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DATE: FEBRUARY 5, 2016

Special Union for the International Registration of Marks (Madrid Union)

Assembly

Forty-Ninth (21st Ordinary) Session
Geneva, October 5 to 14, 2015

REPORT

adopted by the Assembly

1. The Assembly was concerned with the following items of the Consolidated Agenda (document A/55/1): 1, 2, 3, 4, 5, 6, 10, 11, 20, 31 and 32.

2. The reports on the said items, with the exception of item 20, are contained in the General Report (document A/55/13).

3. The report on item 20 is contained in the present document.

4. Mr. Miguel Ángel Margáin (Mexico), was elected Chair of the Assembly; Mr. Miklós Bendzsel (Hungary) and Ms. Pamela Wille (Germany) were elected Vice-Chairs.

ITEM 20 OF THE CONSOLIDATED AGENDA

MADRID SYSTEM

5. Discussions were based on documents MM/A/49/1, MM/A/49/2, MM/A/49/3 and MM/A/49/4.

6. The Chair opened the session expressing his satisfaction at the increased interest in the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (hereinafter referred to, respectively, as “the Madrid Protocol” and “the Madrid Agreement”) which, he indicated, evidenced the benefits of the Madrid System for the International Registration of Marks (hereinafter referred to as “the Madrid System”). The Chair congratulated Algeria, a party to the Madrid Agreement, on its accession to the Madrid Protocol and welcomed the African Intellectual Property Organization (OAPI), Cambodia, The Gambia and Zimbabwe as new members of the Madrid Union. The Chair noted that the success of the Madrid Union showed that the work undertaken by the World Intellectual Property Organization (WIPO) benefited its Member States and, in the spirit of unity, called for an open and flexible approach so that the Madrid Union could demonstrate that unity within WIPO could lead to great success. Finally, the Chair invited the Secretariat to present the documents.

Final Report on the Information Technology Modernization Program (Madrid International Registration System)

7. Discussions were based on document MM/A/49/1.

8. The Secretariat recalled that, during the previous session of the Madrid Union Assembly, it had reported in document MM/A/48/1 that an independent validation and verification exercise was underway and that the exercise would be completed by the end of 2015. The Secretariat informed that the International Bureau had focused on implementing the recommendations resulting from that exercise and on deploying the second phase of the modernization program. The Secretariat stated that this phase, which would be completed by November 23, 2015, was ahead of schedule and further indicated that, since this would be the final report on the modernization program, a list of the recommendations resulting from the verification and validation exercise, as well as a list of the program’s achievements had been annexed to the document.

> 9. The Assembly took note of the “Final Report on the Information Technology Modernization Program (Madrid International Registration System)” (document MM/A/49/1).

Progress Report on the Madrid System Goods and Services Database

10. Discussions were based on document MM/A/49/2.

11. The Secretariat presented the document, which outlined the progress made on the Madrid Goods and Services Manager between June 2014 and May 2015, noting that progress had been made in the areas of number of terms and language representation. The Secretariat reported that, up to September 2015, the number of terms had grown 18 per cent and now totaled 74,000, corresponding to half a million taking into account all its languages. In the area of language representation, the Secretariat noted marked improvements made in Chinese, Japanese and Korean. Finally, the Secretariat highlighted improvements made in the check acceptance function which had been enriched in respect to several members, such as China, Japan, the Republic of Korea, the Russian Federation and the United States of America.

12. The Assembly:

(i) took note of the "Progress Report on the Madrid System Goods and Services Database" (document MM/A/49/2), including its paragraph 27 related to the remaining project funds; and,

(ii) requested the International Bureau to submit to the Assembly in 2016 a new Progress Report on the Madrid System Goods and Services Database, including the use of remaining project funds.

Proposed Amendments to the Common Regulations Under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement

13. Discussions were based on document MM/A/49/3.

14. The Secretariat indicated that document MM/A/49/3 contained four proposals for amendments to the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement (hereinafter referred to as "the Common Regulations"), recommended by the Working Group on the Legal Development of the Madrid System for the International Registration of Marks for their adoption by the Assembly.

15. The Secretariat said that the first proposal consisted of amendments to Rule 5 of the Common Regulations that would provide for remedies where the late receipt of communications addressed to the International Bureau was the result of failures in electronic communication services. The Secretariat added that the second proposal, an amendment to Rule 9(4) of the Common Regulations, would allow applicants to include any description of the mark in the international application.

