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Computer & Communications Industry Association

Intervention of CCIA on the Proposal for an Information Session on the Liability of Internet Intermediaries Delivered at the 26th Session of the Standing Committee on Trademarks, Industrial Designs and Geographical Indications of the World Intellectual Property Organisation

Thank you, Mr. Chairman, for the opportunity to speak today and as this is the first time we've taken the floor allow us to extend our congratulations to you, and to thank you, and the Secretariat, for all that's being done to ensure a successful meeting.

The [Computer & Communications Industry Association \(CCIA\)](#)'s members represent a broad cross-section of the information and communications technology (ICT) industries. They have a substantial stake in the effective operation of the entire intellectual property system, including trademarks, where they are owners of some of the world's most famous and well-known brands.

As Professor Hargreaves of the United Kingdom said in connection with his review of the UK intellectual property system, we also believe in evidence-based policy-making, not policy-based evidence making. That's why CCIA proposed at the last SCT that a series of information sessions should be organised.

As we have said in this House at previous meetings, we are unable to discern any insufficiency in the international legal framework with respect to the protection of trademarks online. We all know there are instances of trademark abuse online, just as there are in the offline world – however, the fact that abuses occur does not automatically mean that the international legal framework needs amendment. We welcome the intervention of other delegations that have, it seems to us, made the same point in different ways.

With respect of any meetings of this kind, we would suggest the following:

- Wherever possible, the experiences of commercial stakeholders in explaining how trademark protection works in the online environment. What actually happens in the marketplace is best known to those who operate commercial services or who have extensive prior experience in doing so.
- In order to understand how trademarks are used online, the experience of consumers in interacting with trademarks online is essential – which consumer representatives are best able to provide. Consumers' interaction with trademarks online extends far beyond commercial transactions and those perspectives are important to consider.

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- A balance of perspectives from developed and developing countries is essential. There are social networks, search engines, and online marketplaces that are global, which is an important perspective, but there are also regional and even national or linguistic-centric services in some cases.

Search engines, social media and online marketplaces are used daily by hundreds of millions of people, generate hundreds of billions of dollars in annual revenues and directly employ hundreds of thousands of people and support economic activity for millions more. As has been noted by other speakers, any change could impact the daily life of a sizable portion of the world's population, as well as measurable levels of international trade in the kind of knowledge economy jobs that all countries worldwide seek to create and attract.

Finally, Mr. Chairman, we have a question: if all that is happening under this agenda item is the organisation of informational sessions, does this agenda item actually merit retention on the agenda of the SCT?

Thank you very much for your kind attention.