prov. and remained open for comments on the SCT E-Forum until May 31, 2020.
3. The Secretariat received comments from the following Member States: Belarus, Chile, Costa Rica, Japan, Peru and the United States of America (6). The European Union also provided comments (1). In addition, the following non-governmental organizations (NGOs) sent comments to the Secretariat: the International Federation of Intellectual Property Attorneys (FICPI) and the International Trademark Association (INTA) (2).
4. Based on the comments received, the Secretariat prepared the final version of the Questionnaire on Nation-Brand Protection in Member States (document SCT/43/7) and invited Member States to respond to the Questionnaire, by September 23, 2020, through an online survey tool, available in English, Arabic, Chinese, French, Russian and Spanish.

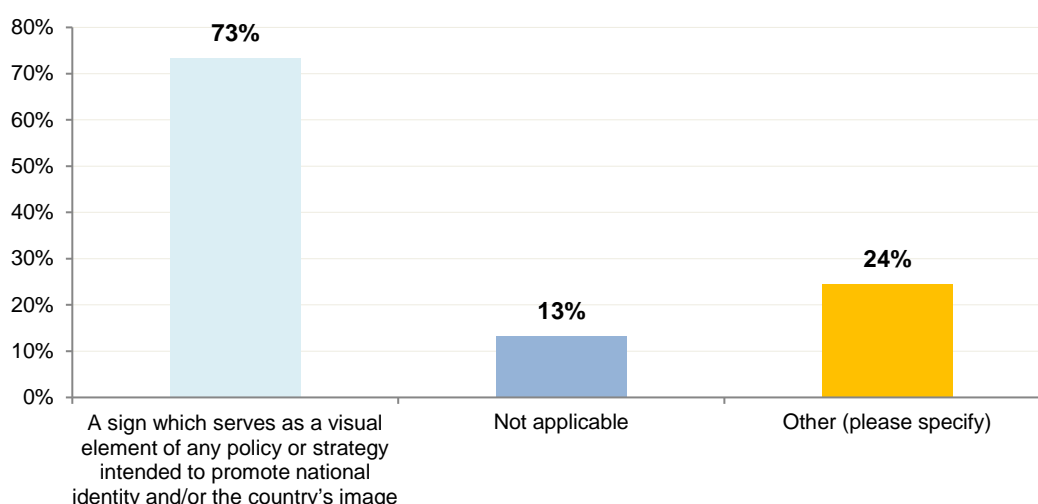
5. At the closing date, the Secretariat had received replies from the following Member States: Algeria, Bahrain, Brazil, Canada, Colombia, Costa Rica, Croatia, Czech Republic, Denmark, Ecuador, Estonia, France, Georgia, Germany, Hungary, Iceland, Japan, Kyrgyzstan, Lithuania, Madagascar, Mexico, Montenegro, Morocco, Netherlands, Oman, Peru, Philippines, Portugal, Republic of Korea, Republic of Moldova, Saudi Arabia, Seychelles, Singapore, Spain, Sudan, Sweden, Switzerland, Thailand, Ukraine, United Kingdom, United States of America, Uruguay, Uzbekistan and Viet Nam (44). The European Union also replied to the Questionnaire (1).

6. The Annex to the present document contains a presentation of all returns received to the Questionnaire, in statistical data format.

[Annex follows]

QUESTIONNAIRE ON NATION-BRAND PROTECTION IN MEMBER STATES*PART I: DEFINITION OF NATION BRAND, POLICY RATIONALE AND CONTENT***QUESTION 1 – IN THE RESPONDENT'S VIEW, A NATION BRAND CAN BE DESCRIBED AS:**

(More than one answer is possible)

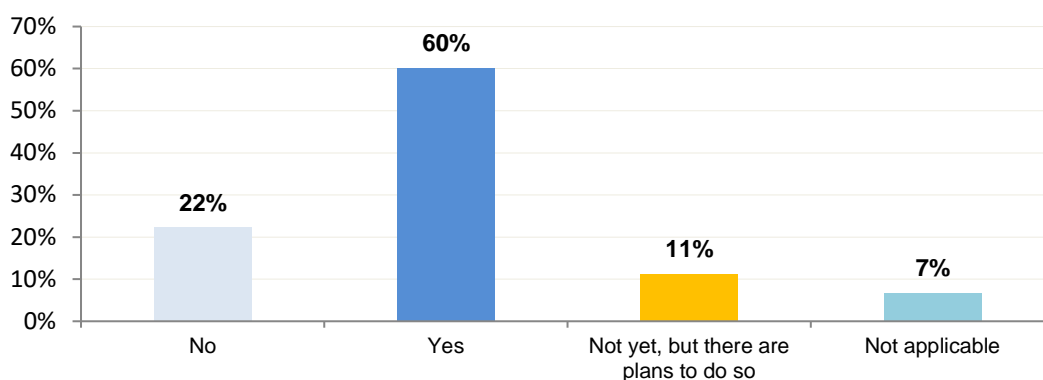


ANSWER CHOICES	RESPONSES	
A sign which serves as a visual element of any policy or strategy intended to promote national identity and/or the country's image	73%	33
Not applicable	13%	6
Other (please specify)	24%	11
TOTAL RESPONDENTS		45

	OTHER (PLEASE SPECIFY)	COUNTRY
1.	To assist the Canadian food and agriculture industry to differentiate their products domestically and internationally as Canadian.	Canada
2.	A nation brand is understood as the sign used to distinguish, promote and raise the profile of the country's socio-economic values, its biodiversity, image, reputation and other values.	Ecuador
3.	To better identify the State's actions and statements, with the aim of making that information clear and understandable for citizens (State brand)	France
4.	We refer Nation brand not only as a visual sign or designed identity of a country's policy or strategy. It is a unique and multi-dimensional blend of elements asset which refers to direct and indirect perception and understanding of country's culture, heritage, values, people, policies, behavior, reputation and image in a minds of target audience	Lithuania

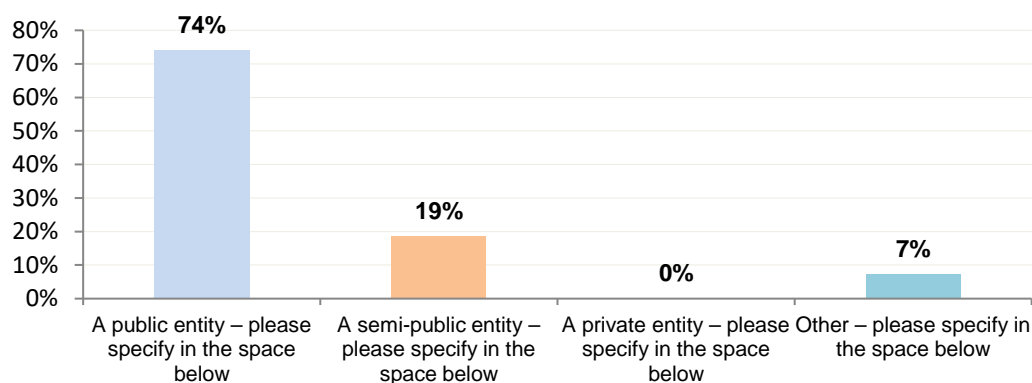
5.	A sign that acts as a visual or non-visual element for any policy or strategy seeking to promote national identity or country image.	Madagascar
6.	Nation branding is the process, which helps creating good and positive image of the country.	Montenegro
7.	We do not have the notion of a nation brand as such. It is however possible to register trademarks (individual and collective/certification) relating to national identity and/or a country's image according to the applicable trademark rules.	Netherlands
8.	A trademark is a sign used to distinguish the goods or services of one enterprise from other goods and services in the market.	Oman
9.	A sign used in a policy or strategy intended to promote the national identity and/or image of the country.	Spain
10.	A sign of national scope, used to identify activities carried out by a State, including, for example, activities adopted for programs on tourism, for promotion of specific products, on energy, or other matters.	Switzerland
11.	A sign or series of signs that is/are used with the aim of promotion of the country in the world.	Ukraine

QUESTION 2 – HAS THE RESPONDENT'S COUNTRY TAKEN A DECISION TO CREATE AND USE A SIGN THAT CAN BE DESCRIBED AS A NATION BRAND?



ANSWER CHOICES	RESPONSES	
No	22%	10
Yes	60%	27
Not yet, but there are plans to do so	11%	5
Not applicable	7%	3
TOTAL RESPONDENTS		45

IF YES, THE DECISION WAS TAKEN BY:



ANSWER CHOICES	RESPONSES	
A public entity – please specify in the space below	74%	20
A semi-public entity – please specify in the space below	19%	5
A private entity – please specify in the space below	0%	0
Other – please specify in the space below	7%	2
TOTAL RESPONDENTS		27

	PLEASE SPECIFY	COUNTRY
1.	The Ministry of Tourism	Brazil
2.	Government of Canada: Agriculture and Agri-Food Canada (AAFC)	Canada
3.	The decision was made directly by the Government in 2004.	Colombia
4.	The decision was made by the Office of the President of the Republic in coordination with the Costa Rican Tourism Board (ICT) and the Costa Rican Foreign Trade Promotion Agency (PROCOMER).	Costa Rica
5.	Ministry of Tourism and Sport Croatian Chamber of Commerce	Croatia
6.	Decision taken by VisitDenmark	Denmark
7.	The Presidency of the Republic.	Ecuador
8.	The name of the semi-public entity is Enterprise Estonia and it operates under the Ministry of Economic Affairs and Communications. The Enterprise Estonia (EAS) is a national foundation that aims to develop the Estonian economy. More information is available on the following website: https://www.eas.ee/eas/?lang=en	Estonia
9.	French Government Information Service (under the authority of the Prime Minister)	France
10.	Federal Government	Germany
11.	Hungarian Tourism Agency	Hungary

12.	A public-private entity, Promote Iceland, in cooperation with the Ministry for tourism.	Iceland
13.	Government of the Republic of Lithuania has taken steps to create the nation brand. The competition for the creation of new nation brand is in the process, therefore the final result is not know for a moment of filling in the questionnaire	Lithuania
14.	Government of Montenegro, Ministry of Economy	Montenegro
15.	There are brands by sector (craft industry, agriculture, etc.). Decision was made by the departments concerned, e.g. Department of Craft Industry, Department of Agriculture (Agricultural Development Agency, Independent Institution for Exports Control and Coordination).	Morocco
16.	Upon entry of data, it is required to specify that is a national brand and to provide the application serial number. In addition, application forms for national and international applications are completely different.	Oman
17.	The Peru Export and Tourism Promotion Agency (PROMPERÚ).	Peru
18.	Korean Culture and Information Service	Republic of Korea
19.	Over the years, several national brands have been developed and protected as trademarks (no. 21864, 26104, 32253 http://www.db.agepi.md/marcireprezentanti/Search.aspx). In the Questionnaire we will refer to the sign registered as trademark number 27307. Initially, the sign was registered in the name of the Tourism Agency, a central administrative authority subordinated to the Government. Subsequently, the Tourism Agency was reorganized by merging (absorption) with the Investment Agency.	Republic of Moldova
20.	The decision was jointly taken by one public entity, namely the Ministry of Communications and Information as well as by two semi-public entities under the Ministry of Trade and Industry, namely the Singapore Tourism Board and the Singapore Economic Development Board.	Singapore
21.	The Government of Spain, through the Ministry of Foreign Affairs, the European Union and Cooperation (MAEUEC).	Spain
22.	Application for the brand was carried out by a federal corporation under public law. This corporation is responsible for encouraging demand for travel and vacations in Switzerland.	Switzerland
23.	A public entity: Ministry of Agriculture and Cooperatives, Ministry of Commerce, etc. A semi-public entity: Tourism Authority of Thailand, etc.	Thailand
24.	Cabinet of Ministers of Ukraine	Ukraine
25.	The Ministry of Industry and Trade	Viet Nam

REPRODUCTIONS OF THE NATION BRAND(S) USED BY THE RESPONDENT'S COUNTRY:

COUNTRY	REPRODUCTION
1. Brazil	
2. Canada	
3. Colombia	
4. Costa Rica	
5. Croatia	<div> <p>FULL OF LIFE</p>   </div> <div> <p>HRVATSKA, PUNA ŽIVOTA</p>   </div>

6. Denmark

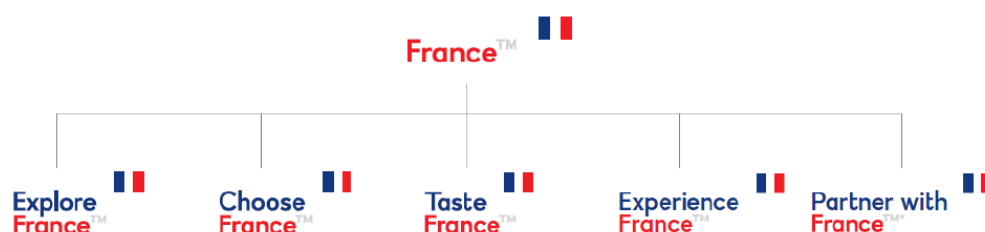


7. Estonia



8. France

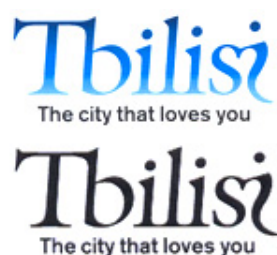
France Brand :



State Brand :



9. Georgia



10. Germany



11. Hungary



12. Iceland

INSPIRED BY ICELAND

13. Montenegro



14. Morocco



15. Peru



16. Republic of
Moldova



17. Singapore





18. Spain



19. Switzerland



20. Thailand



21. Ukraine



22. Uruguay



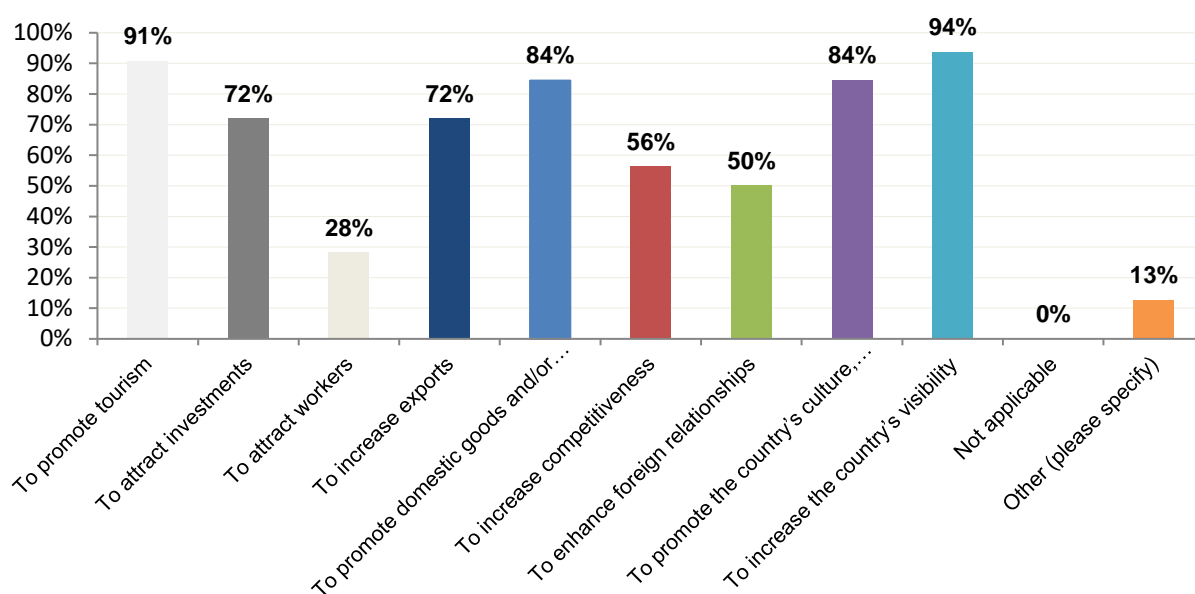
Uruguay*Natural*

23. Viet Nam



QUESTION 3 – WHAT IS THE POLICY RATIONALE BEHIND THE DEVELOPMENT OF THE NATION BRAND REFERRED TO IN QUESTION 2?

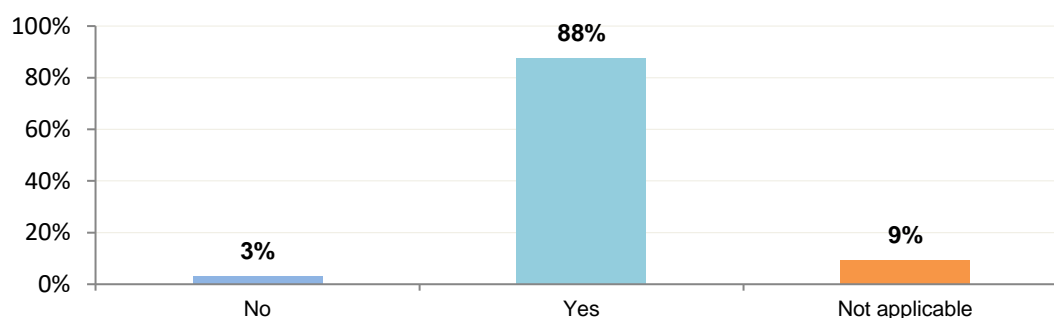
(More than one answer is possible)



ANSWER CHOICES	RESPONSES	
To promote tourism	91%	29
To attract investments	72%	23
To attract workers	28%	9
To increase exports	72%	23
To promote domestic goods and/or services	84%	27
To increase competitiveness	56%	18
To enhance foreign relationships	50%	16
To promote the country's culture, traditions, values or positive aspects domestically and abroad	84%	27
To increase the country's visibility	94%	30
Not applicable	0%	0
Other (please specify)	13%	4
TOTAL RESPONDENTS		32

	OTHER (PLEASE SPECIFY)	COUNTRY
1.	To attract graduates and doctoral candidates.	Germany
2.	Make statements by the State more visible and clearer for the citizen (France Brand and State brand).	France
3.	In accordance with the Concept of promotion of Ukraine in the world, as well as its interests in the world information space approved by the Ordinance of the Cabinet of Ministers of Ukraine dated 11.10.2016 N.739-p.: – promotion of Ukraine in the world information resources and national information resources of foreign countries directed at the enhancement of its political, economic and social cultural interests, strengthening of its national security and resumption of its territorial integrity; – building the positive image of Ukraine through reporting impartial information about competitive advantages, strong points, significant achievements of our state at the global arena, broad perspectives of cooperation of international society with Ukraine; – integration to the global information space and affirming the image of Ukraine as a reliable business partner, a state with a rich history, culture, significant potential in production, export, tourism and investment; – providing at the inter-institutional level a regular prompt and coordinated work on preparation and dissemination in the global information space of truthful and unbiased information about Ukraine, in particular about its specific regions, as well as enhancing the touristic and investment attractiveness of Ukraine.	Ukraine
4.	To promote Spanish.	Spain

QUESTION 4 – (A) DOES THE NATION BRAND CONSIST OF, IN WHOLE OR IN PART, THE COUNTRY NAME (IN FULL OR IN ABBREVIATED FORM)?

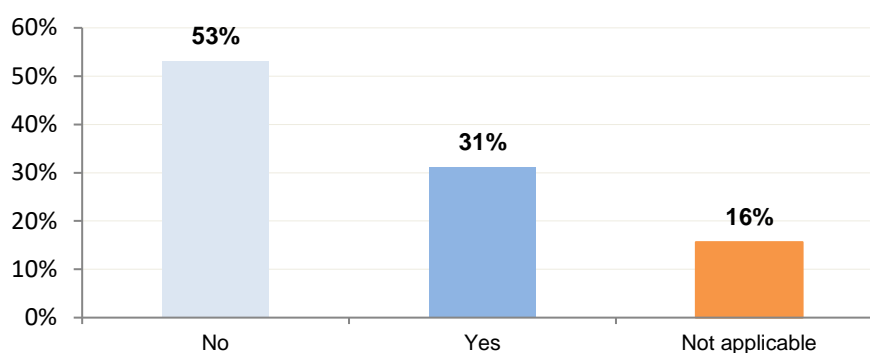


ANSWER CHOICES	RESPONSES	
No	3%	1
Yes	88%	28
Not applicable	9%	3
TOTAL RESPONDENTS	32	

IF NO, WHY?