16. Introducing the third proposal contained in document MM/A/49/3, the Secretariat said that it concerned amendments to Rule 24(5) of the Common Regulations. Amendments to paragraphs (a) and (d) of Rule 24(5) would require the application, *mutatis mutandis*, of Rules 12 and 13 of the Common Regulations where a subsequent designation was made for only part of the goods and services listed in the international registration. Amendments to paragraph (d) of Rule 24(5) would limit the consequences resulting from an irregularity related to a missing or defective declaration of intention to use the mark that is not remedied. Finally, introducing the fourth proposal, the Secretariat indicated that an amendment to Rule 36 sought to clarify that the recording of particular changes is exempt from the payment of fees.

17. The Assembly adopted the amendments to Rules 5 and 36 of the Common Regulations, with a date of entry into force of April 1, 2016, and to Rules 9 and 24 of the Common Regulations, with a date of entry into force of November 1, 2017, as set out in the Annexes to the "Proposed Amendments to the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement" (document MM/A/49/3).

Matters Concerning the Madrid and Lisbon Unions: Proposal of the United States of America to the Madrid Assembly

18. Discussions were based on document MM/A/49/4.

19. The Delegation of the United States of America indicated that it had proposed that this item be included in the agenda and that it had submitted the document under discussion

because it had been several years since the Assembly had last discussed the fate of any excess receipts under the Madrid Agreement and Protocol and to recognize that the Assembly had the right to make such decision. The Delegation recalled that Article 8(4) of the Madrid Agreement and of the Madrid Protocol provided for the equal distribution among members of the Madrid Union of any excess receipts. The Delegation noted that, while researching the funding of the various unions, it found that an accumulated surplus had been originally destined to fund expenditures for information technology (IT) projects but that it appeared that such funding was no longer needed. Accordingly, the Delegation requested that the Secretariat provide an update on the expenditures of IT projects for the Madrid System, since 2007, their anticipated future costs and the funds that would be required. The Delegation stated that the Assembly should consider whether to distribute any surplus or to accumulate it in the reserve fund of the Madrid Union, which would then significantly exceed the necessary and desirable levels. The Delegation said that such decision had been taken by the Assembly, depending on the nature of ongoing projects of interest to the Madrid Union. The Delegation recalled that, between 1972 and 1990, the Assembly decided to distribute any surplus while, in 1990, it decided to allocate it to IT modernization programs, deciding again to distribute it in 2000. The Delegation said that, in 2007, a surplus had been anticipated and the Assembly allocated it to finance a new IT modernization program. The Delegation also noted that the modernization program had finished and that, nevertheless, the reserve funds continued to accumulate. The Delegation indicated that, by reviewing documents A/55/6, “Program Performance Report for 2014”, and A/55/5 Rev., “Proposed Program and Budget for the 2016/17 Biennium”, it had found that the reserve and working capital funds of the Madrid Union exceeded the target of 31.5 million for the 2016/17 biennium by 15 million Swiss francs, which could be available for distribution among the members of the Madrid Union under Article 8(4) of the Madrid Agreement and of the Madrid Protocol. The Delegation sought confirmation from the Secretariat that the Assembly could decide on such distribution and said that it has estimated that each member of the Madrid Union could receive approximately 150,000 Swiss francs, as shown in a table that the Delegation offered to submit to the Secretariat as part of its contribution, further requesting that it be circulated. The Delegation also sought information from the Secretariat on whether such contribution would affect the funding of any other parts of the Organization. The Delegation stated that it had made its proposal first, to suggest that the practice of retaining the surplus be discontinued, reverting to their distribution; and, second, recognizing that the Lisbon Union had a deficit and needed to create a working capital fund, to be constructive so that a revised Program and Budget, with a balanced Lisbon Union budget, could be adopted. The Delegation suggested that a distribution of the surplus could be helpful to members of both the Madrid and Lisbon Unions, as they might wish to consider whether such distribution could be redirected into their Lisbon contribution. The Delegation noted that, the Lisbon Union deficit had been routinely covered with the excess generated by the Madrid and the Patent Cooperation Treaty (PCT) Unions. The Delegation recalled that, in the case of long term deficits, Rule 4(8) of the Financial Regulations mandated that the WIPO General Assembly or the assemblies of the interested unions should decide upon measures to address the financial situation, remarking that the Madrid Union, as an interested union, had the ability to decide that its surplus should not be used to allow the Lisbon Union to avoid fixing its financial problems and that, instead, that surplus should be distributed among the members of the Madrid Union, further suggesting that the Assembly of the Madrid Union could also decide that such distribution should be effected subject to the deduction of contributions due under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration. The Delegation explained that, with this decision, it sought to remind that the consent of the Assembly of the Madrid Union was required before any income generated by the Madrid Union could be used to cover the expenses of other underperforming unions. Concluding its remarks, the Delegation proposed that any distribution of the surplus be first applied to any contributions owed by members of the Madrid Union and suggested that members of both the Madrid and Lisbon Unions should contribute their share in the aforesaid distribution to the Lisbon Union Working Capital Fund (see Annex, which is part of the statement).

