

# WIPO



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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
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**SPECIAL UNION FOR THE INTERNATIONAL REGISTRATION OF MARKS  
(MADRID UNION)**

**ASSEMBLY**

**Fortieth (23<sup>rd</sup> Extraordinary) Session  
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PROPOSAL FOR A STUDY ON THE POSSIBLE INTRODUCTION OF "FILING  
LANGUAGES" IN THE MADRID SYSTEM

*prepared by the International Bureau*

1. In view of certain calls for an extension of the language regime of the Madrid system, the International Bureau is submitting the present document to the Assembly.
2. The working languages of the Madrid system for the international registration of marks are English, French and Spanish.
3. As from September 1, 2008, the language regime of the Madrid system will be fully trilingual, subject only to certain transitional measures in respect of international registrations effectuated prior to September 1, 2008, which may still be available only in one or two of the three working languages.
4. At a WIPO Regional Seminar for Arab States on the Promotion of Accession to the Madrid Protocol, that took place in July 2007 in Cairo, participants adopted a number of recommendations supportive of the accession by their countries to the Madrid Protocol. However, they also recommended that a proposal be submitted to the Madrid Union Assembly aimed at the inclusion of Arabic as a language of the Madrid system.

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5. In addition, the International Bureau has also received similar expressions of interest for the possible use of the Russian language in the context of the Madrid system.

6. It is, therefore, proposed that a study be conducted by the International Bureau on the implications, consequences and advantages of including other languages in the language regime of the Madrid system, and that the results of such study be submitted to the next session of the Assembly. It is suggested that the study focus, in particular, on a scenario in which the working languages of the Madrid system remain English, French and Spanish, but in which applicants would be permitted to file international applications also in any of the other working languages of WIPO, i.e. Arabic, Chinese, Portuguese or Russian.

7. The main advantage of adding the possibility of filing international applications in these languages must be appraised in terms of:

(a) potential new accessions to the Madrid Protocol; and/or

(b) potential growth in the number of users of the Madrid system, not only as a result of new accessions to the Madrid Protocol, but also in current Member States.

8. Arabic is an official language in 21 WIPO Member States representing some 360 million people in the world. Seven of these States are currently party to the Madrid system. However, only four are bound by the Madrid Protocol, namely Bahrain, Morocco, Oman and the Syrian Arab Republic. The other three – Algeria, Egypt and Sudan – are currently only bound by the Madrid Agreement.

9. China is the country with the largest number of trademark filings annually in the world. In 2006, the Chinese Trademark Office recorded some 260,000 trademark registrations. China is party to the Madrid system. In the same year, 1,416 international registrations under the Madrid system originated from China.

10. Portuguese is an official language in eight WIPO Member States and is spoken by some 240 million people in the world. Only two of these States are currently party to the Madrid system, namely Mozambique and Portugal.

11. Russian is an official language in four WIPO Member States and is spoken by over 200 million people in the world. It also has an official status in the Commonwealth of Independent States (CIS), which has eleven Member States. All States in question are party to the Madrid system. However, Kazakhstan and, among the CIS countries, also Tajikistan are currently bound only by the Madrid Agreement.

*12. The Assembly is invited to take note of the present document and agree that the Secretariat conduct a study as proposed.*

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