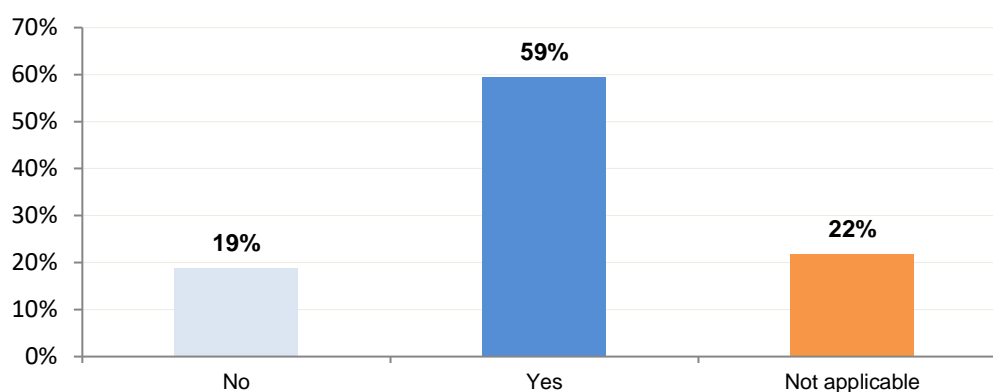
	RESPONSES	COUNTRY
1.	The country name appears in other nation brands of the same owner. In real use, the brand is currently used with the country name.	Switzerland

(B) DOES THE NATION BRAND CONSIST OF, IN WHOLE OR IN PART, SIGN(S) COMMUNICATED UNDER ARTICLE 6^{TER} OF THE PARIS CONVENTION FOR THE PROTECTION OF INDUSTRIAL PROPERTY (HEREINAFTER, “THE PARIS CONVENTION”)?



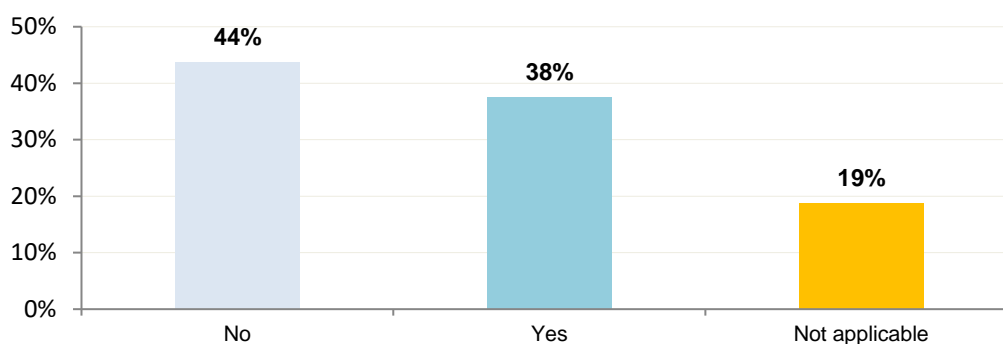
ANSWER CHOICES	RESPONSES	
No	53%	17
Yes	31%	10
Not applicable	16%	5
TOTAL RESPONDENTS		32

(C) DOES THE NATION BRAND CONSIST OF, IN WHOLE OR IN PART, ELEMENTS PROTECTED BY A REGISTERED MARK?



ANSWER CHOICES	RESPONSES	
No	19%	6
Yes	59%	19
Not applicable	22%	7
TOTAL RESPONDENTS		32

(D) DOES THE NATION BRAND CONSIST OF, IN WHOLE OR IN PART, OTHER SYMBOLS (FOR EXAMPLE, ANIMALS, PLANTS, MONUMENTS)?

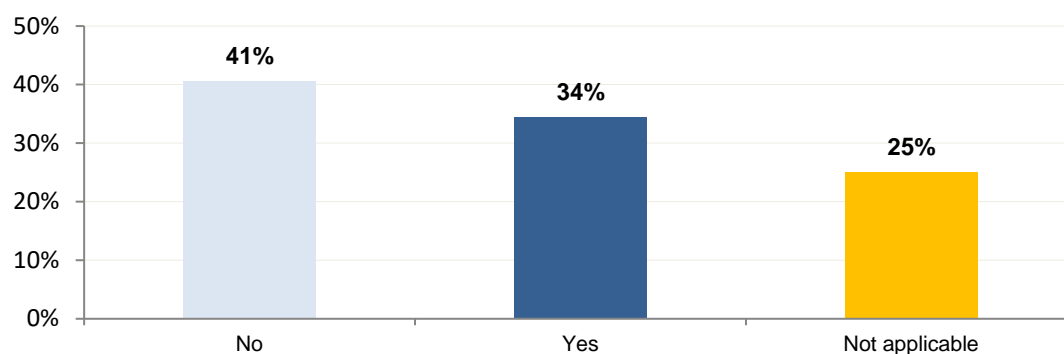


ANSWER CHOICES	RESPONSES	
No	44%	14
Yes	38%	12
Not applicable	19%	6
TOTAL RESPONDENTS	32	

IF YES, PLEASE SPECIFY

	RESPONSES	COUNTRY
1.	The logo has five geometric shapes representing the five regions of Colombia. Each of them has been given a different color and meaning: yellow stands for wealth, blue for the seas and all of the country's water resources, green for the mountains and plains, red for the talent and warmth of the people and purple for the variety of flowers (orchid). The word element consists of the country code, "CO", which is the country's Internet code. This international alphabetical alpha-2 code of the International Organization for Standardization (ISO), «CO», has identified the country since 1974.	Colombia
2.	A heart-shaped element with colors and shape which resemple the Danish flag	Denmark
3.	It is a sign showing a helical shape, which represents the world's diversity concentrated in its center.	Ecuador
4.	Dahlias in the national colors of Germany	Germany
5.	The colors of the national flag, but not in the form of a flag.	Hungary
6.	It is the eagle with two heads.	Montenegro
7.	A brand may consist of various signs and symbols, e.g., an image of an animal or plant, to the extent that it may be distinguished from other brands.	Oman
8.	The sign consists of the symbolized "tree of life" executed in national style.	Republic of Moldova
9.	The national coat of arms as regards the nation brand, Marca España, (Brand Spain), and a graphic element, similar to a globe, as regards the nation brand, España Global (Global Spain).	Spain
10.	An edelweiss (Leontopodium alpinum).	Switzerland
11.	Elephant, Rice, Peacock etc.	Thailand
12.	International letter code of the state of Ukraine UA	Ukraine

QUESTION 5 – HAS THE NATION BRAND BEEN REPLACED OR MODIFIED IN RECENT YEARS?



ANSWER CHOICES	RESPONSES	
No	41%	13
Yes	34%	11
Not applicable	25%	8
TOTAL RESPONDENTS	32	

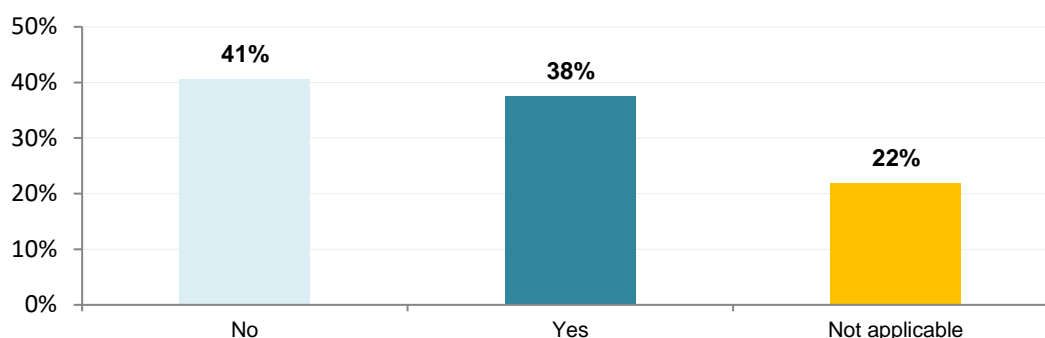
IF YES, PLEASE INDICATE, IF POSSIBLE, THE NUMBER OF TIMES, THE REASONS AND THE YEARS OF THE REPLACEMENT(S) OR MODIFICATION(S).

	RESPONSES	COUNTRY
1.	It changed in 2019, replacing the last one, created in 2015.	Brazil
2.	The nation brand was modified once in 2012. The first campaign, entitled “Colombia is passion”, was launched in 2005 and gave rise to various trademark registrations. The mark aimed to improve the world’s image of Colombians, illustrating their creativity, resourcefulness, talent and warmth. In 2012, after seven years of the “Colombia is passion” campaign to raise the country’s profile, it was deemed necessary to replace it with a mark containing a more rational component, with verifiable facts and data and which was not a sentence, but the country’s name, supported by the international alphabetic code. It was therefore replaced with the current nation brand.	Colombia

3.	<p>Concerning the France brand:</p> <ul style="list-style-type: none"> – creation of the logo France.fr in 2008; – creation in 2019 of the France brand and its subsidiary sector-based brands <p>Concerning the State brand:</p> <ul style="list-style-type: none"> – creation of a governmental brand in 1999, bringing together all the governmental bodies under an adjustable Marianne logo; – creation of a State brand in 2020, which applies to State operators in addition to the ministerial level and decentralized services: this new homogenous State identification is based on the revised Marianne. By streamlining the heterogeneous nature of the State brand, this brand has been positioned as a brand strategy for the State. 	France
4.	Three times in the last 20 years. In order to modernize the brand and incorporate a new motif and a new slogan. Last in 2018.	Hungary
5.	The nation brand has been updated once following an update in the policy behind the brand. Current version in use consists of words and an image.	Iceland
6.	Once. First attempt to create the nation brand was made and brand registered as a trademark in 2008, owner – State tourism department) for the services in classes 35, 39 and 41 of Nice Classification. Registration is expired. Reasons of the decision to replace – New vision and strategy for presenting Lithuania abroad 2020-2030	Lithuania
7.	Initially, the sign with the verbal part Moldova was elaborated, then a sign with a similar graphic and verbal part “Invest Moldova” was developed. This variant of the sign emphasizes the attraction of investments in the Republic of Moldova.	Moldova
8.	<p>There were some tourism and business brands that Singapore has had over the years.</p> <p>1970s – Surprising Singapore</p> <p>1996 – Singapore New Asia</p> <p>2004 – Uniquely Singapore</p> <p>2010 – YourSingapore (Tourism) / Future Ready</p> <p>Singapore(Business) Singapore’s country brand used to be handled by the Singapore Tourism Board. In 2017, the Economic Development Board and the Singapore Tourism Board decided that it made more sense to jointly create a unified brand.</p>	Singapore
9.	The nation brand, Marca España, was created in 2012 and was replaced by the nation brand, España Global, in 2018, after a change in Government.	Spain
10.	The first version of the brand was registered in 1995. Several brands were registered afterwards, but the basic element (edelweiss with a Swiss cross) has not been modified. The later brands were filed for new products/services and/or with extra figurative elements.	Switzerland

PART II: RECOGNITION, OWNERSHIP AND ADMINISTRATION

QUESTION 6 – IS THE NATION BRAND OFFICIALLY RECOGNIZED BY A DEDICATED INSTRUMENT IN THE RESPONDENT’S JURISDICTION (FOR EXAMPLE, A LAW, REGULATION, STATUTE OR ACT OF RECOGNITION)?



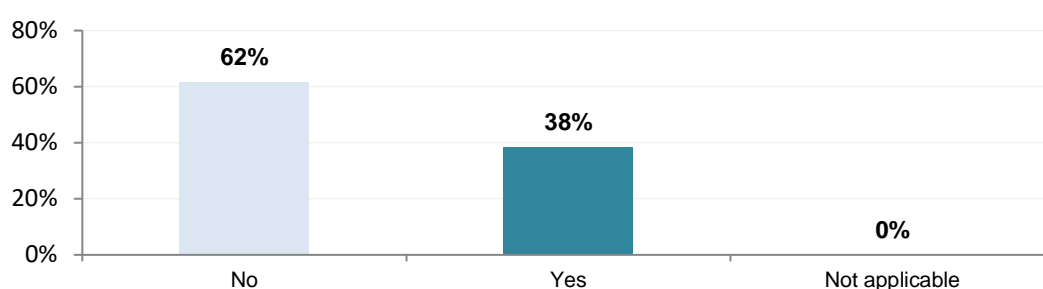
ANSWER CHOICES	RESPONSES	
No	41%	13
Yes	38%	12
Not applicable	22%	7
TOTAL RESPONDENTS		32

IF YES, PLEASE PROVIDE THE LINK TO THE RELEVANT DEDICATED INSTRUMENT.

	RESPONSES	COUNTRY
1.	www.embratur.gov.br/piembratur-new/opencms/estrutura/manual-marca-brazil.pdf	Brazil
2.	Trademarks Act, s. 9 (1) (n).	Canada
3.	<ul style="list-style-type: none"> Regulations on the Implementation and Use of the Nation Brand of Costa Rica, Executive Decree No. 37669-RE-COMEX-TUR, supplemented by Executive Decree No. 38356-RE-COMEX-TUR. Nation Brand Licensing Regulations for the Promotion of Tourism in Costa Rica, Executive Decree No. 38271-MP-TUR. Regulations governing the use of the nation brand. 	Costa Rica
4.	https://www.retsinformation.dk/eli/lta/2019/243	Denmark
5.	https://www.wipo.int/edocs/lexdocs/laws/es/ec/ec075es.pdf	Ecuador
6.	https://net.jogtar.hu/jogszabaly?docid=A17H1725.KOR&txtreferer=0000001.txt	Hungary
7.	http://www.sluzbenilist.me/pregled-dokumenta/?id={A2CA1CCE-C569-4E2A-842F-%206817969082DE}	Montenegro
8.	The legal instrument is the Trademark Registration Certificate.	Oman

9.	https://busquedas.elperuano.pe/normaslegales/otorgan-caracter-oficial-a-la-marca-pais-peru-decreto-supremo-n-003-2012-mincetur-751496-2/#:~:text=DECRETO%20SUPREMO%20N%C2%B0%20003	Peru
10.	https://www.boe.es/buscar/pdf/2012/BOE-A-2012-8672-consolidado.pdf	Spain
11.	Regulation of the Cabinet of Ministers of Ukraine dated 10.05.2018 N.416 «Some issues on the form of the sign (brand) of Ukraine» https://zakon.rada.gov.ua/laws/show/416-2018-%D0%BF#Text	Ukraine
12.	https://marcapaisuruguay.gub.uy/convenios/	Uruguay
13.	http://vanban.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban?%20class_id=2&_page=1&mode=detail&document_id=198011	Viet Nam

QUESTION 7 – IS THE TERM “NATION BRAND” DEFINED IN THE DEDICATED INSTRUMENT REFERRED TO IN QUESTION 6?



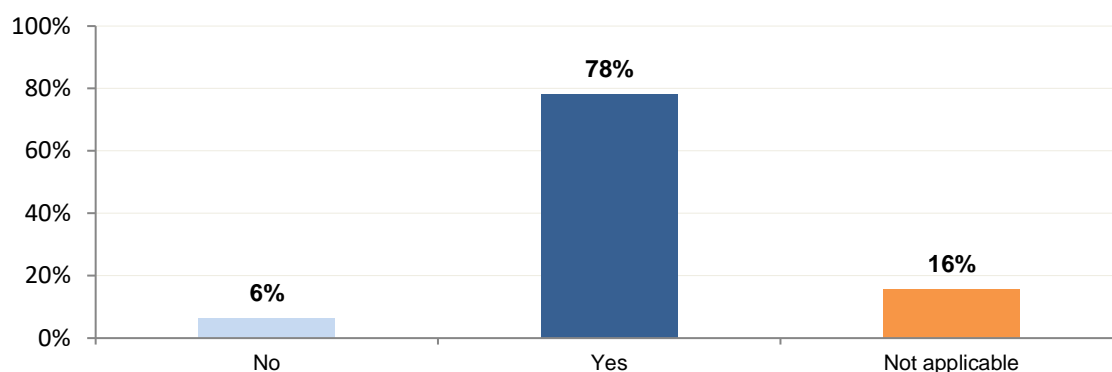
ANSWER CHOICES	RESPONSES	
No	62%	8
Yes	38%	5
Not applicable	0%	0
TOTAL RESPONDENTS	13	

IF YES, PLEASE PROVIDE THE DEFINITION.

RESPONSES	COUNTRY
1. – Regulations on the Implementation and Use of the Nation Brand of Costa Rica, Executive Decree Nos. 37669-RE-COMEX-TUR and 38356-RE-COMEX-TUR. Article 5 states that: “The nation brand of Costa Rica is a strategic instrument for competitiveness, for identifying the country, establishing its reputation, furthering its promotion and bringing it to the attention of external and internal audiences that foster the development of exports, investment and tourism.”	Costa Rica

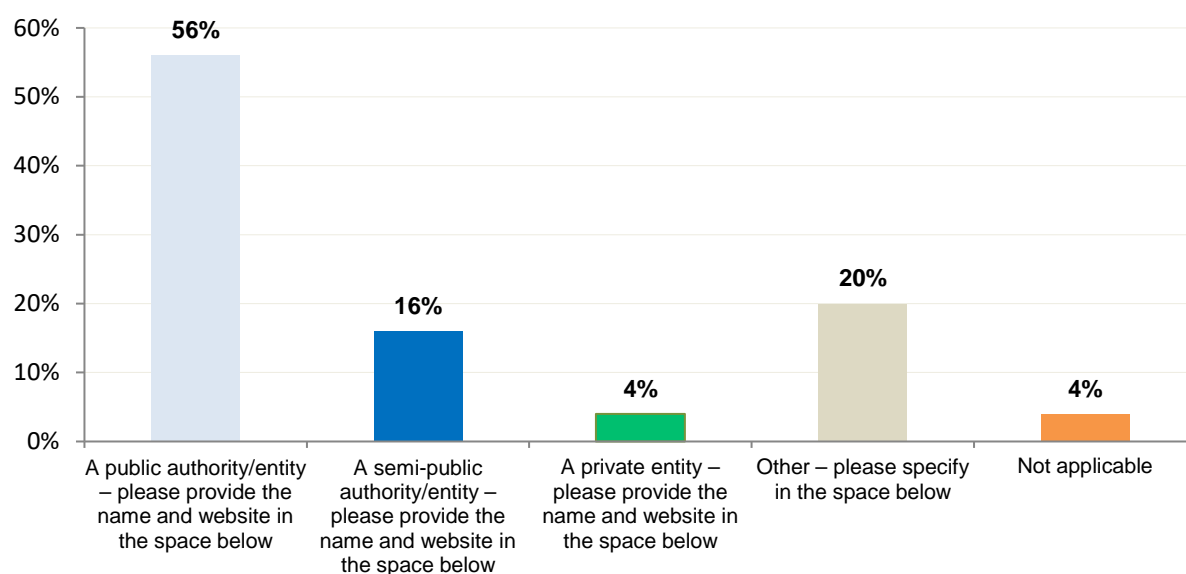
<ul style="list-style-type: none"> - Nation Brand Licensing Regulations for the Promotion of Tourism in Costa Rica, Executive Decree No. 38271-MP-TUR. Article 3(b) states that: "The nation brand of Costa Rica is a strategic instrument for competitiveness, for identifying the country, establishing its reputation, furthering its promotion and bringing it to the attention of external and internal audiences that foster the development of exports, investment and tourism." - The regulations governing the use of the nation brand provide the following definition: "The nation brand is a competitiveness and marketing tool aiming to attract, in an integral, coordinated and collaborative manner, tourists, investors and foreign buyers to the country." 		
2.	Nation brand shall be understood to mean the sign used to distinguish, promote and raise the profile of the country's cultural identity, socio-economic values, policy, biodiversity, image, reputation and other values.	Ecuador
3.	A set of tangible and intangible values, natural and economic potentials, products and services of Montenegrin origin, business and life opportunities in Montenegro, cultural, historical and natural heritage, human resources, ie potentials, resources and activities that create recognition, competitive advantage and contribute to good reputation and a sustainable image of Montenegro.	Montenegro
4.	A distinguishing symbol for Peru that seeks to project a positive image of the country abroad and differentiate it from other countries in the region and the world, fostering inbound tourism, making our export products more competitive and boosting the flow of investment capital. These objectives benefit the country and contribute to its development.	Peru
5.	A country's brand acts like a safety net, a frame of reference and indicator of quality relating, not only to a country's products and services, but also to its tourist attractions and to it being a country of investment, creating a feeling of national pride countrywide. It embraces both the public and private spheres and communicates all of its positive aspects, benefiting the country as a whole.	Uruguay

QUESTION 8 – IN THE RESPONDENT’S JURISDICTION, DOES THE NATION BRAND HAVE AN OWNER?