20. The Secretariat stated that it understood that the proposal made by the Delegation of the United States of America had two parts and indicated that the first part of its proposal had already been discussed during the Assembly of the PCT Union and confirmed that it was willing to provide any additional information that may be required. Concerning the second part of the proposal, the Secretariat confirmed that the Assembly of the Madrid Union was sovereign and that it had the power to direct where a surplus may be used. The Secretariat noted that, at that stage, the Organization was in the middle of a biennium and recalled that the Organization did not have an annual budget, a proposal that was not adopted when, in the late 1990s, the proposal for the unitary budget was considered. The Secretariat indicated that, while the Organization had ended the first year of the biennium with a surplus of 37 million Swiss francs, the result for the biennium would only be known at the end of 2015, when the accounts had been closed and audited. The Secretariat said that the Organization published quarterly and annual financial reports to maintain members informed on the situation and on the expectations for the end of the biennium. The Secretariat remarked that, at the end of the biennium, when the magnitude of the surplus was known, the Assembly of the Madrid Union could consider the decision that was being proposed by the Delegation of the United States of America.

21. The Delegation of the United States of America said that it understood that, when the Assembly of the Madrid Union had previously decided to distribute a surplus, it had done so in anticipation of a surplus and that, in fact, the last time it had decided to do so, there was no surplus to distribute. The Delegation added that the Assembly could take a decision based on the anticipated surplus of 15 million Swiss francs and that, should this estimation be wrong, the appropriate amount would be distributed at the end of the biennium.

22. In response to the intervention made by the Delegation of the United States of America, the Secretariat further confirmed that the Assembly of the Madrid Union was sovereign and that it could decide on the issue of the surplus and clarified that it was only at the end of the biennium that a surplus, if any, would be realized. The Secretariat offered, as further consideration, the fact that the Program and Budget Committee (PBC) had recommended to raise the level of the reserve funds from 18.5 per cent to 22 per cent. It recalled that, in principle, the reserve funds should cover the expenditures of six months, under a continuously increasing budget, and that the external auditors had recommended that such level be fixed at 25 per cent but the Member States had decided, 10 years before, to fix the level of the reserve funds at 18.5 per cent. Furthermore, the Secretariat stated that increasing the liquidity of the reserves was necessary to cover for any unforeseen event that might negatively impact the global economy, as the reserves comprised the net assets which, *inter alia*, included the buildings of the Organization.

23. The Delegation of Australia sought clarification on the impact of the proposed distribution on IT projects, the modernization of the Madrid System, technical assistance or other programs.

24. The Secretariat indicated that the question raised by the Delegation of Australia should be thoroughly considered because, while the IT modernization program had been completed, further investment on IT was required and suggested that the evolution of E-Madrid System was still ahead. It said that all expenditures in this regard, for the immediate future, had been included in the draft Program and Budget but remarked that, given that IT constantly required further developments and refinements, the question raised by the Delegation of Australia merited careful consideration before it could be answered.

25. The Delegation of Switzerland requested that the Delegation of the United States of America clarify whether its proposal to distribute all excess revenue referred to the working capital and reserve funds, as the 15 million amount mentioned by the Delegation of the United States of America probably referred to these items which, combined, would be in excess of the required amount, further noting that they were different in nature, as the working capital was the property of member States of the Union while the reserve funds was the product of the

excess revenue and belonged to the Organization. Furthermore, the Delegation requested further clarification from the Secretariat on the current financial situation of the Union, on future IT projects and on the impact the proposal would have on the overall reserve policy of the Organization.

