

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Sixty-fifth meeting of the Standing Committee
Geneva (Switzerland), 7-11 July 2014

Strategic matters

CITES LOGO

1. This document has been prepared by the Secretariat.

Background

2. At the 61st meeting of the Standing Committee (SC61, Geneva, August 2011), the Secretariat submitted document SC61 Doc. 20, which summarizes the results of a survey on the use of the CITES logo, explains the criteria it applied to grant use of the logo, and suggests possible evolutions in the policy governing this use. In this document, the Secretariat outlined the potential advantages of using the logo more widely. For example, it would give greater visibility to the Convention, would serve as a reminder of the need to obtain the necessary permits, and, under certain conditions, could provide an assurance to consumers that the specimens they acquire are from a legal source. Among the disadvantages are the possible risk of abuse and use of counterfeit labels and lack of checking mechanism.
3. Given the range of comments at SC61, including requests for guidelines for the proposed widened policy, the Standing Committee established an intersessional working group to examine this issue and report to the Standing Committee at its 63rd meeting (SC63, Bangkok, March 2013).
4. At SC63, the United States, as Chair of the working group, noted that it had used the CITES forum to serve as a platform to communicate with working group members but that there had been very few contributions. The Secretariat explained that there had been some technical problems with the forum and suggested that this may have been a factor in the lack of response. The Chair recommended that the working group's mandate be extended until the 65th meeting.

CITES logos, emblems and copyrights

5. The CITES official logo was officially communicated to the States party to the Paris Convention for the Protection of Industrial Property and members of the World Trade Organization through the World Intellectual Property Organization (WIPO) in 1995. As a result, the CITES logo is protected as an emblem under Article 6ter of the Paris Convention. Consequently, the logo cannot be used without the express authorization of the Secretary-General of CITES.
6. The Secretariat authorizes the use of the official logo for non-commercial purposes on a case-by-case basis after verifying the context in which the logo will be used. The Secretariat also examines the proposed layout of a document that will feature the CITES logo to ensure that it leaves no ambiguity as to the author or origin of the document. It does not grant standing authorizations and any new use must be the subject of a new request. Finally, the Secretariat retains the right to rescind its authorization at any time.
7. The conditions governing the use of the CITES logo, emblems and publications are subject to intellectual property law. The working group may wish to review these conditions with a view to recommending changes regarding aspects such as charging a fee for the use of the logo, creating new logos, geographical denominations, authorizing new uses, and adding more requirements, within the legal framework provided by the intellectual property regime. To ensure consistency, it may consider it appropriate to involve WIPO in any future deliberations on the use of the CITES logos and emblems.

8. Pursuant to Resolution Conf. 16.6, the working group may also wish to explore the use of registered marks of certification and origin consistent with CITES provisions. The group could use as pilot cases the examples provided by the use of registered trademarks for the international trade in vicuna products and the label for international trade in *Hoodia* parts and derivatives.

Expanding the conditions governing the use of the CITES logo

9. The Secretariat suggests that the working group consider the advantages and disadvantages of granting authorization to use the CITES logo for the following entities:
 - a) Licensed exporters and processing and repackaging plants for specimens of sturgeon and paddlefish species (noting that the logo is already used on some non-reusable labels affixed to caviar containers). Registration of these exporters and plants is determined by the CITES Management Authority of the country concerned, in compliance with Resolution Conf. 12.7 (Rev. CoP16) on *Conservation of and trade in sturgeons and paddlefish*;
 - b) Scientific institutions entitled to the exemption provided by Article VII, paragraph 6, of the Convention (noting that the logo is also already used on some labels issued or approved in accordance with that Article). Registration of these institutions is determined by the CITES Management Authority of the country concerned, in compliance with Resolution Conf. 11.15 (Rev. CoP12) on *Non-commercial loan, donation or exchange of museum and herbarium specimens*; and
 - c) Operations that breed Appendix-I animal species for commercial purposes. Registration of these institutions is determined by the CITES Management Authority of the country concerned and the Secretariat, in compliance with Resolution Conf. 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*.

Recommendations

10. The CITES Secretariat recommends that the working group reconvene during the present meeting and, if deemed appropriate, make recommendations to the Standing Committee for further action.
11. The working group may wish to consider:
 - a) identifying recommendations to the Secretariat and follow-up activities regarding a new policy governing the use of the CITES logo detailed in this document. This includes consideration of expanding the possibility to use the logo and of the conditions for use, which could include the establishment of certain fees for the use of the logo, and other changes mentioned in paragraph 7 above; and
 - b) Requesting the Standing Committee to further extend the mandate of the working group until the completion of the work specified in the previous paragraph.