ANSWER CHOICES	RESPONSES	
No	6%	2
Yes	78%	25
Not applicable	16%	5
TOTAL RESPONDENTS		32

IF YES, PLEASE INDICATE THE NATURE OF THE OWNER AND WHO THE OWNER OF THE NATION BRAND IS:



ANSWER CHOICES	RESPONSES	
A public authority/entity – please provide the name and website in the space below	56%	14
A semi-public authority/entity – please provide the name and website in the space below	16%	4

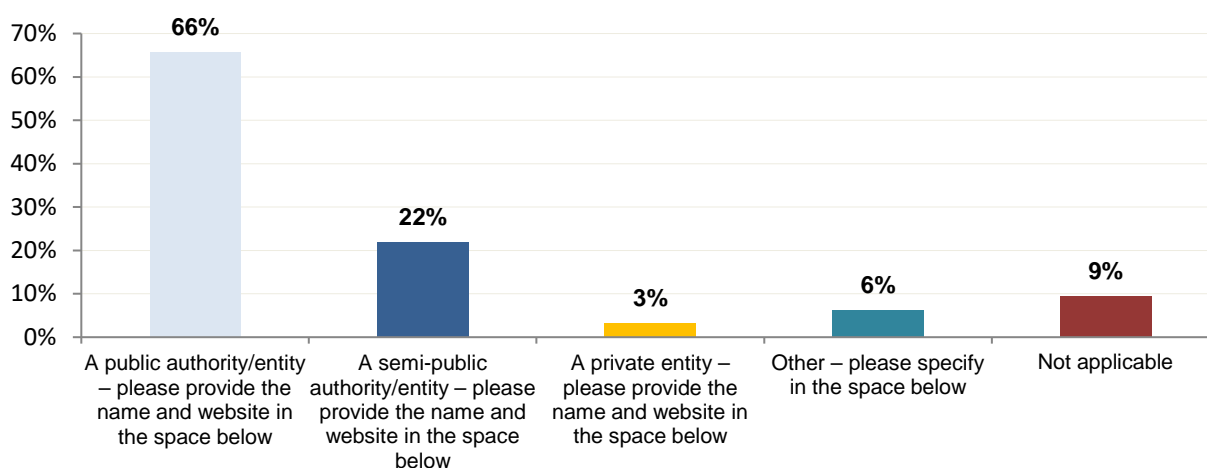
A private entity – please provide the name and website in the space below	4%	1
Other – please specify in the space below	20%	5
Not applicable	4%	1
TOTAL RESPONDENTS		25

	PLEASE SPECIFY	COUNTRY
1.	The Ministry of Tourism - www.turismo.gov.br	Brazil
2.	Government of Canada: AAFC https://brandcanada.agr.gc.ca/intro/join-joignez-eng.html	Canada
3.	As stated in the answer to question No. 2, the nation brand as a promotion strategy was a Government decision. The strategy was implemented within the framework of the commercial trust contract drawn up between the Ministry of Trade, Industry and Tourism and the foreign trade fiduciary, Fiducoldex. It is therefore a Government strategy in which existing trademark registrations in Colombia, including the nation brand, are held by the foreign trade fiduciary, Fiducoldex as administrator of the government agency for export promotion, ProColombia, overseen by the Ministry of Trade, Industry and Tourism.	Colombia
4.	Holders: the Costa Rican Tourism Board (https://www.ict.go.cr/en/) and the Costa Rican Foreign Trade Promotion Agency (PROCOMER) (https://www.procomer.com/)	Costa Rica
5.	Ministry of Tourism and Sport, https://mint.gov.hr/en Croatian Chamber of Commerce, https://www.hgk.hr/	Croatia
6.	Partly financed by public means	Denmark
7.	Presidency of the Republic.	Ecuador
8.	Enterprise Estonia (EAS) https://www.eas.ee/eas/?lang=en	Estonia
9.	The French State, represented by the Prime Minister – Government Information Service (https://www.gouvernement.fr/service-d-information-du-gouvernement-sig)	France
10.	Tbilisi city hall (address: Shartava str. 7, 0160, Tbilisi, Georgia) website: http://tbilisi.gov.ge/?lang=en	Georgia
11.	Deutschland –Land der Ideen e.V. land-der-ideen.de	Germany
12.	Hungarian Tourism Agency https://mtu.gov.hu/	Hungary
13.	Íslandsstofa / Promote Iceland www.islandsstofa.com	Iceland
14.	Examples: – Department of Craft Industry: https://mtataes.gov.ma/fr/artisanat/ – Department of Agriculture: http://www.agriculture.gov.ma/en/pages/organismes-sous-tutelle/eacce	Morocco
15.	The national brand owner may be a public or private entity. Eligible owners of trademarks are specified under the GCC Unified Trademark Law.	Oman

16. The Peru Export and Tourism Promotion Agency – PROMPERÚ https://www.promperu.gob.pe/ https://peru.info/es-pe/marca-peru	Peru
17. Korean Culture and Information Service	Republic of Korea
18. The Moldovan Investment Agency, http://invest.gov.md/moldovan-investment-agency	Republic of Moldova
19. The co-owners (1) and (2) are semi-public authorities/entities while (3) is a public authority/entity: 1) Singapore Tourism Board (https://www.stb.gov.sg/content/stb/en.html) 2) Economic Development Board (https://www.edb.gov.sg) 3) Ministry of Communications and Information (https://www.mci.gov.sg)	Singapore
20. The Ministry of Foreign Affairs.	Spain
21. Switzerland Tourism https://www.myswitzerland.com/fr-ch/	Switzerland
22. A public authority/entity: Ministry of Agriculture and Cooperative, Ministry of Commerce A semi-public authority/entity – Tourism Authority of Thailand etc.	Thailand
23. The Ministry for Informational Policy of Ukraine has submitted an application for registratoin of the mark (brand) as a trademark.	Ukraine
24. A semi-public entity: Uruguay XXI (Investment, Export and Country Brand Promotion Agency), Office of the President of the Republic.	Uruguay
25. www.moit.gov.vn	Viet Nam

QUESTION 9 – IN THE RESPONDENT'S JURISDICTION, THE NATION BRAND IS MANAGED BY:

(More than one answer is possible)



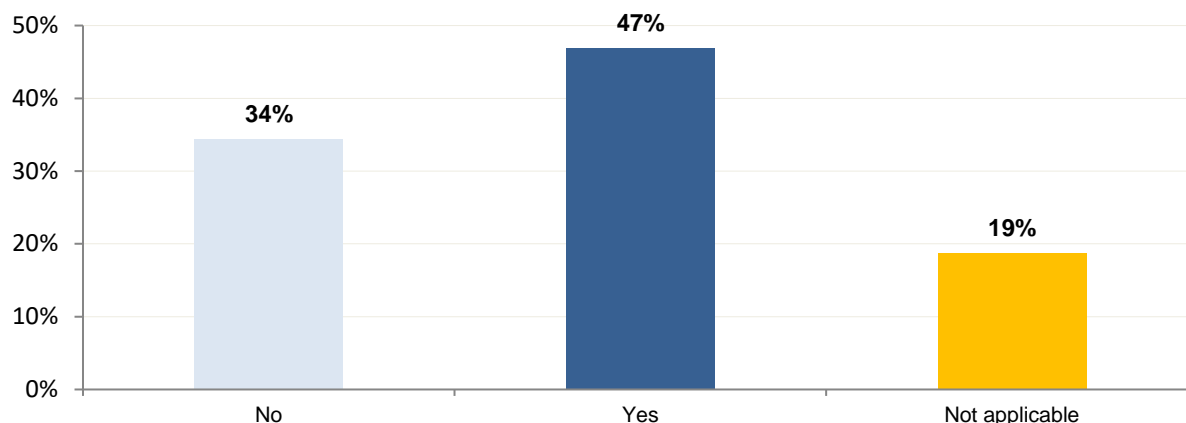
ANSWER CHOICES	RESPONSES	
A public authority/entity – please provide the name and website in the space below	66%	21
A semi-public authority/entity – please provide the name and website in the space below	22%	7
A private entity – please provide the name and website in the space below	3%	1
Other – please specify in the space below	6%	2
Not applicable	9%	3
TOTAL RESPONDENTS		32

PLEASE SPECIFY	COUNTRY
1. The Ministry of Tourism – www.turismo.gov.br	Brazil
2. Government of Canada: AAFC https://brandcanada.agr.gc.ca/intro/join-joignez-eng.html	Canada
3. The foreign trade fiduciary, Fiducoldex as administrator of the government agency for export promotion, ProColombia, within the framework of the commercial trust contract drawn up between the Ministry of Trade, Industry and Tourism and in accordance with the above answer.	Colombia
4. Holders: the Costa Rican Tourism Board (https://www.ict.go.cr/en/) and the Costa Rican Foreign Trade Promotion Agency (PROCOMER) (https://www.procomer.com/).	Costa Rica
5. Ministry of Tourism and Sport, https://mint.gov.hr/en Croatian Chamber of Commerce, https://www.hgk.hr/	Croatia
6. Comisión Estratégica de Marcas (Strategic Marks Commission), Ministry of Tourism – https://www.turismo.gob.ec/	Ecuador
7. Enterprise Estonia (EAS) https://www.eas.ee/eas/?lang=en	Estonia
8. The French State, represented by the Prime Minister – Government Information Service (https://www.gouvernement.fr/service-d-information-du-gouvernement-sig)	France
9. Deutschland- Land der Ideen e.V.	Germany
10. Hungarian Tourism Agency https://mtu.gov.hu/	Hungary
11. Íslandsstofa / Promote Iceland	Iceland
12. Taking into consideration that Nation Brand is a unique multi-dimensional blend of elements asset which refers to direct and indirect perception and understanding of country's culture, heritage, values, people, policies, behavior, reputation and image in a minds of target audience, it is difficult to determine the owner. At the same time if we see from the point of view that Nation Brand consist of specific brand concept, strategy and it's visualization, the owner is the costumer of the Nation Brand concept, strategy or visualization. As it is in case of Lithuania– The Office of the Government of Lithuania is the owner of the Strategy for presenting Lithuania abroad 2020-2030. Website a://lr.lt/en/	Lithuania

13. Ministry of economy of Montenegro, https://mek.gov.me	Montenegro
14. Intellectual Property Directorate, Ministry of Commerce and Industry	Oman
15. The Peru Export and Tourism Promotion Agency – PROMPERÚ https://www.promperu.gob.pe/ https://peru.info/es-pe/marca-peru	Peru
16. Korean Culture and Information Service	Republic of Korea
17. The Moldovan Investment Agency, http://invest.gov.md/moldovan-investment-agency . By Government Decision No. 322/2018 on the organization and functioning of the Investment Agency, was established the fact that the Agency has responsibilities for the administration and promotion of the country brand and sectoral brands https://www.legis.md/cautare/getResults?doc_id=119170&lang=ro	Republic of Moldova
18. The nation brand is managed by the 3 co-owners. (1) and (2) which are semi-public authorities/entities while (3) is a public authority/entity: 1) Singapore Tourism Board (https://www.stb.gov.sg/content/stb/en.html) 2) Economic Development Board (https://www.edb.gov.sg) 3) Ministry of Communications and Information (https://www.mci.gov.sg)	Singapore
19. The Ministry of Foreign Affairs (for Marca España, it was the High Commission for Marca España and the Promotion of Spanish and is now, for España Global, the Office of the Secretary of State for España Global. http://www.exteriores.gob.es/Portal/es/PoliticaExteriorCooperacion/MarcaEsp/Paginas/Inicio.aspx	Spain
20. Switzerland Tourism https://www.myswitzerland.com/fr-ch/	Switzerland
21. A public authority/entity: Ministry of Agriculture and Cooperative, Ministry of Commerce A semi-public authority/entity – Tourism Authority of Thailand etc.	Thailand
22. the Ministry for Culture and Information Policy of Ukraine https://mkip.gov.ua/	Ukraine
23. https://www.uruguayxxi.gub.uy/es/	Uruguay
24. Export Promotion Agency under the Ministry of Investments and Foreign Trade of the Republic of Uzbekistan	Uzbekistan
25. The Ministry of Industry and Trade	Viet Nam

PART III: USE OF RESPONDENT'S NATION BRAND

QUESTION 10 – IS THE USE OF THE NATION BRAND SUBJECT TO COMPLIANCE WITH SPECIFIC LAWS OR RULES IN THE RESPONDENT'S JURISDICTION?



ANSWER CHOICES	RESPONSES	
No	34%	11
Yes	47%	15
Not applicable	19%	6
TOTAL RESPONDENTS	32	

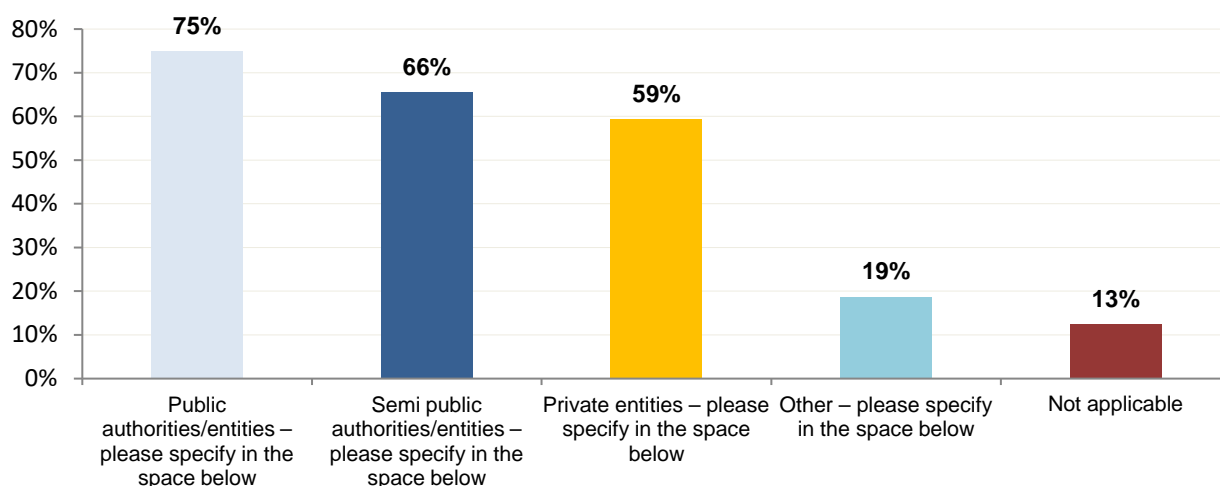
IF YES, PLEASE PROVIDE THE LINK TO THE RELEVANT LAWS OR RULES.

	PLEASE SPECIFY	COUNTRY
1.	http://www.embratur.gov.br/piembratur-new/opencms/estrutura/manual-marca-brazil.pdf	Brazil
2.	https://brandcanada.agr.gc.ca/pdf/marquecanadabrand-eng.pdf	Canada
3.	Nation Brand Licensing Regulations for the Promotion of Tourism in Costa Rica, Executive Decree No. 38271-MP-TUR. Regulations governing the use of the nation brand.	Costa Rica
4.	Danish trademark act https://www.retsinformation.dk/eli/Ita/2019/88	Denmark
5.	https://www.wipo.int/edocs/lexdocs/laws/es/ec/ec070es.pdf	Ecuador
6.	Use of the nation brand is subject to compliance with the European Union legislation on branding of products/services.	France
7.	Strategy for presenting Lithuania abroad 2020-2030 is approved by the Government of Lithuania. Nation brand as well as policy of use is in the process of creation and drafting	Lithuania
8.	http://www.sluzbenilist.me/pregled-dokumenta/?id={A2CA1CCE-C569-4E2A-842F-6817969082DE}	Montenegro
9.	https://peru.info/Portals/0/Images/Licenciatario/reg_ES_oficial.pdf	Peru

10. Trademark Act	Republic of Korea
11. Industrial Property Act, 2014	Seychelles
12. There are brand usage guidelines which are not law. However, there also some marks under the Nation brand which have been registered under the Trade Marks Act in Singapore. Singapore's IP legislation is available at https://www.ipos.gov.sg/resources/ip-legislation .	Singapore
13. Rules of using the sign (brand) of Ukraine are determined by the technical standard (brandbook) https://mkip.gov.ua/files/UkraineNOW-brandbook.pdf	Ukraine
14. Agreement and handbook https://marcapaisuruguay.gub.uy/convenios/ https://marcapaisuruguay.gub.uy/manual-de-marca/	Uruguay
15. Decision No. 1331/QĐ-BCT dated March 04th 2008 of the Ministry of Industry and Trade	Viet Nam

QUESTION 11 – WHO CAN USE THE NATION BRAND?

(More than one answer is possible)



ANSWER CHOICES	RESPONSES	
Public authorities/entities – please specify in the space below	75%	24
Semi-public authorities/entities – please specify in the space below	66%	21
Private entities – please specify in the space below	59%	19
Other – please specify in the space below	19%	6
Not applicable	13%	4
TOTAL RESPONDENTS		32

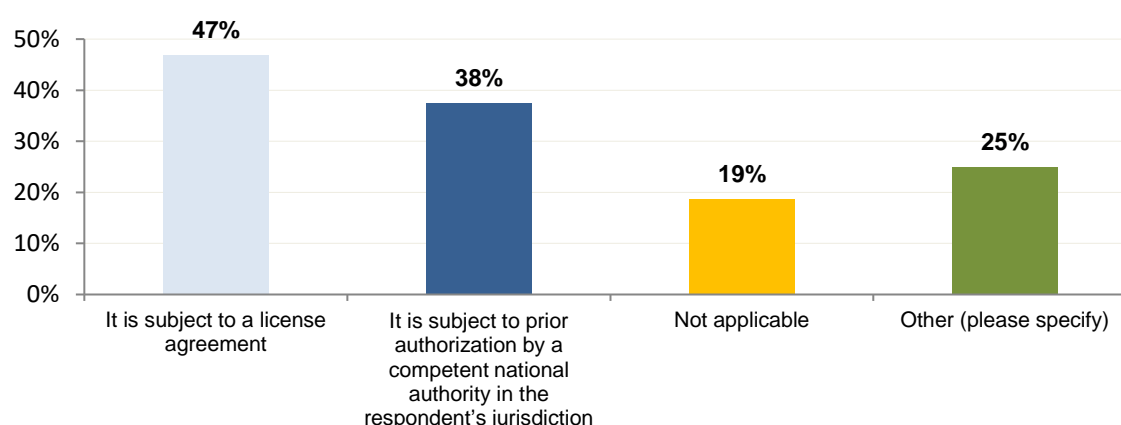
PLEASE SPECIFY	COUNTRY
<p>1. The Canada Brand is open to Canadian entities that have a role in producing, promoting or supporting Canadian food and agriculture products. To be eligible to use the Canada Brand, at least one of the two conditions must apply:</p> <ul style="list-style-type: none"> – Ingredients or inputs are originally grown, raised or harvested in Canada. – Ingredients (either domestic, foreign, or a combination) have been transformed into a new product in Canada. 	Canada
<p>2. In accordance with Article 6 of the Nation Brand Licensing Regulations for the Promotion of Tourism in Costa Rica, the following may use the nation brand: natural and legal persons who are granted a user license; public sector agencies, for international use and to promote tourism in Costa Rica; organizers of events declared to be of public interest by executive decree; institutions that organize or endorse authorized, official events to be held abroad and that have been declared of cultural interest by the Ministry of Culture and Youth of Costa Rica; organizers of activities declared by the Costa Rican Tourism Board (ICT) to be of tourist interest; organizers of activities or events abroad sponsored by the Costa Rican Tourism Board or at which it is a special guest; public</p>	Costa Rica

	or private sector bodies that have a signed, effective and fulfilled cooperation agreement with the Costa Rican Tourism Board (ICT) relating to initiatives to promote tourism in Costa Rica; chambers, associations and organizations that seek to promote Costa Rica as a tourist destination at global level.	
3.	Other authorities/entities might be able to use the nation brand according to specific agreements.	Denmark
4.	https://www.wipo.int/edocs/lexdocs/laws/es/ec/ec070es.pdf	Ecuador
5.	For the State brand and the France brand: all the central administration bodies, their management, the interministerial delegations, the prefectures, the embassies, and all the decentralized services. For the State brand and the France brand: the State operators as defined in the "State Operators" Annex of the draft budget bill. For the France brand: all bodies setting up a strategy to promote the image of France abroad, in the economic as well as tourism and cultural sectors.	France
6.	Hungarian Tourism Agency	Hungary
7.	Policy of use (concept of Regulations on use of the nation brand) is in the process of drafting.	Lithuania
8.	All stakeholders that fulfil the required conditions can use the nation brand.	Madagascar
9.	Legal and natural persons, state bodies, state administration bodies, competent municipal bodies, local government bodies, courts, state prosecutor's office, state-owned companies performing activities of public interest, diplomatic and consular missions, institutions and services founded by Montenegro, or the municipality, entrepreneurs and other organizations and associations.	Montenegro
10.	The natural or legal persons who have obtained licensing or been certified by the owner of the brand (case of certification marks).	Morocco
11.	A national brand may be used by all the above.	Oman
12.	<ul style="list-style-type: none"> - Any national or foreign legal person governed by public law; - Any national or foreign legal person, whether domiciled or not in the country, that develops for-profit or not-for-profit economic activities; - Any national or foreign legal person governed by private law, whether domiciled or not in the country, that develops for-profit or not-for-profit economic activities; - Any national or foreign natural or legal person, whether domiciled or not in the country, that develops for-profit or not-for-profit economic activities. 	Peru
13.	Any public authorities who gets the permission of use from the owner of rights.	Republic of Korea
14.	The co-owners (a public authority/entity) and 2 semi-public authorities/entities) may use the marks. Use of the marks may also be licensed to third parties including semi-public authorities/entities and private entities.	Singapore
15.	Authorization is granted by the Department for España Global, provided that there is collaboration with the relevant entity.	Spain

16. The brand owner.	Switzerland
17. State authorities, local self-government authorities, enterprises, entities and organizations of any form of property.	Ukraine
18. All state organizations, the administrative authority and all persons subject to private law who are granted a user license.	Uruguay
19. Public authorities: Ministries: Establishing and implementing projects under Vietnam National Branding Program (the Program); Vietnam Television (VTV), Voice of Vietnam (VOV), Vietnam news agency (VNA): Establishing and implementing broadcast and propaganda projects under Vietnam National Branding Program. Private entities: Enterprises with valued products participating the Program.	Viet Nam

QUESTION 12 – HOW IS THE USE OF THE NATION BRAND AUTHORIZED?