26. The Delegation of Colombia stated that, based on the proposal made by the Delegation of the United States of America and on the clarifications provided by the Secretariat, discussions could start on this issue. It noted that the nature of the Madrid System was such that the decision to distribute any surplus would depend on the need for technological infrastructure or on other factors that might prevent such distribution or make it impossible to finance other unions. Nevertheless, the Delegation said that it remained open to further discuss the proposal.

27. The Delegation of Spain requested further information on the possible consequences that could result from the distribution of a hypothetical surplus. It recalled that there was a pending issue concerning the translation of some recordings and that the Assembly had given the International Bureau time to make the necessary technological investments to implement an efficient translation process for those recordings. The Delegation echoed the concern expressed by the Delegation of Switzerland, with regard to the consequences this proposal would have for the financial health of the Organization and recalled that it had indicated in the past that there were medium to long term challenges regarding the pension and health systems of the staff and wondered whether the current reserve funds were sufficient to cover those obligations, particularly where part of those reserves were based on the valuation of the buildings of the Organization and that such valuation was subject to fluctuations.

28. The Delegation of the United States of America said that it understood that the proposed Program and Budget already accounted for all anticipated IT investments and translation projects and that, nevertheless, it anticipated meeting the new target of 25 per cent, which would amount to 31.5 million Swiss francs, and recalled that the 2014 annual financial report already showed 50 million Swiss francs in the working capital and reserve fund. Referring to the observation made by the Delegation of Switzerland, it acknowledged that working capital and reserve funds were different but it said that, in the financial reports, both appeared as one item. Nevertheless, the Delegation said that it considered that the reserve and working capital fund considerably exceeded its target and that, in the proposed Program and Budget, all possible expenditures had been considered. The Delegation requested that the subject be left open so that the Secretariat could provide further information, in particular, on the cost of implementing the third phase of the IT modernization program.

29. The Secretariat offered to deliver further figures for closer examination, and indicated that, in the preparation of the Program and Budget, the estimated revenue was based on the base case scenario for the Hague, Madrid and PCT Systems which was prepared by the Chief Economist and that the expenditures were prioritized based on the anticipated revenue, adding that not all the required expenditures were included in the budget and that some expenditures were delayed.

30. The Chair indicated that the work of the Assembly of the Madrid Union had concluded, for the time being, and that item 20 of the Consolidated Agenda was closed with the exception of document MM/A/49/4, on which the Assembly would reconvene later.

31. The Chair announced that Agenda Item 20 “Madrid System” would remain open, pending informal consultations (being undertaken together with related issues covered under other agenda items).

32. During the session, the Chair of the General Assembly provided regular updates on the evolution of those informal consultations to the plenary of the Assemblies, including the Assembly of the Madrid Union. The updates are reported under Agenda Item 11 “Report of the Program and Budget Committee”.

33. The Assembly of the Madrid Union considered document MM/A/49/4 and did not reach consensus.

[Annex follows]

World Intellectual Property Organization
Assemblies of Member States
Special Union for the International Registration of Marks
(Madrid Union)
October 5 to 14, 2015

AGENDA ITEM 20-4: US Proposal to Invite a Decision from the Madrid Assembly Regarding Lisbon Union funding

DOCUMENT: MM/A/49/4 US Statement

- Thank you, Mr. Chair. Noting that this is the first time that we have taken the floor under this agenda item, we would like to start by congratulating you and your vice chairs on your election.
- The United States has proposed this matter be discussed under agenda item 20 and submitted MM/A/49/4 for consideration by the Madrid Assembly because it has been many years since we last considered what should be done with any excess receipts under the Madrid Agreement and Protocol and to recognize that the Madrid Union has this right to decide what to do with their surplus.
- Article 8(4) of the Madrid Agreement and Protocol provides that any excess receipts should be returned to the Contracting Parties in equal parts.
- In investigating the historical funding of the different Unions, we have noticed that the Madrid System has been amassing a surplus that was originally designed to fund the IT Modernization Project but which appears to no longer be needed.
- We would appreciate an update from the Secretariat on the expenditures for IT projects for the Madrid System since 2007, the anticipated future costs of IT projects, and what reserve funds may be needed.
- We think another look must be taken at that surplus to see whether it should be distributed to Madrid Contracting Parties under Article 8(4) or be allowed to accumulate in the Madrid Reserve Fund while significantly exceeding necessary and desirable levels.
- The Madrid Assembly has taken decisions in the past to either distribute any surplus or allocate it to the Reserve Fund, depending on the nature of ongoing projects of interest to the Union.[1]
  - From 1972 to 1990, the Assembly decided to distribute any surplus to Contracting Parties.
  - In 1990, the Assembly decided to allocate the surplus to address IT modernization.
  - In 2000, the Assembly again decided to distribute the surplus.
  - In 2007, anticipating a significant surplus, Madrid Union members decided to keep the surplus to again finance the implementation of IT modernization programs.
- Since that time, however, the IT modernization work has been done, and the surplus has continued to grow.
- Today, looking at A/55/6, the Program Performance Report 2014 and A/55/5 REV, the revised Proposed Program and Budget for 2016/17 , we find that the Madrid Union Reserve and Working Capital Fund now greatly exceeds its target of 31.5 million for 2016/17 by 15 million CHF.
- According to the Madrid Agreement, that means that there is about 15 million CHF that is potentially available for distribution to Contracting Parties in equal shares.

[1] See Annex III, MM/A/38/4 (2007). From 1972 to 1989, Contracting Parties of the Madrid Union received some of the excess receipts above what was allocated to the reserve fund. Between 1990 and 2000, the Madrid Union decided that all of its surplus should go to the Special Reserve Fund for Additional Premises and Computerization, although no surplus was actually generated between 1995 and 2000. In the 2000-2001 biennium, the Madrid Union authorized a distribution of the excess receipts again, but it turned out that there was a deficit during that biennium and thus, no surplus to distribute.

- We would like confirmation from the Secretariat that the Madrid Union could decide to distribute this money to its members, under Article 8(4).
- Furthermore, we would appreciate information as to whether distribution of the Madrid surplus would affect the funding of any other parts of the Organization.
- For the record, we have prepared a table showing the amount of distribution that each Madrid Union member should be entitled to, the amount of the Working Capital Fund that the Secretariat has proposed for consideration by the Lisbon Union (in LI/A/32/4), and predicted whether the Madrid Member would be entitled to the distributed surplus, and the appropriate calculation for each Lisbon Member, and we request that the table be included with the record of this meeting.
- In sum, the first reason why we submitted MM/A/49/4 was to suggest that the Secretariat discontinue the practice of retaining the surplus to build up the reserve fund, and revert the distribution of the surplus, as provided in the Madrid Agreement and Protocol.
- The second reason why we have made this proposal is because we recognize that the Lisbon Union has a deficit and needs to create a Working Capital Fund, and we would like to be constructive, so that a revised Program and Budget, with a balanced Lisbon Union budget, can be approved.

- A distribution of the Madrid surplus to Contracting Parties could be helpful for those Lisbon Union members that are Contracting Parties to both Madrid and Lisbon.
- Those Lisbon Members seeking a solution for the proposed Lisbon Working Capital Fund might wish to consider whether a Madrid surplus distribution could be redirected into a Lisbon contribution from those who are Contracting Parties of both the Lisbon and Madrid Systems.
- The Lisbon Union has a deficit but does not have a reserve fund. What we have seen is that the Lisbon deficit has routinely been covered by the surpluses of other Unions, namely, Madrid and PCT.
- However, in the case of a prolonged deficit, Financial Regulation 4.8 provides that "[t]he General Assembly of WIPO or the Assemblies of the Interested Unions, as the case may be, shall decide upon measures to address the financial situation."
- As an interested Union, the Madrid Union has the ability to say that its excess receipts should not continue to be used to allow the Lisbon Union to avoid fixing its financial problems, but instead should be returned, as prescribed by the agreement itself, to the Contracting Parties.
- It also has the ability to decide upon measures to help address the financial situation by agreeing that the surplus shall be distributed to Members of the Madrid Agreement and Protocol, and that any contributions that are due to the Lisbon Agreement may be deducted from the respective Member's share.
- We are asking that the Madrid Assembly take a decision to
    - Remind other Unions of the need for its consent before another fee-funded registration union obligates Madrid fee income to cover the underperforming union's expenses; and
    - Require the Reserve Working Capital Fund over the Reserve Working Capital Fund Target, to be distributed to the Contracting Parties of the Madrid Agreement and Protocol, as required by the treaty.
    - In this respect, we note that some Madrid Union Contracting Parties are slightly behind on their contributions and we request that distribution be first applied to any contributions owed by Madrid Union Members.
    - Secondly, we recognize that Lisbon Members are considering establishing a Working Capital Fund. We suggest that for any member of the Madrid Union that is also a member of the Lisbon Union, their share of the distribution should be applied to the Lisbon Union working capital fund. Our understanding is that such transfers help

such a Working Capital Fund get off to a good start, and enable the Lisbon Union to cover their deficit.