(More than one answer is possible)

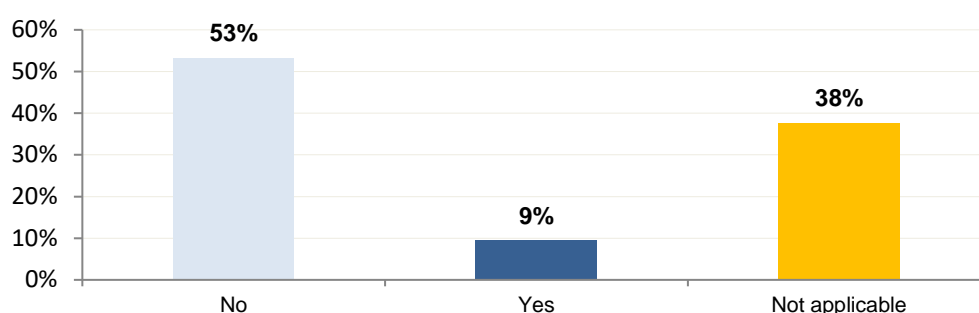


ANSWER CHOICES	RESPONSES	
It is subject to a license agreement	47%	15
It is subject to prior authorization by a competent national authority in the respondent's jurisdiction	38%	12
Not applicable	19%	6
Other (please specify)	25%	8
TOTAL RESPONDENTS		32

PLEASE SPECIFY	COUNTRY
1. Pursuant to Presidential Directive No. 3 of 2019, the centralized and decentralized ministries, administrative departments, organizations and entities must disseminate position and use the nation brand in all events, documents, stationery, promotional and printed materials and communication projects involving or relating	Colombia

	to the promotion of the image of Colombia abroad. This process is coordinated directly with ProColombia.	
2.	Has to be according to agreement/coordination with VisitDenmark and must follow the brand guide	Denmark
3.	Utilization rules for the various subsidiary brands of the France brand / utilization rules available on the Internet for the State brand	France
4.	Policy of use (concept of Regulations on use of the nation brand) is in the process of drafting	Lithuania
5.	Authorization methods have not yet been determined.	Madagascar
6.	Legal and natural persons, entrepreneurs, other organizations and associations acquire the right to use the nation brand logo in the manner specified in Article 20 to 23 of the law on nation brand. Conditions, manner of acquiring and using the nation brand logo for state bodies, state administration bodies, competent municipal bodies, local government bodies, courts, state prosecutor's office, diplomatic and consular missions and state-owned companies performing activities of public interest, institutions and services founded by Montenegro, or the municipality are determined by a regulation of the Government.	Montenegro
7.	There are specific licensing procedures that must be certified by the competent authority, which is the Intellectual Property Directorate at the Ministry.	Oman
8.	A sign (brand) of Ukraine in free use	Ukraine

QUESTION 13 - ARE USERS REQUIRED TO PAY A FEE TO USE THE NATION BRAND?



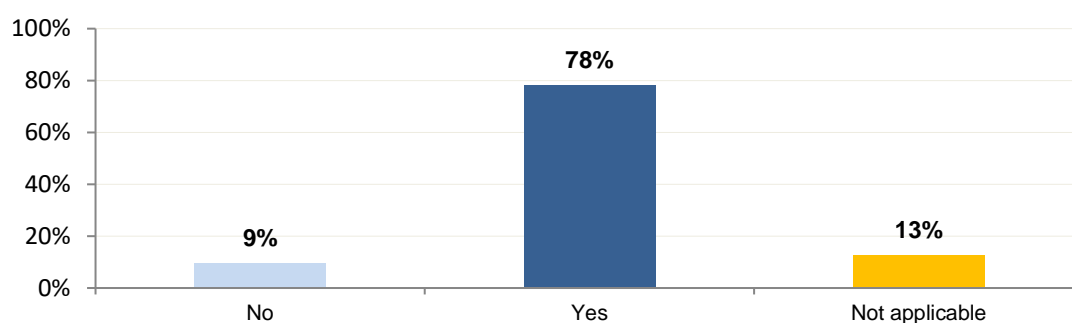
ANSWER CHOICES	RESPONSES	
No	53%	17
Yes	9%	3
Not applicable	38%	12
TOTAL RESPONDENTS		32

IF YES, PLEASE INDICATE THE AMOUNT OF THE FEE (IN LOCAL CURRENCY) AND TO WHOM THE FEE IS PAID.

	RESPONSES	COUNTRY
1.	The fee is paid to the owner.	Germany
2.	A fee is paid to Promote Iceland under a certain part of the project, in most cases however, no fee is required.	Iceland
3.	The amount of the fee is 200 Omani Riyal to be paid to the Ministry of Commerce and Industry, which is the competent authority for trademarks.	Oman

PART IV: PROTECTION OF THE RESPONDENT'S NATION BRAND AT THE NATIONAL LEVEL

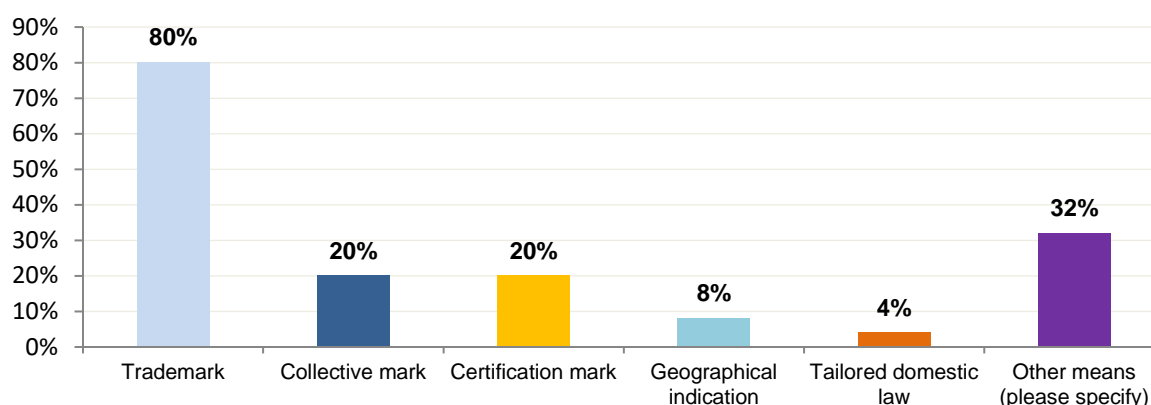
QUESTION 14 – IS THE NATION BRAND PROTECTED IN THE RESPONDENT'S COUNTRY?



ANSWER CHOICES	RESPONSES	
No	9%	3
Yes	78%	25
Not applicable	13%	4
TOTAL RESPONDENTS		32

IF YES, PLEASE INDICATE BY WHAT MEANS OF PROTECTION:

(More than one answer is possible)



ANSWER CHOICES	RESPONSES	
Trademark	80%	20
Collective mark	20%	5
Certification mark	20%	5
Geographical indication	8%	2
Tailored domestic law	4%	1
Other means (please specify)	32%	8
TOTAL RESPONDENTS		25

OTHER MEANS (PLEASE SPECIFY)	COUNTRY
1. Official mark. Subparagraph 9(1)(n) of the Trademarks Act: no person shall adopt in connection with a business, as a trademark or otherwise, any mark consisting of, or so nearly resembling as to be likely to be mistaken for, (n) any badge, crest, emblem or mark (i) adopted and used by any of Her Majesty's Forces as defined in the National Defence Act. (ii) of any university, or (iii) adopted and used by any public authority, in Canada as an official mark for goods or services, in respect of which the Registrar has, at the request of Her Majesty or of the university or public authority, as the case may be, given public notice of its adoption and use;	Canada
2. There is plan to protect new nation brand as a trademark when such sign will be created and adopted. Previous sign was registered as a trademark and could be found https://search.vpb.lt/pdb/trademark/details/2008_2745b	Lithuania
3. Protection is governed by national law.	Oman
4. Work (copyright).	Peru

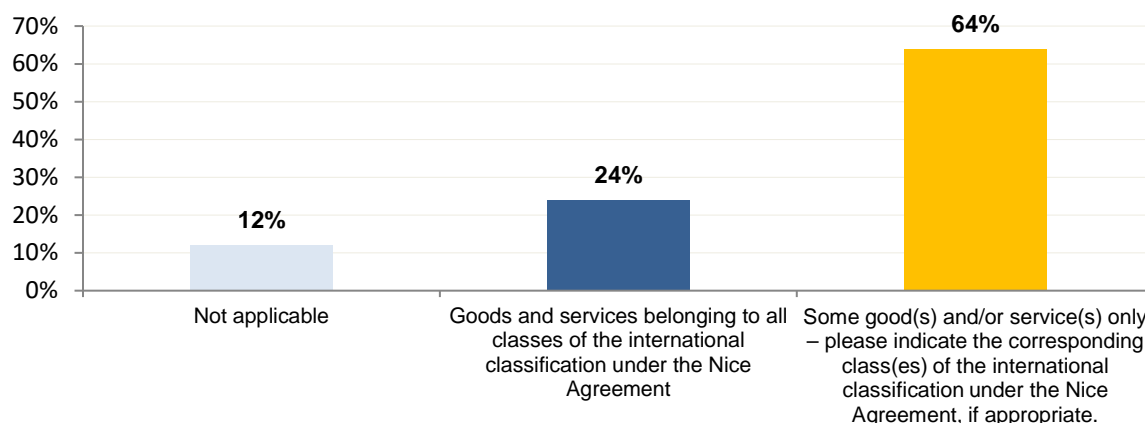
5.	Any person who engages in not-for-profit business on the Republic of Korea may obtain registration of his/her business emblem.	Republic of Korea
6.	The SG logo is recorded as a State Emblem (Article 6ter) as well as a Logogram under Rule 13 of the Trade Marks Rules and can be cited by the IP Office against any trade mark application which contain or consists of the Logogram. While recordal under Rule 13 does not confer legal rights or protection, the Logogram proprietor may withhold consent to trade mark applicants seeking to register something similar. Some of the other marks under the nation brand are registered as trade marks in Singapore.	Singapore
7.	Official Signs	Thailand
8.	Regulation of the Cabinet of Ministers of Ukraine dated 10.05.2018 N.416 "Some issues of the form of sign (brand) of Ukraine".	Ukraine

PLEASE PROVIDE THE LINK TO THE CORRESPONDING REGISTRATION OR CERTIFICATE, IF ANY.

	PLEASE SPECIFY			COUNTRY
1.	File No.	Certificate No.	Sign	Colombia
	12141200	468472	Collective mark	
	12141204	468474	Collective mark	
	12141208	468478	Collective mark	
	12141212	468477	Collective mark	
	SD2017/0064968	598668	Goods Trademark	
	SD2017/0064980	586023	Goods Trademark	
	SD2017/0064986	586011	Goods Trademark	
	SD2017/0064991	586012	Goods Trademark	
	SD2019/0001810	640097	Services Trademark	
	SD2019/0001813	640099	Services Trademark	
	SD2019/0047705	636155	Services Trademark	
	SD2019/0047711	636156	Services Trademark	
2.	“Essential Costa Rica” registration No. 228803 “Esencial Costa Rica” registration No. 229122 “Esencial Costa Rica” registration No. 229857 “Essential Costa Rica” registration No. 232668			Costa Rica
3.	https://it-app.dziv.hr/Pretrage/hr/z/Detaljno.aspx/20150201 https://it-app.dziv.hr/Pretrage/hr/z/Detaljno.aspx/20150199 https://it-app.dziv.hr/Pretrage/hr/z/Detaljno.aspx/20150359 https://it-app.dziv.hr/Pretrage/hr/z/Detaljno.aspx/20150358 https://it-app.dziv.hr/Pretrage/hr/z/Detaljno.aspx/20160881 https://it-app.dziv.hr/Pretrage/hr/z/Detaljno.aspx/20160880			Croatia
4.	https://euipo.europa.eu/eSearch/#details/trademarks/004325536			Denmark
5.	EUTM 017902836 https://euipo.europa.eu/eSearch/#details/trademarks/017902836			Estonia

<p>EUTM 017902837 https://euipo.europa.eu/eSearch/#details/trademarks/017902837 Estonian trademark no 56619 https://andmebaas.epa.ee/avalik/#/trademarks?nr=M201800512&ln=et</p>	
<p>6. http://www.sakpatenti.gov.ge/en/search_engine/view/60669/3/</p>	Georgia
<p>7. https://www.hugverk.is/trademark/v0080982 https://www.hugverk.is/trademark/v0082578</p>	Iceland
<p>8. The trademark link (as an example): http://search.ompic.ma/web/pages/consulterMarque.do?id=2653531&debutRes=0&finRes=10</p>	Morocco
<p>9. Certificate P000179302 Certificate T00002566 Nation Brand Certificate INDECOPI</p>	Peru
<p>10. Trademark 27307 - http://www.db.agepi.md/marcireprezentanti/Details.aspx?id=15oFtT17iufI5YQ2WpZNec Application 044733 - http://www.db.agepi.md/marcireprezentanti/Details.aspx?id=15oFtT17ivfI5daGwRdLKe Application 044734 - http://www.db.agepi.md/marcireprezentanti/Details.aspx?id=15oFtT17ivfI5daGwRdxU2</p>	Republic of Moldova
<p>11. Registered TM Numbers: 40201804356V, 40201804358Y, 40201804360Y, 40201804361T. Logogram: L202005646P State Emblem (Article 6ter No. SG27): A202007812T Details of trade marks, Logograms and Article 6ter are available at our e-filing and search platform - https://www.ip2.sg/RPS/WP/CM/SearchSimple/IP.aspx</p>	Singapore
<p>12. Brand España: http://consultas2.oepm.es/ceo/jsp/busqueda/busqRapida.xhtml Brand España Global: http://consultas2.oepm.es/ceo/jsp/busqueda/busqRapida.xhtml</p>	Spain
<p>13. https://www.swissreg.ch/srclient/de/tm/738275</p>	Switzerland
<p>14. https://zakon.rada.gov.ua/laws/show/416-2018-%D0%BF#Text</p>	Ukraine
<p>15. http://wipopublish.noip.gov.vn/wopublish-search/public/trademarks;jsessionid=5E275F9D0697F2A662607A5BE00EA1F6?0#</p>	Viet Nam

QUESTION 15 – PROTECTION OF THE NATION BRAND IN THE RESPONDENT'S JURISDICTION COVERS THE FOLLOWING GOODS/SERVICES:

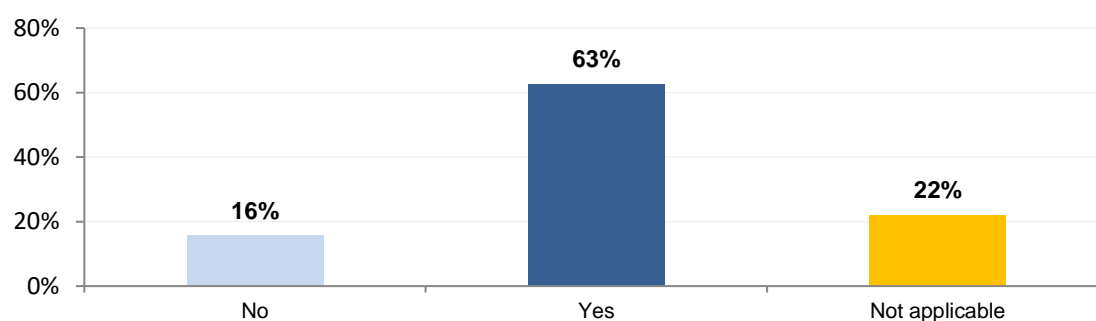


ANSWER CHOICES	RESPONSES	
Not applicable	12%	3
Goods and services belonging to all classes of the international classification under the Nice Agreement	24%	6
Some good(s) and/or service(s) only – please indicate the corresponding class(es) of the international classification under the Nice Agreement, if appropriate.	64%	16
TOTAL RESPONDENTS		25

SOME GOOD(S) AND/OR SERVICE(S) ONLY – THE CORRESPONDING CLASS(ES) OF THE INTERNATIONAL CLASSIFICATION UNDER THE NICE AGREEMENT	COUNTRY
1. Classes 16, 18, 21, 25, 35 and 41	Colombia
2. They are protected under all the classes, except for class No. 35, since a third party had prior rights to the term “Esencial”.	Costa Rica
3. Classes 16, 35, 39 and 41	Denmark
4. Classes 25, 21 and 35	Ecuador
5. EUTM 017902836; Nice Classification 9, 16, 41 EUTM 017902837; Nice Classification 9, 16, 36, 41 Estonian trademark No. 56619 Nice Classification 41	Estonia
6. For the France brand: 9, 16, 35, 36, 38, 39, 41, 42, 43, 44, 45 For the State brand: 16, 35, 41, 42, 44	France
7. Classes 16 and 35	Georgia
8. Classes: 8, 16, 21, 25, 35, 41, 42, and 45	Germany
9. V0080982: 16, 35, 39 (appeal case pending) V0082578: 29-33, 43 (appeal case pending)	Iceland

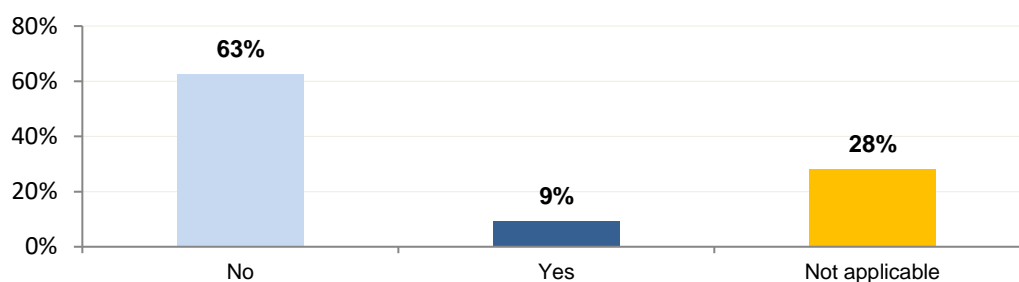
10. Will be defined later. Previous not in use brand was protected for services belonging to classes 35, 39 and 41	Lithuania
11. Each organization chooses the products and/or services covering its sector of activity.	Morocco
12. Protection covers the protected brand only, with the exception of well-known marks, which are covered under Article 6 ^{ter} of the Paris Convention.	Oman
13. Classes 16, 35, 39, 41, 42, 43 of the international classification under the Nice Agreement.	Republic of Moldova
14. Some of the marks under the nation brand are registered as trade marks for goods and services in Classes 5, 10, 14, 16, 18, 25, 28, 35, 39, 41 and 43 of the Nice Classification.	Singapore
15. Marca España is registered under the 45 classes of the Nice Classification. España Global is registered under classes 9, 16, 35, 38, 39 and 41.	Spain
16. Classes 9, 14, 16, 35, 39, 41, 43	Switzerland

QUESTION 16 – IS THE NATION BRAND CONSIDERED AS AN INDUSTRIAL PROPERTY ASSET IN THE RESPONDENT’S JURISDICTION?