- Thank you, Mr. Chair.

Table Showing Estimated Distribution of Surplus to Madrid Union Members and
Contributions Required by the Lisbon Agreement (if Lisbon Agreement fees do not recover Lisbon Agreement expenses)

Country or Intergovernmental Organization	Madrid Union Member?	Share of Madrid Article 8(4) surplus (estimated)	Lisbon Union Member?	If Lisbon Member, Paris Convention Class	If Lisbon Member, Paris Convention Unit	***Allocation for Lisbon WCF, required by Lisbon Article 11(3)(v) (from LI/A/32/4)***	***Madrid distribution less Lisbon RWCF***
African Intellectual Property Organization (OAPI)	X	150000					150000
Albania	X	150000					150000
Algeria	X	150000	Yes	IX	0.25	6935	143065
Antigua and Barbuda	X	150000					150000
Armenia	X	150000					150000
Australia	X	150000					150000
Austria	X	150000					150000
Azerbaijan	X	150000					150000
Bahrain	X	150000					150000
Belarus	X	150000					150000
Belgium	X	150000					150000
Bhutan	X	150000					150000
Bosnia and Herzegovina	X	150000	X	S*bis*	0.0625	1734	148266
Botswana	X	150000					150000
Bulgaria	X	150000	X	VI*bis*	2	55483	94517
Burkina Faso		not applicable	X	*Ster*	0.03125	867	-867
Cambodia	X	150000					150000
China	X	150000					150000

Table Showing Estimated Distribution of Surplus to Madrid Union Members and
Contributions Required by the Lisbon Agreement (if Lisbon Agreement fees do not recover Lisbon Agreement expenses)

Country or Intergovernmental Organization	Madrid Union Member?	Share of Madrid Article 8(4) surplus (estimated)	Lisbon Union Member?	If Lisbon Member, Paris Convention Class	If Lisbon Member, Paris Convention Unit	***Allocation for Lisbon WCF, required by Lisbon Article 11(3)(v) (from LI/A/32/4)***	***Madrid distribution less Lisbon RWCF***
Colombia	X	150000					150000
Congo		not applicable	X	*Sbis*	0.0625	1734	-1734
Costa Rica		not applicable	X	S	0.125	3468	-3468
Croatia	X	150000					150000
Cuba	X	150000	X	S	0.125	3468	146532
Cyprus	X	150000					150000
Czech Republic	X	150000	X	VI	3	83225	66775
Democratic People's Republic of Korea		150000	X	*Sbis*	0.0625	1734	148266
Denmark	X	150000					150000
Egypt	X	150000					150000
Estonia	X	150000					150000
European Union (EU)	X	150000					150000
Finland	X	150000					150000
France	X	150000	X	I	25	693541	-543541
Gabon		not applicable	X	S	0.125	3468	-3468
Georgia	X	150000	X	IX	0.25	6935	143065
Germany	X	150000					150000
Ghana	X	150000					150000
Greece	X	150000					150000
Haiti		not applicable	X	*Ster*	0.03125	867	-867

part of United States Statement under agenda item 20

Table Showing Estimated Distribution of Surplus to Madrid Union Members and
Contributions Required by the Lisbon Agreement (if Lisbon Agreement fees do not recover Lisbon Agreement expenses)

Country or Intergovernmental Organization	Madrid Union Member?	Share of Madrid Article 8(4) surplus (estimated)	Lisbon Union Member?	If Lisbon Member, Paris Convention Class	If Lisbon Member, Paris Convention Unit	***Allocation for Lisbon WCF, required by Lisbon Article 11(3)(v) (from LI/A/32/4)***	***Madrid distribution less Lisbon RWCF***
Hungary	X	150000	X	VI	3	83225	66775
Iceland	X	150000					150000
India	X	150000					150000
Iran (Islamic Republic of)	X	150000	X	VII	1	27742	122258
Israel	X	150000	X	VI*bis*	2	55483	94517
Italy	X	150000	X	III	15	416125	-266125
Japan	X	150000					150000
Kazakhstan	X	150000					150000
Kenya	X	150000					150000
Kyrgyzstan	X	150000					150000
Latvia	X	150000					150000
Lesotho	X	150000					150000
Liberia	X	150000					150000
Liechtenstein	X	150000					150000
Lithuania	X	150000					150000
Luxembourg	X	150000					150000
Madagascar	X	150000					150000
Mexico	X	150000	X	IV*bis*	7.5	208062	-58062
Monaco	X	150000					150000
Mongolia	X	150000					150000