ANSWER CHOICES	RESPONSES	
No	16%	5
Yes	63%	20
Not applicable	22%	7
TOTAL RESPONDENTS		32

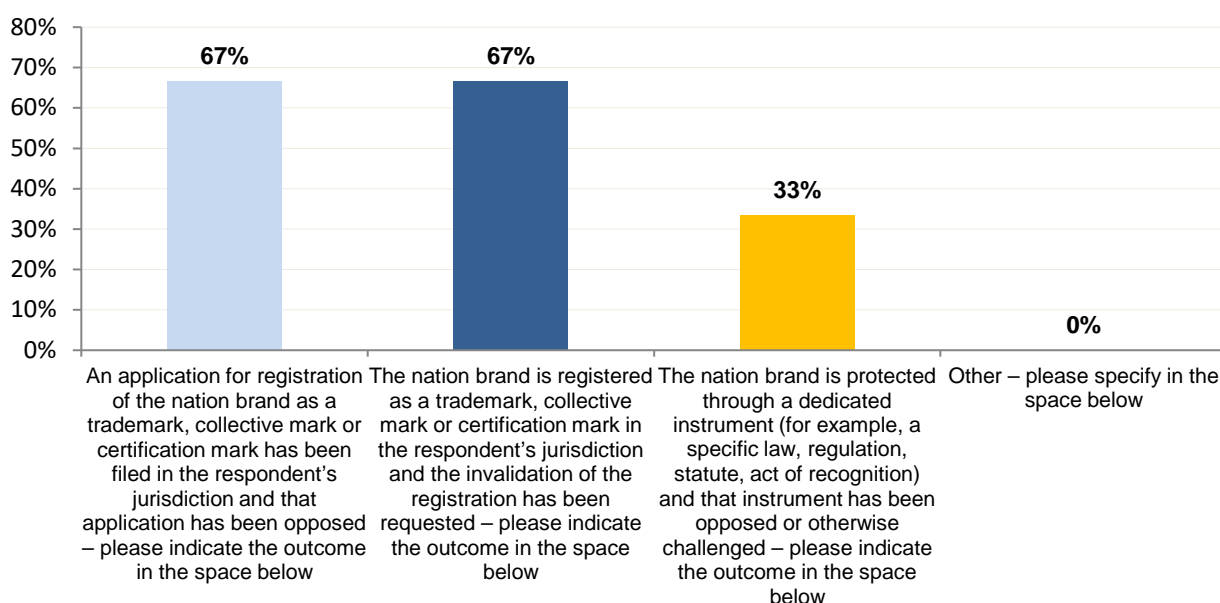
QUESTION 17 – HAS THE PROTECTION OF THE RESPONDENT'S NATION BRAND BEEN CHALLENGED IN THE RESPONDENT'S JURISDICTION?



ANSWER CHOICES	RESPONSES	
No	63%	20
Yes	9%	3
Not applicable	28%	9
TOTAL RESPONDENTS		32

IF YES, PLEASE INDICATE HOW IT HAS BEEN CHALLENGED:

(More than one answer is possible)



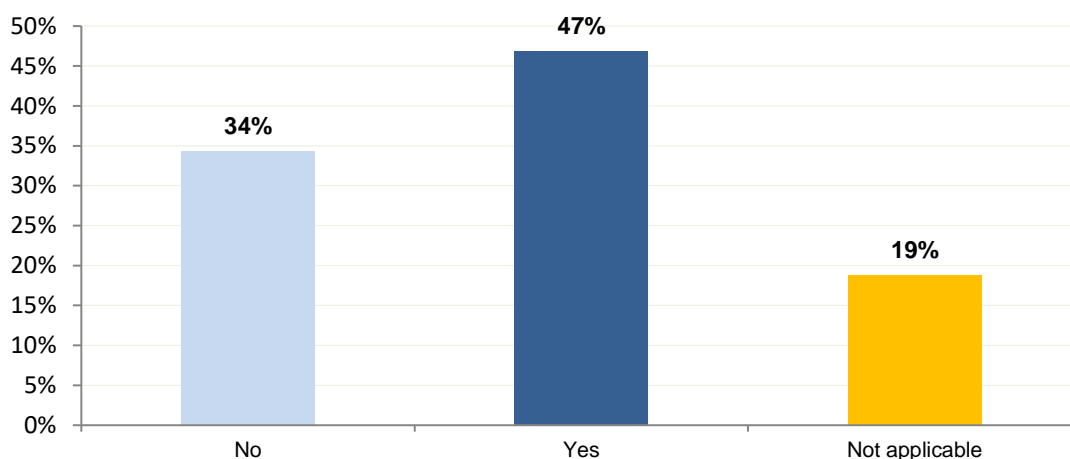
ANSWER CHOICES	RESPONSES	
An application for registration of the nation brand as a trademark, collective mark or certification mark has been filed in the respondent's jurisdiction and that application has been opposed – please indicate the outcome in the space below ¹	67%	2

The nation brand is registered as a trademark, collective mark or certification mark in the respondent's jurisdiction and the invalidation of the registration has been requested – please indicate the outcome in the space below ²	67%	2
The nation brand is protected through a dedicated instrument (for example, a specific law, regulation, statute, act of recognition) and that instrument has been opposed or otherwise challenged – please indicate the outcome in the space below	33%	1
Other – please specify in the space below	0%	0
TOTAL RESPONDENTS		3

PLEASE SPECIFY	COUNTRY
1. ² Two appeal cases concerning both registrations are pending before the Icelandic Board of Appeal for Industrial Intellectual Property Rights.	Iceland
2. ¹ The oppositions were rejected.	Spain

PART V: PROTECTION OF THE RESPONDENT'S NATION BRAND ABROAD

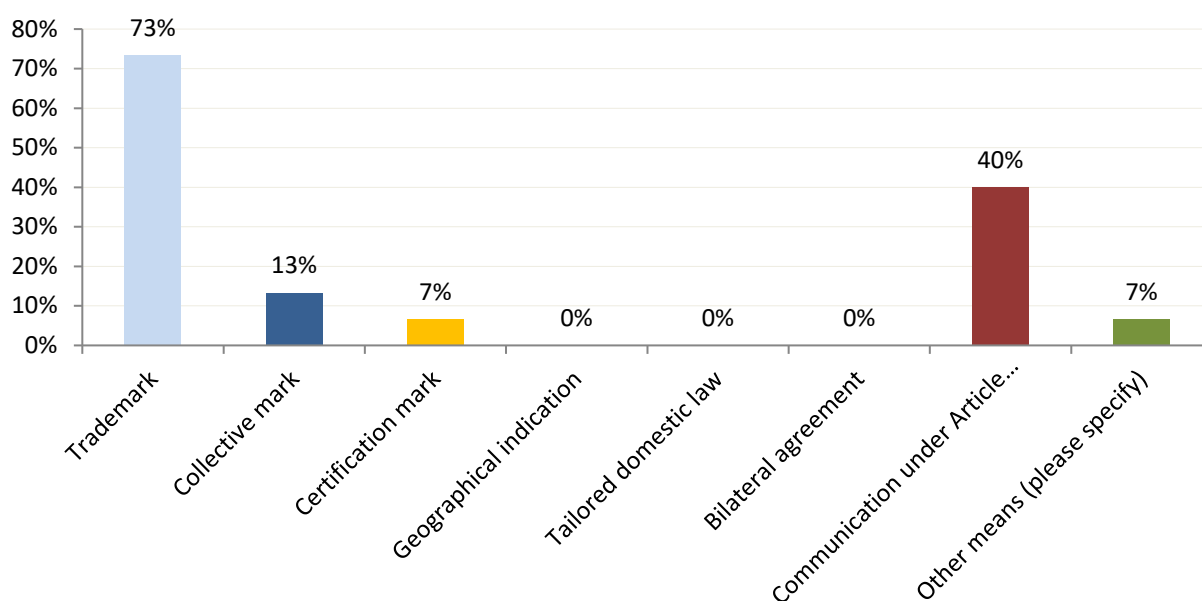
QUESTION 18 – IS THE RESPONDENT'S NATION BRAND PROTECTED BY COUNTRIES/REGIONS OTHER THAN ITS OWN (HEREINAFTER REFERRED TO AS "PROTECTED ABROAD")?



ANSWER CHOICES	RESPONSES	
No	34%	11
Yes	47%	15
Not applicable	19%	6
TOTAL RESPONDENTS		32

IF YES, PLEASE INDICATE THE MEANS OF PROTECTION:

(More than one answer is possible)



ANSWER CHOICES	RESPONSES	
Trademark	73%	11
Collective mark	13%	2
Certification mark	7%	1
Geographical indication	0%	0
Tailored domestic law	0%	0
Bilateral agreement	0%	0
Communication under Article 6 ^{ter} of the Paris Convention	40%	6
Other means (please specify)	7%	1
TOTAL RESPONDENTS		15

OTHER MEANS (PLEASE SPECIFY)	COUNTRY
1. Publication Date: 30/09/2014 Vienna Classification: 27.05.01, 29.01.03	Costa Rica

PLEASE PROVIDE THE LINK TO THE CORRESPONDING REGISTRATION, CERTIFICATE OR OTHER DEDICATED INSTRUMENT, IF ANY.

	RESPONSES	COUNTRY
1.	<p>Peru http://sistemas.indecopi.gob.pe/osdconsultaspublicas/Default2.asp?Nro_exp_EUIPO=000644616-2015</p> <p>http://sistemas.indecopi.gob.pe/osdconsultaspublicas/Default2.asp?Nro_exp_EUIPO=000644617-2015</p> <p>Ecuador CO COLOMBIA Class 35. File. No. 2015-52433</p> <p>Argentina CO COLOMBIA Class 35 https://portaltramites.inpi.gob.ar/MarcasConsultas/Resultado?acta=3467019 CO COLOMBIA Class 41 https://portaltramites.inpi.gob.ar/MarcasConsultas/Resultado?acta=3467020</p> <p>Brasil CO COLOMBIA Class 35 https://gru.inpi.gov.br/pePI/servlet/MarcasServletController?Action=detail&CodPedido=3300928</p> <p>Chile https://ion.inapi.cl/Marca/BuscarMarca.aspx</p> <p>Costa Rica CO COLOMBIA Classes 35 and 41. File. No. 2016-0000091</p> <p>Mexico CO COLOMBIA Class 35. File. No. 1533623</p> <p>Panama CO COLOMBIA Classes 35 and 41. File. No. 246623</p> <p>Canada CO COLOMBIA Classes 35 and 41. File. No. 1760612</p> <p>International Registration No.1188605- CO COLOMBIA https://www3.wipo.int/madrid/monitor/es/showData.jsp?ID=ROM.1188605</p> <p>International Registration No. 1172086- CO COLOMBIA https://www3.wipo.int/madrid/monitor/es/showData.jsp?ID=ROM.1172086</p>	Colombia

United States of America
European Union Intellectual Property Office (EUIPO)
Switzerland
United Kingdom
Israel
Russian Federation
China
Japan
Republic of Korea
Singapore

2.	Publication Date: 30/09/2014 Vienna Classification: 27.05.01, 29.01.03	Costa Rica
3.	https://euipo.europa.eu/eSearch/#details/trademarks/004325536	Denmark
4.	https://euipo.europa.eu/eSearch/#details/trademarks/017902837	Estonia
	https://euipo.europa.eu/eSearch/#details/trademarks/017902836	
5.	EUTM, filing number: 011102753 https://euipo.europa.eu/eSearch/#details/trademarks/011102753	Germany
6.	International Registration No. 1094966	Iceland
7.	The trademark link (as an example): https://www3.wipo.int/madrid/monitor/fr/showData.jsp?ID=ROM.1260278	Morocco
8.	https://www.wipo.int/cgi-6te/ifetch5?SPA+SIXTER+15-00+21657674-KEY+256+0+1421+F-SPA+1+8+1+25+SEP-0/HITNUM,B-SPA+CC%2fPE	Peru
	https://portaltramites.inpi.gob.ar/MarcasConsultas/Resultado?acta=3137274	
	https://portaltramites.inpi.gob.ar/MarcasConsultas/Resultado?acta=3137275	
	https://portaltramites.inpi.gob.ar/MarcasConsultas/Resultado?acta=3137276	
	https://portaltramites.inpi.gob.ar/MarcasConsultas/Resultado?acta=3137277	
	https://portaltramites.inpi.gob.ar/MarcasConsultas/Resultado?acta=3137278	
	https://portaltramites.inpi.gob.ar/MarcasConsultas/Resultado?acta=3137279	

<https://portaltramites.inpi.gob.ar/MarcasConsultas/Resultado?acta=3137280>

<https://portaltramites.inpi.gob.ar/MarcasConsultas/Resultado?acta=3137281>

<https://portaltramites.inpi.gob.ar/MarcasConsultas/Resultado?acta=3137283>

<https://portaltramites.inpi.gob.ar/MarcasConsultas/Resultado?acta=3137284>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=EMTM.010491521>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=UYTM.476640>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=UYTM.476635>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=UYTM.476633>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=UYTM.476639>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=UYTM.476637>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=UYTM.476631>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=UYTM.476638>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=UYTM.476634>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=UYTM.476636>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=UYTM.476632>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=AUTM.1655651>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=CLTM.1039346>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=CLTM.1039350>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=CLTM.1039338>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=CLTM.1039345>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=CLTM.1039342>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=CLTM.1039341>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=CLTM.1039340>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=CLTM.1039339>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=CLTM.1039354>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=CLTM.1039343>

<https://marcia.impi.gob.mx/marcas/search/details/RM201101237197?s=dfc945b6-a9d6-4613-964f-dd47fde0c2e7&m=l>

<https://marcia.impi.gob.mx/marcas/search/details/RM201101237178?s=dfc945b6-a9d6-4613-964f-dd47fde0c2e7&m=l>

<https://marcia.impi.gob.mx/marcas/search/details/RM201101237181?s=dfc945b6-a9d6-4613-964f-dd47fde0c2e7&m=l>

<https://marcia.impi.gob.mx/marcas/search/details/RM201101237183?s=dfc945b6-a9d6-4613-964f-dd47fde0c2e7&m=l>

<https://marcia.impi.gob.mx/marcas/search/details/RM201101237185?s=dfc945b6-a9d6-4613-964f-dd47fde0c2e7&m=l>

<https://marcia.impi.gob.mx/marcas/search/details/RM201101237188?s=dfc945b6-a9d6-4613-964f-dd47fde0c2e7&m=l>

<https://marcia.impi.gob.mx/marcas/search/details/RM201101237192?s=dfc945b6-a9d6-4613-964f-dd47fde0c2e7&m=l>

<https://marcia.impi.gob.mx/marcas/search/details/RM201101237192?s=dfc945b6-a9d6-4613-964f-dd47fde0c2e7&m=l>

<https://marcia.impi.gob.mx/marcas/search/details/RM201101237199?s=dfc945b6-a9d6-4613-964f-dd47fde0c2e7&m=l>

<https://marcia.impi.gob.mx/marcas/search/details/RM201101237203?s=dfc945b6-a9d6-4613-964f-dd47fde0c2e7&m=l>

<https://www3.wipo.int/branddb/es/showData.jsp?ID=CRTM.2011-011736>

<https://www.chinatrade-markoffice.com/search/tmdetails/33/15657983.html?ln=spa>

<https://www.chinatrade-markoffice.com/search/tmdetails/35/15657982.html?ln=spa>

<https://www.chinatrade-markoffice.com/search/tmdetails/39/15657981.html?ln=spa>

<https://www.chinatrade-markoffice.com/search/tmdetails/41/15657980.html?ln=spa>

<https://www.chinatrade-markoffice.com/search/tmdetails/35/19135823.html?ln=spa>

<https://www.chinatrade-markoffice.com/search/tmdetails/42/15657979.html?ln=spa>

<https://www.chinatrade-markoffice.com/search/tmdetails/30/15657985.html?ln=spa>

<https://www.chinatrade-markoffice.com/search/tmdetails/31/15657984.html?ln=spa>

<https://www.chinatrade-markoffice.com/search/tmdetails/25/15657987.html?ln=spa>

<https://www.chinatrade-markoffice.com/search/tmdetails/29/15657986.html?ln=spa>

https://servicios.dinapi.gov.py/agente/procesar_busqueda_mov_expediente_v2.php?id=1575887

https://servicios.dinapi.gov.py/agente/procesar_busqueda_mov_expediente_v2.php?id=1575878

https://servicios.dinapi.gov.py/agente/procesar_busqueda_mov_expediente_v2.php?id=1575879

https://servicios.dinapi.gov.py/agente/procesar_busqueda_mov_expediente_v2.php?id=1575883

https://servicios.dinapi.gov.py/agente/procesar_busqueda_mov_expediente_v2.php?id=1575886

https://servicios.dinapi.gov.py/agente/procesar_busqueda_mov_expediente_v2.php?id=1575881

https://servicios.dinapi.gov.py/agente/procesar_busqueda_mov_exp_ediente_v2.php?id=1575871

https://servicios.dinapi.gov.py/agente/procesar_busqueda_mov_exp_ediente_v2.php?id=1575873

https://servicios.dinapi.gov.py/agente/procesar_busqueda_mov_exp_ediente_v2.php?id=1575874

https://servicios.dinapi.gov.py/agente/procesar_busqueda_mov_exp_ediente_v2.php?id=1575876

<https://trademark-search.marcaria.com/es/resultado?applicant=PROMPERU&country=BR&status=0&mode=4>

9.	International trademark IR1523813 https://www3.wipo.int/madrid/monitor/en/	Republic of Moldova
10.	https://www.wipo.int/cgi-6te/ifetch5?SPA+SIXTER+15-00+21608148-KEY+256+0+643+F-SPA+2+14+1+25+SEP-0/HITNUM,B-SPA+CC%2fES	Spain

QUESTION 19 – IF THE RESPONDENT’S NATION BRAND IS PROTECTED ABROAD, PLEASE LIST THE COUNTRIES/REGIONS, WITH RESPECT TO EACH MEANS OF PROTECTION

(More than one answer is possible).

ANSWER CHOICES	RESPONSES	
Trademark	60%	9
Collective mark	7%	1
Certification mark	7%	1
Geographical indication	0%	0
Tailored domestic law	0%	0
Bilateral agreement	0%	0
Communication under Article 6ter of the Paris Convention	40%	6
Other means	0%	0
TOTAL RESPONDENTS		15

RESPONDENT	TRADEMARK
1. Colombia	Peru, Ecuador, Argentina, Brazil, Chile, Costa Rica, Mexico, Panama, Canada, United States, European Union, Switzerland, United Kingdom, Israel, Russia, China, Japan, Republic of Korea, Singapore.

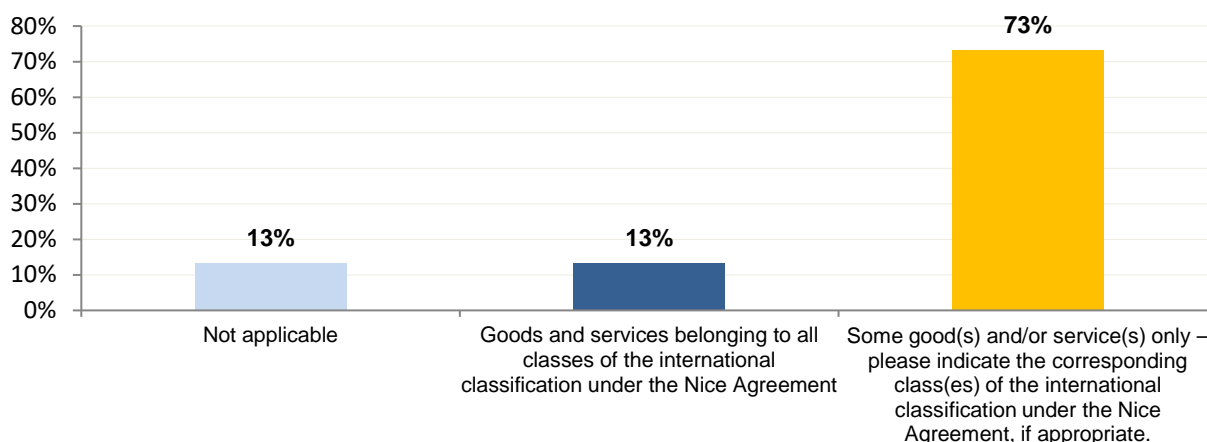
2.	Denmark	European Union Trademark
3.	Estonia	European Union
4.	Germany	Scope of the European Union Trademark Registration
5.	Iceland	European Union and Norway on the basis of IR 1094966. Invalidated in the United States of America in 2019.
6.	Montenegro	Albania, Serbia, Bosnia and Herzegovina, Macedonia, China
7.	Peru	Argentina, Bolivia, Brazil, Colombia, Ecuador, Chile, Paraguay, Uruguay, European Union, Costa Rica, Mexico, Australia and China
8.	Republic of Moldova	Canada, European Union, United Kingdom, Turkey, United States of America, Belarus, Switzerland, China, Russian Federation, Ukraine
9.	Switzerland	United States of America, European Union, Egypt, China, Republic of Korea, Democratic People's Republic of Korea, Liechtenstein, Russian Federation

	RESPONDENT	COLLECTIVE MARK
1.	Colombia	Peru, Ecuador, Argentina, Brazil, Chile, Costa Rica, Mexico, Panama, Canada, United States, European Union, Switzerland, United Kingdom, Israel, Russia, China, Japan, Republic of Korea, Singapore.