part of United States Statement under agenda item 20

Table Showing Estimated Distribution of Surplus to Madrid Union Members and
Contributions Required by the Lisbon Agreement (if Lisbon Agreement fees do not recover Lisbon Agreement expenses)

Country or Intergovernmental Organization	Madrid Union Member?	Share of Madrid Article 8(4) surplus (estimated)	Lisbon Union Member?	If Lisbon Member, Paris Convention Class	If Lisbon Member, Paris Convention Unit	***Allocation for Lisbon WCF, required by Lisbon Article 11(3)(v) (from LI/A/32/4)***	***Madrid distribution less Lisbon RWCF***
Montenegro	X	150000	X	IX	0.25	6935	143065
Morocco	X	150000					150000
Mozambique	X	150000					150000
Namibia	X	150000					150000
Netherlands	X	150000					150000
New Zealand	X	150000					150000
Nicaragua		not applicable	X	*Sbis*	0.0625	1734	-1734
Norway	X	150000					150000
Oman	X	150000					150000
Peru		not applicable	X	IX	0.25	6935	-6935
Philippines	X	150000					150000
Poland	X	150000					150000
Portugal	X	150000	X	IV*bis*	7.5	208062	-58062
Republic of Korea	X	150000					150000
Republic of Moldova	X	150000	X	IX	0.25	6935	143065
Romania	X	150000					150000
Russian Federation	X	150000					150000
Rwanda	X	150000					150000
San Marino	X	150000					150000
Sao Tome and Principe	X	150000					150000
Senegal	X	150000					150000

part of United States Statement under agenda item 20

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Contributions Required by the Lisbon Agreement (if Lisbon Agreement fees do not recover Lisbon Agreement expenses)

Country or Intergovernmental Organization	Madrid Union Member?	Share of Madrid Article 8(4) surplus (estimated)	Lisbon Union Member?	If Lisbon Member, Paris Convention Class	If Lisbon Member, Paris Convention Unit	***Allocation for Lisbon WCF, required by Lisbon Article 11(3)(v) (from LI/A/32/4)***	***Madrid distribution less Lisbon RWCF***
Serbia	X	150000	X	VIII	0.5	13871	136129
Sierra Leone	X	150000					150000
Singapore	X	150000					150000
Slovakia	X	150000	X	VI	3	83225	66775
Slovenia	X	150000					150000
Spain	X	150000					150000
Sudan	X	150000					150000
Swaziland	X	150000					150000
Sweden	X	150000					150000
Switzerland	X	150000					150000
Syrian Arab Republic	X	150000					150000
Tajikistan	X	150000					150000
the former Yugoslav Republic of Macedonia	X	150000	X	VIII	0.5	13871	136129
Togo		not applicable	X	*Ster*	0.03125	867	-867
Tunisia	X	150000	X	S	0.125	3468	146532
Turkey	X	150000					150000
Turkmenistan	X	150000					150000
Ukraine	X	150000					150000
United Kingdom	X	150000					150000

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Table Showing Estimated Distribution of Surplus to Madrid Union Members and
Contributions Required by the Lisbon Agreement (if Lisbon Agreement fees do not recover Lisbon Agreement expenses)

Country or Intergovernmental Organization	Madrid Union Member?	Share of Madrid Article 8(4) surplus (estimated)	Lisbon Union Member?	If Lisbon Member, Paris Convention Class	If Lisbon Member, Paris Convention Unit	***Allocation for Lisbon WCF, required by Lisbon Article 11(3)(v) (from LI/A/32/4)***	***Madrid distribution less Lisbon RWCF***
United States of America	X	150000					150000
Uzbekistan	X	150000					150000
Viet Nam	X	150000					150000
Zambia	X	150000					150000
Zimbabwe	X	150000					150000
		14250000				1999999	12250001

[End of Annex and of document]

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