	RESPONDENT	CERTIFICATION MARK
1.	Morocco	For example, the «Morocco Handmade» trademark is protected in virtue of the Madrid system at the OAPI level, in the European Union, and in the United States of America.

	RESPONDENT	COMMUNICATION UNDER ARTICLE 6^{TER} OF THE PARIS CONVENTION
1.	Costa Rica	Contracting Parties to the Paris Convention
2.	Ecuador	Contracting Parties to the Paris Convention
3.	France	
4.	Peru	All of the contracting parties to the Paris Convention, except for the United States of America
5.	Singapore	State Emblem (Article 6 ^{ter} No. SG27)
6.	Spain	Contracting Parties to the Paris Convention

**QUESTION 20 – PROTECTION OF THE RESPONDENT'S NATION BRAND ABROAD
COVERS THE FOLLOWING GOODS/SERVICES:**

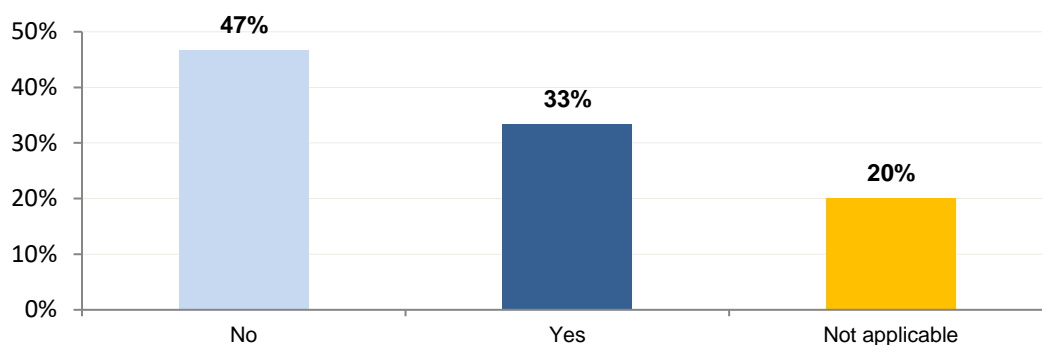


ANSWER CHOICES	RESPONSES	
Not applicable	13%	2
Goods and services belonging to all classes of the international classification under the Nice Agreement	13%	2
Some good(s) and/or service(s) only – please indicate the corresponding class(es) of the international classification under the Nice Agreement, if appropriate.	73%	11
TOTAL RESPONDENTS	15	

RESPONSES	COUNTRY
1. Classes 35 and 41	Colombia
2. Classes 16, 35, 39 and 41	Denmark
3. Singapur: A201513735Q Canada: All classes of the Nice Classification	Ecuador
4. EUTM work Estonia 017902836 Nice classification 9, 16, 41 EUTM invest Estonia 017902837 Nice classification 9, 16, 36, 41	Estonia
5. Classes 8, 16, 21, 25, 35, 41, 42 and 45	Germany
6. Classes 16, 35 and 39	Iceland
7. Each organization chooses the products and/or services covering its activity sector. For example, the “Morocco Handmade” brand of the Department of Craft Industry refers to products belonging the following Nice classifications: 14, 18, 21, 25 and 27.	Morocco
8. Classes 3, 5, 14, 16, 18, 19, 20, 21, 23, 24, 25, 29, 30, 31, 32, 33, 35, 39, 41, 42 y 43 of the International Classification.	Peru
9. Classes 35, 39, 41 and 42 of the international classification under the Nice Agreement.	Republic of Moldova

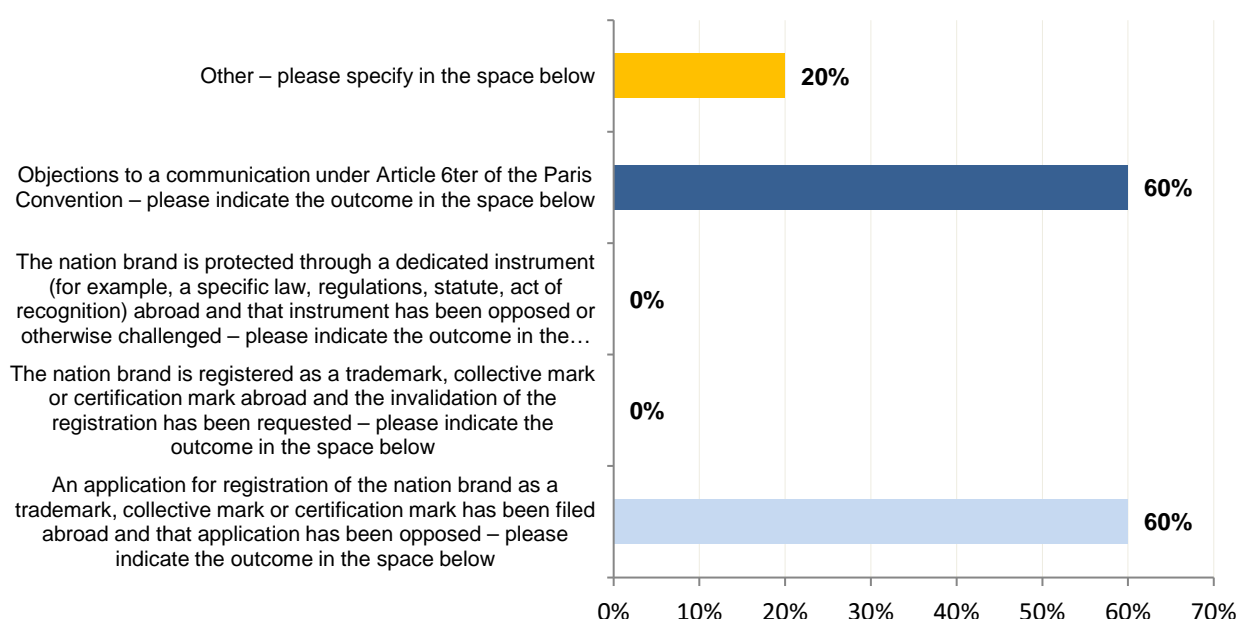
10. This would depend on the IP Offices of the jurisdictions as to whether they recognize/do not recognize the State Emblem.	Singapore
11. Classes 9, 16 and 35	Switzerland

QUESTION 21 – HAS THE PROTECTION OF THE RESPONDENT’S NATION BRAND BEEN CHALLENGED ABROAD?



ANSWER CHOICES	RESPONSES	
No	47%	7
Yes	33%	5
Not applicable	20%	3
TOTAL RESPONDENTS		15

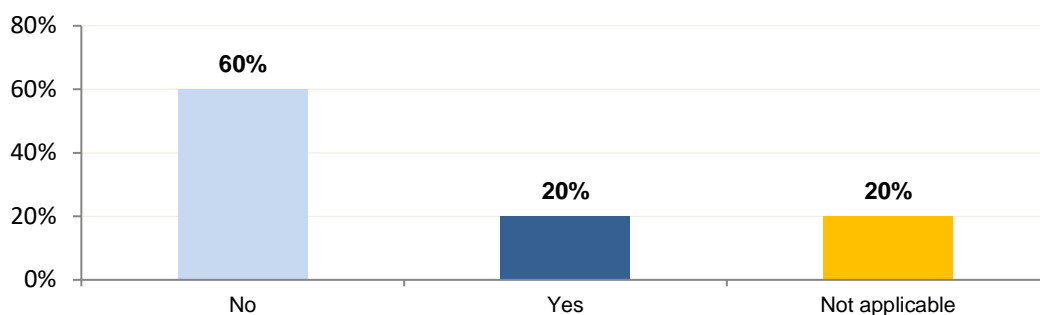
IF YES, PLEASE INDICATE HOW IT HAS BEEN CHALLENGED:
(More than one answer is possible)



ANSWER CHOICES	RESPONSES	
An application for registration of the nation brand as a trademark, collective mark or certification mark has been filed abroad and that application has been opposed – please indicate the outcome in the space below ¹	60%	3
The nation brand is registered as a trademark, collective mark or certification mark abroad and the invalidation of the registration has been requested – please indicate the outcome in the space below	0%	0
The nation brand is protected through a dedicated instrument (for example, a specific law, regulations, statute, act of recognition) abroad and that instrument has been opposed or otherwise challenged – please indicate the outcome in the space below	0%	0
Objections to a communication under Article 6 ^{ter} of the Paris Convention – please indicate the outcome in the space below ²	60%	3
Other – please specify in the space below ³	20%	1
TOTAL RESPONDENTS		5

PLEASE SPECIFY	COUNTRY
1. ¹ Still pending.	Iceland
2. ¹ With reference to international application IR 1523813 2 total provisional refusals of protection have been issued. One of the provisional refusals was issued based on formal reasons, and the other based on the conflict with an earlier trademark and the lack of permission from Government of the Republic of Moldova to use the name “Moldova”.	Republic of Moldova
3. ¹ With regard to Argentina, the opposition was withdrawn in class 35 of the international classification and the nation brand was registered. ² Given that the United States raised an objection to the communication, it did not grant us the protection conferred by Article 6 ^{ter} . ³ The intellectual property office of Brazil refused to register the nation brand under class 39 given its confusing similarity with the LAN PERU mark, previously registered in Brazil. The national intellectual property office in China also objected to the registration of the nation brand. However, the objection was challenged by Peru, and the registration of the nation brand applied for under classes 29 and 30 was eventually granted.	Peru
4. ² Objection EEUU 29/09/2015.	Spain
5. ² The objection was lodged in the United States on September 29, 2015).	Costa Rica

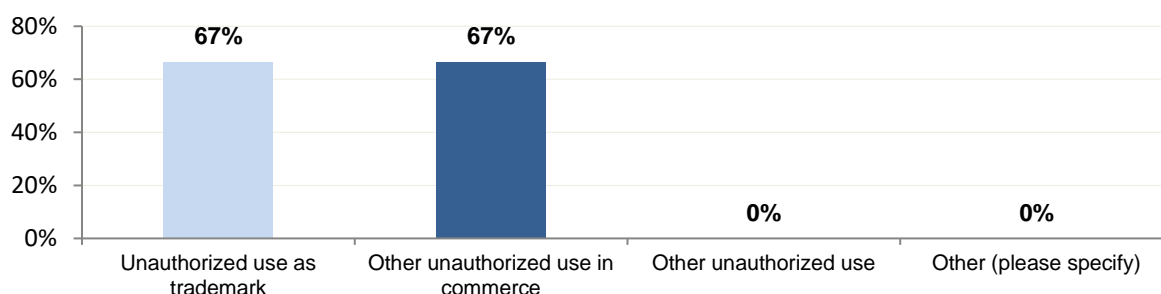
QUESTION 22 – IF THE RESPONDENT’S NATION BRAND IS PROTECTED ABROAD, HAS THE RESPONDENT EXPERIENCED WHAT IT CONSIDERS AS AN INFRINGING USE OR UNAUTHORIZED USE OF ITS NATION BRAND ABROAD?



ANSWER CHOICES	RESPONSES	
No	60%	9
Yes	20%	3
Not applicable	20%	3
TOTAL RESPONDENTS		15

IF YES, PLEASE SPECIFY THE NATURE OF THE USE:

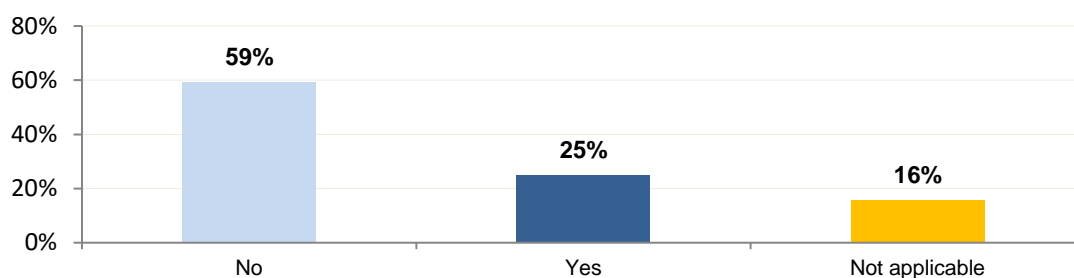
(More than one answer is possible)



ANSWER CHOICES	RESPONSES	
Unauthorized use as trademark	67%	2
Other unauthorized use in commerce	67%	2
Other unauthorized use	0%	0
Other (please specify)	0%	0
TOTAL RESPONDENTS		3

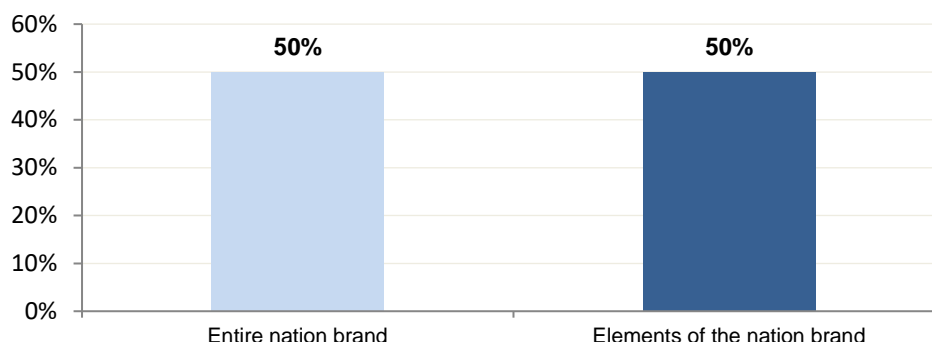
PART VI: USE OF ARTICLE 6TER OF THE PARIS CONVENTION TO PROTECT THE RESPONDENT'S NATION BRAND

QUESTION 23 – HAS THE RESPONDENT'S NATION BRAND OR ELEMENTS OF THE RESPONDENT'S NATION BRAND BEEN THE SUBJECT OF A COMMUNICATION UNDER ARTICLE 6TER OF THE PARIS CONVENTION?



ANSWER CHOICES	RESPONSES	
No	59%	19
Yes	25%	8
Not applicable	16%	5
TOTAL RESPONDENTS		32

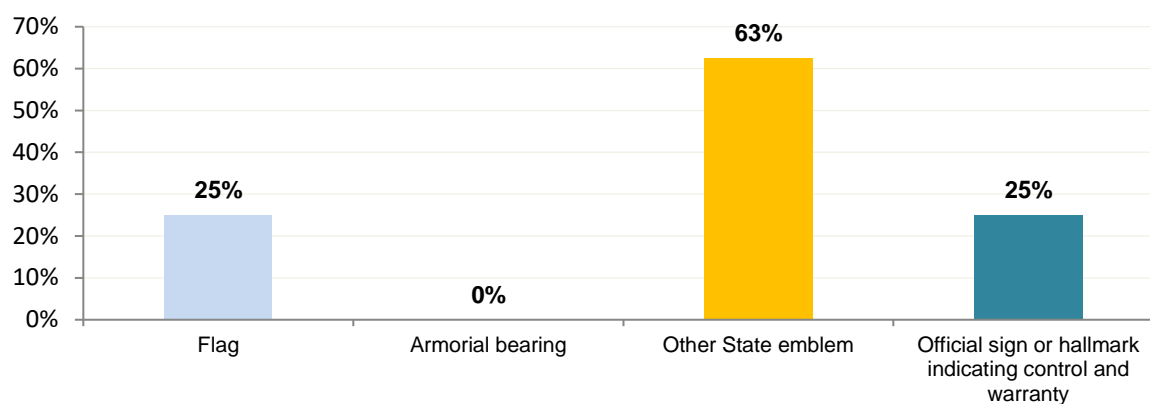
IF YES, DID THE COMMUNICATION COVER THE ENTIRE NATION BRAND OR ONLY ELEMENTS OF IT?



ANSWER CHOICES	RESPONSES	
Entire nation brand	50%	4
Elements of the nation brand	50%	4
TOTAL RESPONDENTS		8

IF YES, UNDER WHICH CATEGORY OF SIGNS COVERED BY ARTICLE 6^{TER} OF THE PARIS CONVENTION?

(more than one answer is possible)

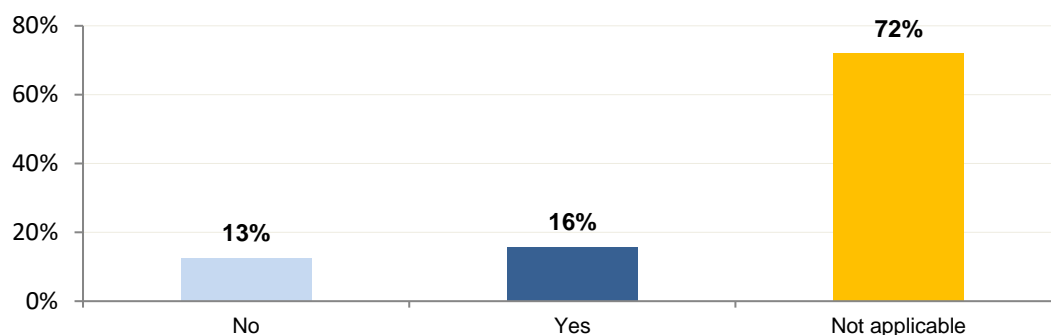


ANSWER CHOICES	RESPONSES	
Flag	25%	2
Armorial bearing	0%	0
Other State emblem	63%	5
Official sign or hallmark indicating control and warranty	25%	2
TOTAL RESPONDENTS		8

IF YES, PLEASE INDICATE THE REFERENCE NUMBER(S) OF THE SIGN(S) INCLUDED IN THE ARTICLE 6^{TER} EXPRESS DATABASE.

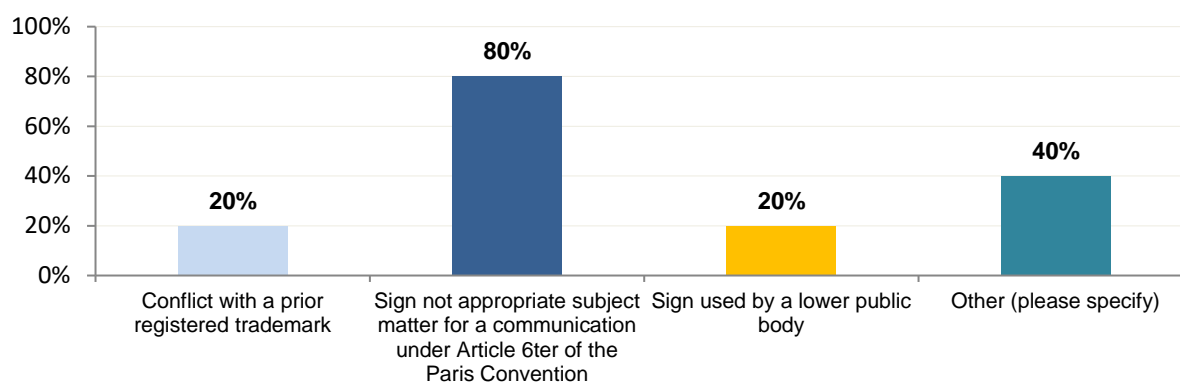
RESPONSES	COUNTRY
1. CA2	Canada
2. Publication Date: 30/09/2014	Costa Rica
3. 26.01.01, 26.04.09, 29.01.15	Ecuador
4. No comment	France
5. PE8	Peru
6. SG27	Singapore
7. ES11	Spain
8. CH66	Switzerland

QUESTION 24 – IF THE RESPONDENT’S NATION BRAND HAS BEEN COMMUNICATED UNDER ARTICLE 6^{TER} OF THE PARIS CONVENTION, WAS SUCH COMMUNICATION OBJECTED AS PER ARTICLE 6^{TER}(4) OF THE PARIS CONVENTION?



ANSWER CHOICES	RESPONSES	
No	13%	4
Yes	16%	5
Not applicable	72%	23
TOTAL RESPONDENTS	32	

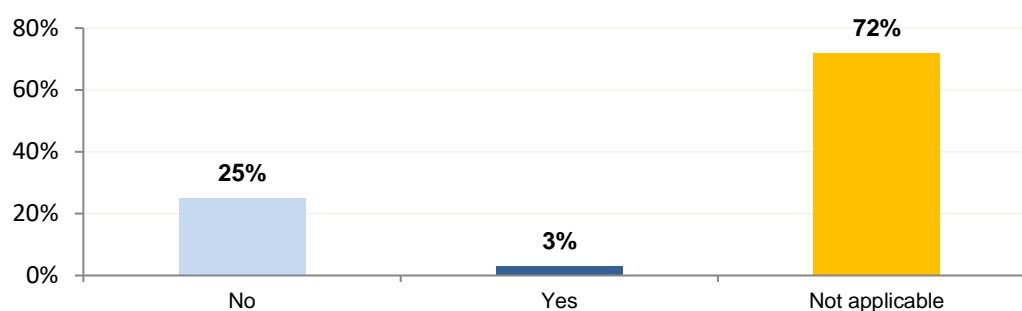
IF YES, THE OBJECTIONS WERE BASED ON THE FOLLOWING GROUND(S):
(More than one answer is possible)



ANSWER CHOICES	RESPONSES	
Conflict with a prior registered trademark	20%	1
Sign not appropriate subject matter for a communication under Article 6 ^{ter} of the Paris Convention	80%	4
Sign used by a lower public body	20%	1
Other (please specify)	40%	2
TOTAL RESPONDENTS	5	

OTHER (PLEASE SPECIFY)	COUNTRY
1. Objection lodged in the United States of America on September 29, 2015.	Costa Rica
2. Objections may also be made under national law as country names and emblems may not be registered by a third party.	Oman

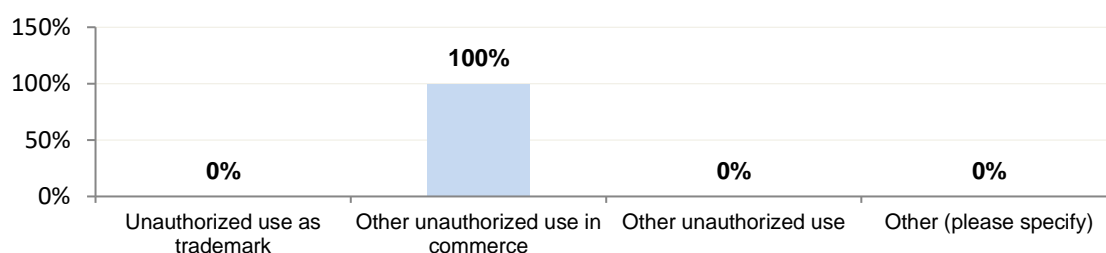
QUESTION 25 - IF THE RESPONDENT'S NATION BRAND HAS BEEN COMMUNICATED UNDER ARTICLE 6^{TER} OF THE PARIS CONVENTION, HAS IT BEEN CONFRONTED WITH ANY FORM OF UNAUTHORIZED USE ABROAD?



ANSWER CHOICES	RESPONSES	
No	25%	8
Yes	3%	1
Not applicable	72%	23
TOTAL RESPONDENTS		32

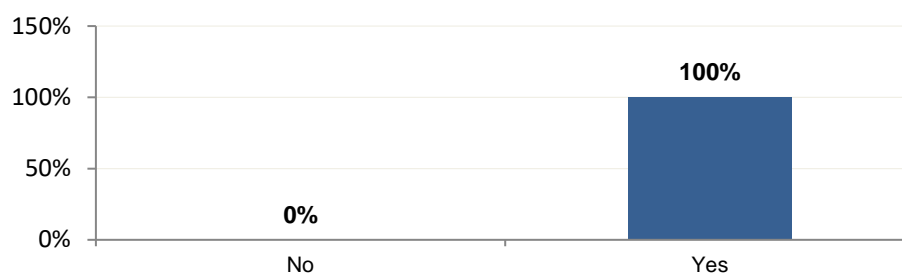
IF YES, PLEASE SPECIFY:

(More than one answer is possible)



ANSWER CHOICES	RESPONSES	
Unauthorized use as trademark	0%	0
Other unauthorized use in commerce	100%	1
Other unauthorized use	0%	0
Other (please specify)	0%	0
TOTAL RESPONDENTS		1

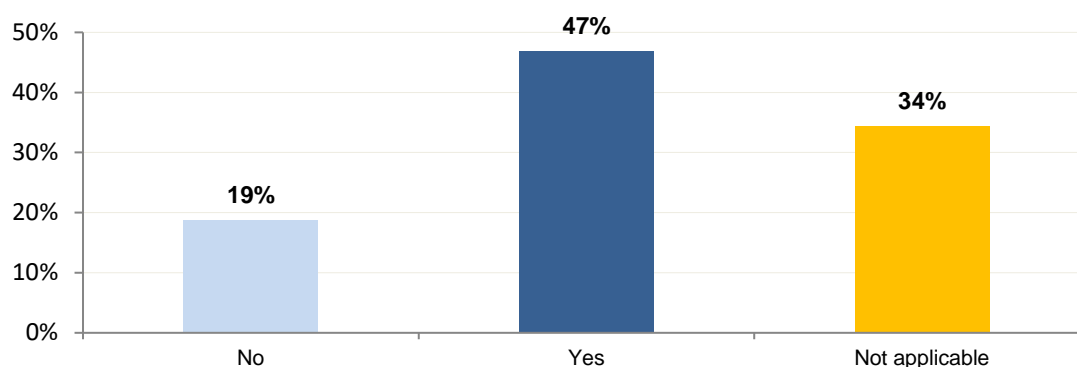
IF YES, WAS SUCH USE SUCCESSFULLY CHALLENGED UNDER ARTICLE 6TER OF THE PARIS CONVENTION?



ANSWER CHOICES	RESPONSES	
No	0%	0
Yes	100%	1
TOTAL RESPONDENTS		1

PART VII: MONITORING AND ENFORCEMENT OF RESPONDENT'S NATION BRAND

QUESTION 26 – IS THE USE OF THE RESPONDENT'S NATION BRAND MONITORED IN THE RESPONDENT'S JURISDICTION?



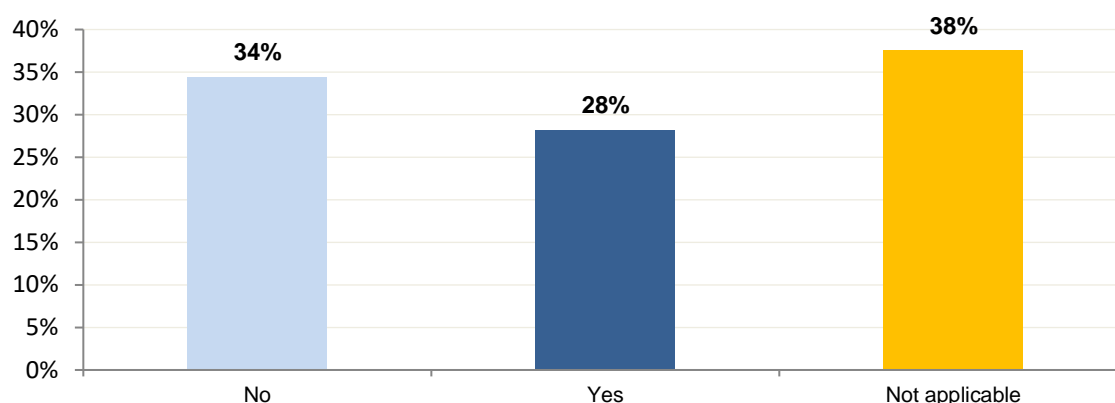
ANSWER CHOICES	RESPONSES	
No	19%	6
Yes	47%	15
Not applicable	34%	11
TOTAL RESPONDENTS		32

IF YES, HOW AND BY WHOM?

	RESPONSES	COUNTRY
1.	<p>The registration holder, namely, the foreign trade fiduciary, FIDUCOLDEX, acting on behalf of the government agency for export promotion, PROCOLOMBIA, is responsible for monitoring the use of the nation brand in Colombia. On entering into a brand use licensing contract, authorized persons are provided with an internal procedure for the approval of labels and final artwork. PROCOLOMBIA is authorized to terminate the contract in the event of non-compliance with any of its provisions.</p> <p>Any identified cases of unauthorized use have been addressed by means of cease-and-desist letters. However, the applicable legislation authorizes the brand holder to bring legal proceedings before the civil jurisdictional authorities for infringement of rights (it authorizes the request of precautionary measures) and unfair competition. It may also be possible to take criminal measures for the crime of misappropriation of industrial property rights and apply for border measures to suspend customs operations. Moreover, the national legislation grants powers to certain administrative authorities to protect consumer rights, which may be affected by the misuse of a mark.</p>	Colombia
2.	<p>In accordance with Article 10 of the Nation Brand Licensing Regulations for the Promotion of Tourism in Costa Rica, the Costa Rican Tourism Board (ICT) may take legal action for improper or unauthorized use of the nation brand, both against licensees and natural or legal persons who use the trademark without prior authorization.</p>	Costa Rica
3.	<p>Ministry of Tourism, through the following regulation: https://www.wipo.int/edocs/lexdocs/laws/es/ec/ec070es.pdf</p>	Ecuador
4.	<p>By owner of the protected trade marks Enterprise Estonia (EAS) (national marks)</p>	Estonia
5.	<p>Monitoring among the trademark filings, by the APIE service, in connection with the Government Information Service.</p>	France
6.	<p>Trademark law of Georgia</p>	Georgia
7.	<p>By an independent law firm.</p>	Germany
8.	<p>Through a world-wide watch services administered by the Ministry for Foreign Affairs.</p>	Iceland
9.	<p>Monitored by the brand owner.</p>	Morocco
10.	<p>Ministry of Commerce and Industry.</p>	Oman
11.	<p>The Peru Export and Tourism Promotion Agency (PROMPERÚ) supervises, directly or through persons or entities expressly designated for the purpose, the proper application of the Regulations Governing the Use of the Nation Brand and proper use of the nation brand. For such purpose, it may:</p>	Peru

a) Supervise the proper use of the nation brand	
b) Ensure compliance with the conditions justifying the granting of the nation brand user license	
c) Require information from licensees, or third parties linked to them, to verify the proper use of the nation brand.	
12. On the territory of the Republic of Moldova the Investment Agency monitors only the use of nation brand by persons who have signed an agreement with the Agency for the use of the brand.	Republic of Moldova
13. The Singapore Brand Office (SGB0) under the Ministry of Communications and Information, are brand guardians to Brand Singapore. SGB0 adopts a reactive instead of proactive approach when it comes to governance.	Singapore
14. By the Ministry of Culture and Information Policy of Ukraine https://mkip.gov.ua/ .	Ukraine
15. The Vietnam Trade Promotion Agency, the Ministry of Industry and Trade.	Viet Nam

QUESTION 27 – IS THE USE OF THE RESPONDENT’S NATION BRAND MONITORED ABROAD?



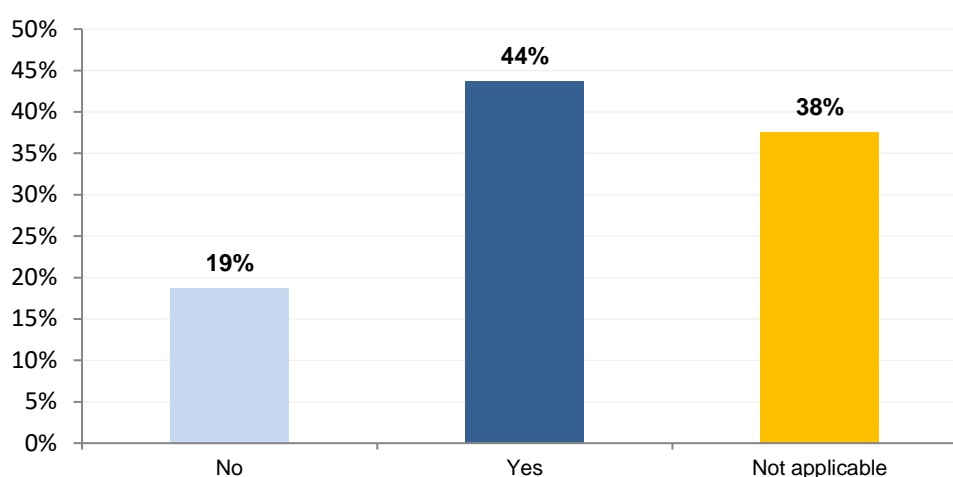
ANSWER CHOICES	RESPONSES	
No	34%	11
Yes	28%	9
Not applicable	38%	12
TOTAL RESPONDENTS		32

IF YES, HOW AND BY WHOM?

RESPONSES	COUNTRY
1. Canada's international network of Embassies and Missions.	Canada

2.	The registration holder, namely, the foreign trade fiduciary, FIDUCOLDEX, acting on behalf of the government agency for export promotion, PROCOLOMBIA, is responsible for monitoring the use of the nation brand abroad. PROCOLOMBIA therefore carries out this monitoring abroad through local lawyers and correspondents.	Colombia
3.	The public institutions concerned with the nation brand (ministries of foreign affairs, the Costa Rican Tourism Board (ICT) and the Costa Rican Foreign Trade Promotion Agency (PROCOMER)), must take the appropriate legal action in the event that misuse is detected abroad.	Costa Rica
4.	by an independent law firm	Germany
5.	Through a world-wide watch services administered by the Ministry for Foreign Affairs.	Iceland
6.	Monitored by the brand owner.	Morocco
7.	The Peru Export and Tourism Promotion Agency (PROMPERÚ), through the commercial offices abroad and law firms appointed for the registration of the nation brand of Peru.	Peru
8.	SGBO will determine on a case-by-case basis whether to take action (whether in court or otherwise) against unauthorised users.	Singapore
9.	The Vietnam Trade Promotion Agency, the Ministry of Industry and Trade.	Viet Nam

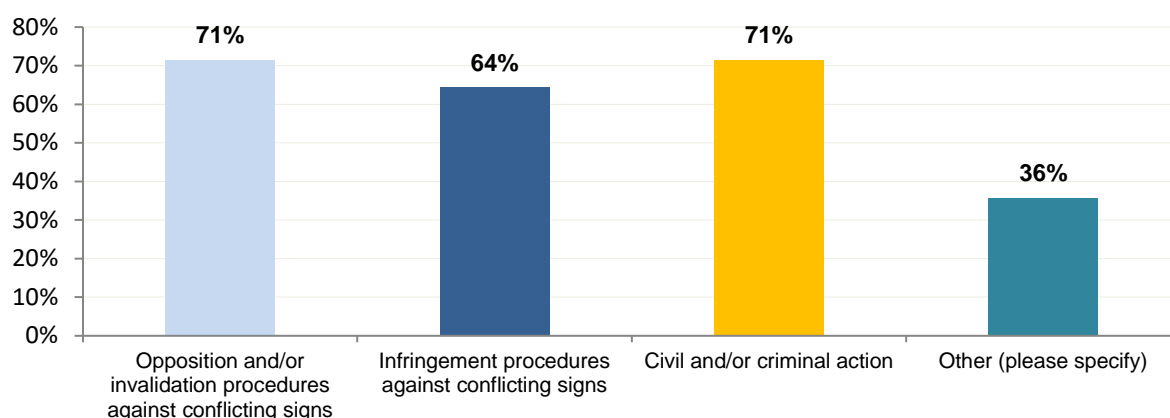
QUESTION 28 – IS THE RESPONDENT’S NATION BRAND ENFORCED IN THE RESPONDENT’S JURISDICTION?



ANSWER CHOICES	RESPONSES	
No	19%	6
Yes	44%	14
Not applicable	38%	12
TOTAL RESPONDENTS		32

IF YES, HOW?

(More than one answer is possible)



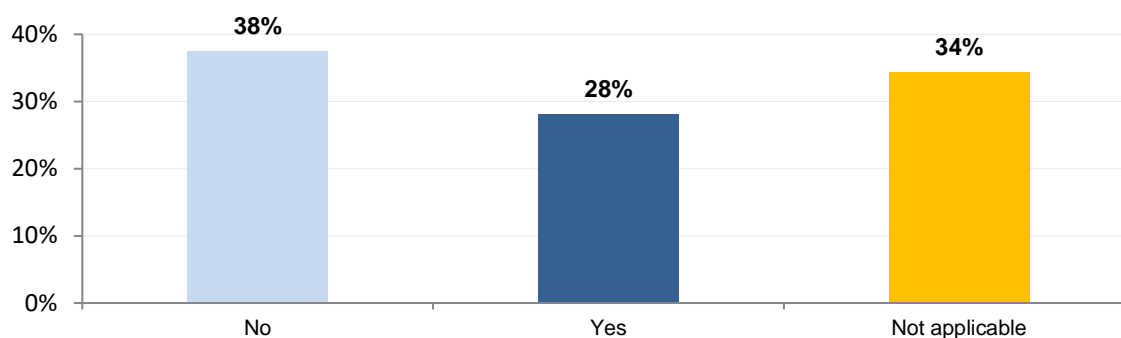
ANSWER CHOICES	RESPONSES	
Opposition and/or invalidation procedures against conflicting signs	71%	10
Infringement procedures against conflicting signs	64%	9
Civil and/or criminal action	71%	10
Other (please specify)	36%	5
TOTAL RESPONDENTS		14

OTHER (PLEASE SPECIFY)	COUNTRY
1. Non-registrable as the mark is a prohibited sign in Canada under the Trademarks Act.	Canada
2. The national legislation grants powers to certain administrative authorities to protect consumer rights, which may be affected by the misuse of a mark.	Colombia
3. In accordance with Article 10 of the Nation Brand Licensing Regulations for the Promotion of Tourism in Costa Rica, the Costa Rican Tourism Board (ICT) may take legal action for improper or unauthorized use of the nation brand, both against licensees and natural or legal persons who use the trademark without prior authorization.	Costa Rica
4. A complaint filed before the competent authority, prior to litigation.	Oman
5. Should a distinctive sign conflict with one of the nation brands, absolute grounds for refusal may be applied officially during the registration procedure.	Spain

IF YES, BY WHOM?

	RESPONSES	COUNTRY
1.	The Government of Canada has the ability to enforce their mark before the Canadian judiciary against unauthorized use.	Canada
2.	<p>The registration holder, namely, the foreign trade fiduciary, FIDUCOLDEX, acting on behalf of the government agency for export promotion, PROCOLOMBIA, is responsible for enforcing the nation brand. The holder therefore carries out the monitoring to identify possible unauthorized use and take legal action pursuant to Colombian law.</p> <p>Information regarding the filing of notices of opposition is available during the procedure for the registration of conflicting signs. However, no notice is given regarding the filing of other civil, criminal or administrative proceedings, which are nevertheless provided for in national law. The registration holder takes action through a legal representative specializing in industrial property matters.</p>	Colombia
3.	The Costa Rican Tourism Board.	Costa Rica
4.	By the owner of the trade mark i.e. public entity	Croatia
5.	SENADI (Ecuador's national IP rights office), legal office in the event of an infringement occurring in the legal sphere.	Ecuador
6.	By the owner and the competent public authorities	Germany
7.	By Promote Iceland.	Iceland
8.	By the brand owners.	Morocco
9.	Ministry of Commerce and Industry.	Oman
10.	The Peru Export and Tourism Promotion Agency (PROMPERÚ) will take available administrative and legal action to avoid or stop any unauthorized use or reproduction of the nation brand. PROMPERÚ may request the National Institute for the Defense of Competition and Protection of Intellectual Property (INDECOPI) to take action for the infringement of intellectual property rights, and take the appropriate precautionary measures.	Peru
11.	By the owners and co-owners of the recorded Logograms, Article 6ter and trade marks.	Singapore
12.	Spanis Patent and Trademark Office.	Spain
13.	It is registered as a brand in the Trademark Register.	Uruguay
14.	The Vietnam Trade Promotion Agency	Viet Nam

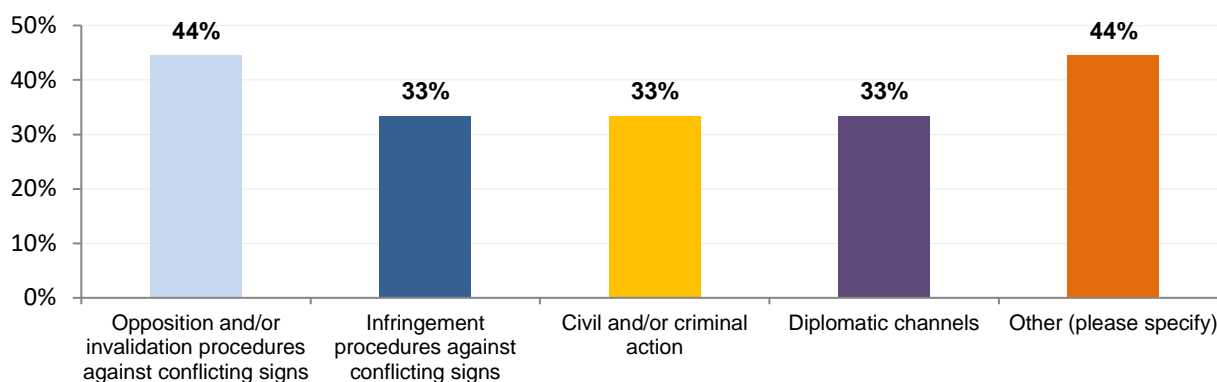
QUESTION 29 – IS THE RESPONDENT’S NATION BRAND ENFORCED ABROAD?



ANSWER CHOICES	RESPONSES	
No	38%	12
Yes	28%	9
Not applicable	34%	11
TOTAL RESPONDENTS	32	

IF YES, HOW?

(More than one answer is possible)



ANSWER CHOICES	RESPONSES	
Opposition and/or invalidation procedures against conflicting signs	44%	4
Infringement procedures against conflicting signs	33%	3
Civil and/or criminal action	33%	3
Diplomatic channels	33%	3
Other (please specify)	44%	4
TOTAL RESPONDENTS	9	

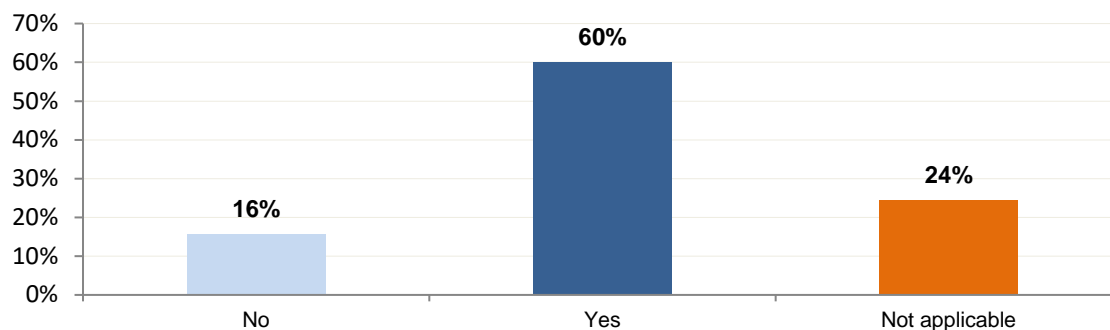
	OTHER (PLEASE SPECIFY)	COUNTRY
1.	The Intellectual Property Trade Policy Division of Global Affairs Canada in consultation with Canada's network of Embassies and Missions abroad addresses instances of unauthorized use of Canada's protected symbols, including elements of a nation brand that has been communicated under Article 6 ^{ter} of the Paris Convention.	Canada
2.	In each case, the applicable measure or action (opposition, infringement, civil or criminal action, etc.) is determined according to the provisions and actions provided for in each of the jurisdictions in which the registers are located, and the details of each specific case.	Colombia
3.	Given that it is an official sign communicated under Article 6 ^{ter} of the Paris Convention, States are obliged to prevent, annul or prohibit the use of a registration that affects the nation brand.	Costa Rica
4.	Notarial letters are sent requesting recipients to refrain from using the nation brand.	Peru

IF YES, BY WHOM?

	RESPONSES	COUNTRY
1.	The Intellectual Property Trade Policy Division of Global Affairs Canada in consultation with Canada's network of Embassies and Missions abroad addresses instances of unauthorized use of Canada's protected symbols, including elements of a nation brand that has been communicated under Article 6 ^{ter} of the Paris Convention.	Canada
2.	The registration holder, namely, the foreign trade fiduciary, FIDUCOLDEX, acting on behalf of the government agency for export promotion, is responsible for enforcing the nation brand abroad. PROCOLOMBIA carries out this process through local lawyers and correspondents.	Colombia
3.	The Costa Rican Tourism Board (ICT), the Costa Rican Foreign Trade Promotion Agency (PROCOMER) and the Ministry of Foreign Affairs.	Costa Rica
4.	Ministry of Tourism and the Ministry of Foreign Affairs and Human Mobility.	Ecuador
5.	by the owner and the competent public authorities	Germany
6.	By Promote Iceland.	Iceland
7.	By the brand owners.	Morocco
8.	The Peru Export and Tourism Promotion Agency (PROMPERÚ), through the commercial offices abroad and law firms appointed to send the notarial letters.	Peru
9.	Uruguay XXI (Investment, Export and Country Brand Promotion Agency).	Uruguay

PART VIII: PROTECTION OF OTHER COUNTRIES' NATIONS BRANDS

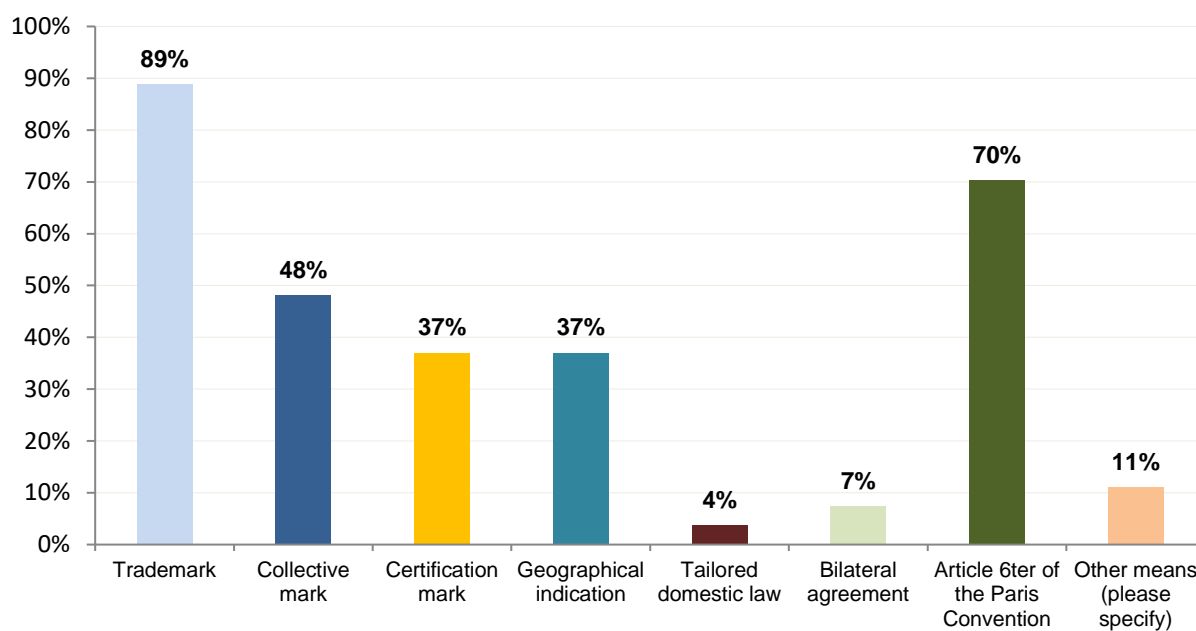
QUESTION 30 – ARE OTHER COUNTRIES' NATION BRANDS PROTECTED IN THE RESPONDENT'S JURISDICTION?



ANSWER CHOICES	RESPONSES	
No	16%	7
Yes	60%	27
Not applicable	24%	11
TOTAL RESPONDENTS	45	

IF YES, HOW?

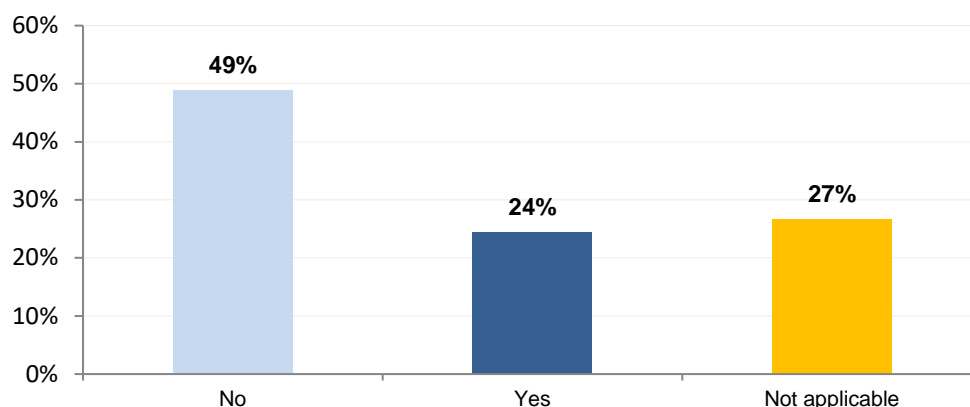
(More than one answer is possible)



ANSWER CHOICES	RESPONSES	
Trademark	89%	24
Collective mark	48%	13
Certification mark	37%	10
Geographical indication	37%	10
Tailored domestic law	4%	1
Bilateral agreement	7%	2
Article 6 ^{ter} of the Paris Convention	70%	19
Other means (please specify)	11%	3
TOTAL RESPONDENTS		27

OTHER MEANS (PLEASE SPECIFY)	COUNTRY
1. For example, the “PERÚ” nation brand is protected under registration No. 224581, classes 25, 29, 30, 31, 33, 35, 39, 41, 42 and 43. Its holder is the “Comisión de Promoción del Perú para la Exportación y el Turismo” (Peru Export and Tourism Promotion Agency) (PROMPERÚ).	Costa Rica
2. Although the target of “nation brands” is not clear enough, it would be protected by the relevant Japanese laws, depending on the category of the object referred to as “nation brands” in the questionnaire.	Japan
3. Protection is granted only to brands that are eligible for protection within the territory of the Sultanate of Oman, with the exception of well-known marks, which are protected under the Paris Convention.	Oman

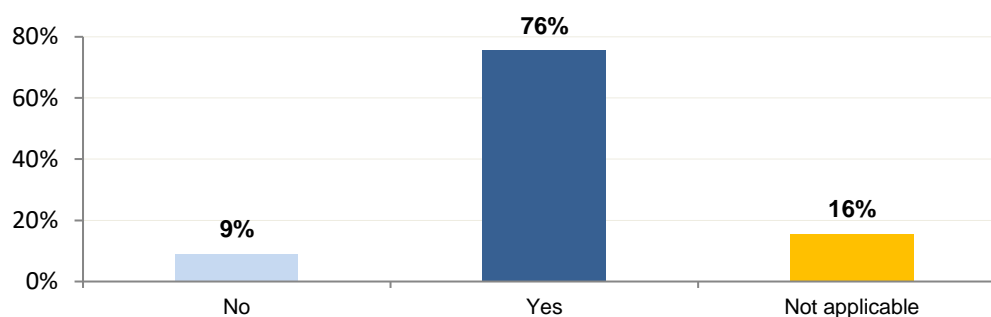
QUESTION 31 – HAS THE RESPONDENT’S INTELLECTUAL PROPERTY OFFICE EVER REFUSED THE REGISTRATION OF A TRADEMARK CONTAINING A COUNTRY NAME ON THE BASIS OF A NATION BRAND COMMUNICATED BY A THIRD COUNTRY UNDER ARTICLE 6^{TER} OF THE PARIS CONVENTION?



ANSWER CHOICES	RESPONSES	
No	49%	22
Yes	24%	11
Not applicable	27%	12
TOTAL RESPONDENTS	45	

PART IX: SCOPE OF PROTECTION

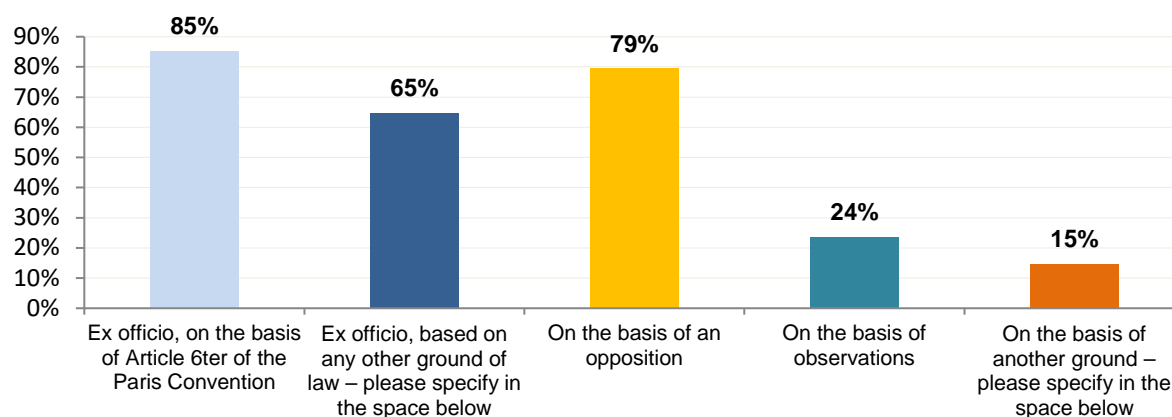
QUESTION 32 – IN THE RESPONDENT'S JURISDICTION, CAN THE INTELLECTUAL PROPERTY OFFICE REJECT A TRADEMARK APPLICATION BECAUSE OF A PREEXISTENT NATION BRAND?



ANSWER CHOICES	RESPONSES	
No	9%	4
Yes	76%	34
Not applicable	16%	7
TOTAL RESPONDENTS	45	

IF YES, HOW?

(More than one answer is possible)



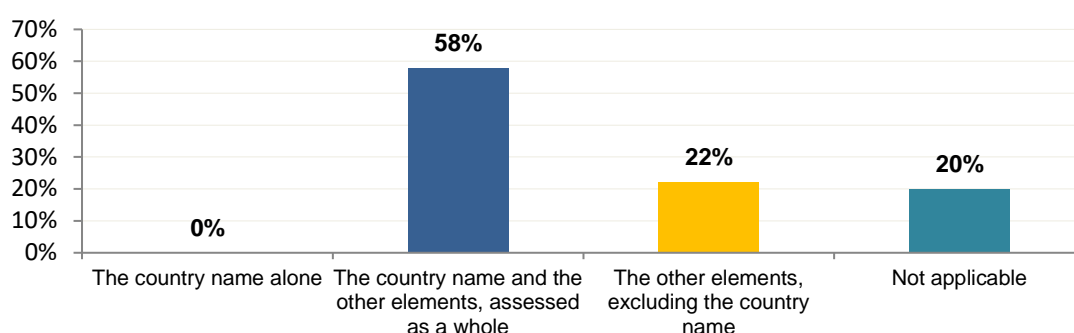
ANSWER CHOICES	RESPONSES	
<i>Ex officio</i> , on the basis of Article 6 ^{ter} of the Paris Convention	85%	29
<i>Ex officio</i> , based on any other ground of law – please specify in the space below ¹	65%	22
On the basis of an opposition	79%	27
On the basis of observations	24%	8
On the basis of another ground – please specify in the space below ²	15%	5
TOTAL RESPONDENTS		34

PLEASE SPECIFY	COUNTRY
1. ¹ According to paragraph (3) of article (3) of Law No. (6) of 2014 approving the law (system) of Trade Marks of the GCC countries: It is not considered a trademark or part thereof, and it is not permissible to register with this description: - Public slogans, flags, military and honorary insignia, national and foreign medals, coins and banknotes, and symbols of any of the GCC states or any other country, or Arab or international organizations.	Bahrain
2. ¹ A trademark application can be refused on the basis of confusion with a previously registered trademark (s. 12(1)(d) of the Trademarks Act). This could include nation brands protected in Canada as registered trademarks. A trademark application can be refused on the basis that the mark is clearly descriptive (s. 12(1)(b) of the Trademarks Act).	Canada
3. ¹ On the basis of a previous registration, under Article 8 of the Law on Trademarks and Other Signs. Article 6 ^{ter} of the Paris Convention must relate to Article 7(n) of the Law on Trademarks, through which a trademark may be rejected if it is a State's official sign. It may also be rejected due to the prior registration of a nation brand, as in the example of Peru.	Costa Rica
4. ¹ Not on the sole basis that a mark is a nation brand. The protection of a mark may be refused on the basis of national Trademark legislation, i.e. lack of distinctiveness, descriptive, confusingly similar to other marks etc.	Iceland
5. ¹ The consideration will be based on whether or not it falls under the reasons for refusal of the Japanese Trademark Act. Examples: Article 4(1)(vi) (Famous mark indicating a state or a local public entity) Article 4(1)(vii) (Contravention of public order or morality) Article 4(1)(x) (Well- known trademark of another person) Article 4(1)(xi) (Another person's registered trademark applied for prior to the filing date of the trademark application concerned) Article 4(1)(xv) (Confusion over the source of goods and services) Article 4(1)(xvi) (Misleading as to the quality of the goods or services) https://www.jpo.go.jp/e/system/laws/rule/guideline/trademark/kijun/document/index/all.pdf	Japan
6. ¹ Extract from Trademarks Law of the Republic of Lithuania Article 7. Absolute Grounds for Refusal of Registration or Invalidation of a Mark	Lithuania

<p>1. A mark shall be refused registration or the registration of a trade mark shall be declared invalid if: 8) the mark consists of or contains the official symbols of the Republic of Lithuania, or it imitates them, unless the permission has been issued according to the established procedure by the Minister for Justice of the Republic of Lithuania; 9) the mark consists of other coats of arms or other insignias under the Law on the National Coat of Arms, Coat of Arms, and Other Insignias of the Republic of Lithuania, or is composed of or contains distinguishing marks of the public institutions the official use of which is governed by the law, unless consent has been obtained from the competent authorities; 10) it consists of signs the registration of which has not been authorized by the competent authorities of other states or international organizations and the registration of which is to be refused or invalidated pursuant to Article 6^{ter} of the Paris Convention for the Protection of Industrial Property of 20 March 1883, as revised at Stockholm on July 14, 1967, and amended on September 28, 1979 (hereinafter referred to as the Paris Convention), or contains such signs; 11) it consists of or contains a sign of high symbolic value, in particular a religious symbol; https://vpb.lrv.lt/en/structure-and-contacts-1/legal-acts</p>	
<p>7. ² Refusal of registration established in national legislation (Decision No. 486):</p> <p>(a) Article 135(m): Signs may not be registered as trademarks if they reproduce or imitate, without authorization by the competent authorities, either as trademarks or as elements of trademarks, armorial bearings, flags, emblems, official signs and hallmarks indicating control and warranty of States and any imitation from the heraldic point of view, or the armorial bearings, flags, other emblems, abbreviations and names of any international organization.</p> <p>(b) Article 136(a): Signs may not be registered as trademarks if their commercial use would unduly affect a right of a third party, in particular when they are identical or similar to a trademark that has previously been filed for registration or registered by a third party, for the same goods or services, or for goods or services if use of the trademark would likely lead to confusion or association.</p> <p>(c) Article 137: The competent national office may refuse a registration if it has sufficient evidence to conclude that a registration has been filed with a view to committing, facilitating or supporting an act of unfair competition.</p>	<p>Peru</p>
<p>8. The application for registration of a mark identical or similar to a pre-existent nation brand may be refused based on IP Code provisions that the mark falsely suggests a connection with an institution (123.1 [a]); for being identical or confusingly similar to a registered or earlier filed mark (123.1 [d]) in case the nation brand is registered in the Philippines; for being descriptive (123.1 [j]) or misleading (123.1 [g]) as to the geographical origin of the goods, as applicable. Others: marks similar to nation brands can also be a subject of cancellation.</p>	<p>Philippines</p>
<p>9. Likelihood of confusion, Deceptiveness and Unfair competition.</p>	<p>Portugal</p>
<p>10. ¹ Based on the Trademark examination guidelines</p>	<p>Republic of Korea</p>

11.	¹ <i>Ex officio</i> , based on any other ground of law art.7(1)(i) from the Law on the protection of trademarks No. 38/2008 (https://wipo.lex.wipo.int/en/text/425803) ² On the basis of another ground art.7(1)(l) from the Law on the protection of trademarks No. 38/2008	Republic of Moldova
12.	<i>Ex-officio</i> : If the nation brand has been applied for or registered in Singapore as a trade mark, certification or collective mark, IPOS may raise Absolute grounds objections and/or Relative grounds objections against any later filed trade marks which contain the nation brand or are deemed similar to the nation brand. If the nation brand has been recorded as a Logogram under Rule 13 of the Trade Marks Rules (recordal of Logograms are usually only open to our government agencies), IPOS may cite it against trademark applications which contain or consists of the Logogram and request for the relevant consent to be sought. Registered marks under the Trade Marks Act may also be invalidated or revoked under the grounds provided by the Trade Marks Act and Rules.	Singapore
13.	¹ On the basis of absolute grounds for the refusal to register marks.	Spain
14.	¹ Law of Ukraine «On protection of rights to the signs for goods and services»	Ukraine
15.	¹ <i>Ex officio</i> , for being conflicting prior art.	Uruguay
16.	² According to article 10.9 of the Law on Trademarks, service marks and the appellations of origin: “false designations or those that mislead consumers as its manufacturer”	Uzbekistan

QUESTION 33 _IF A PROTECTED NATION BRAND IN THE RESPONDENT’S JURISDICTION CONTAINS THE COUNTRY NAME, TOGETHER WITH OTHER ELEMENTS, DOES THE PROTECTION EXTEND TO:



ANSWER CHOICES	RESPONSES	
The country name alone	0%	0
The country name and the other elements, assessed as a whole	58%	26
The other elements, excluding the country name	22%	10
Not applicable	20%	9
TOTAL RESPONDENTS		45

[End of Annex and of document]