

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

Assembly

Fifty-Sixth (32nd Extraordinary) Session
Geneva, July 14 to 22, 2022

REPORT

adopted by the Assembly

1. The Assembly was concerned with the following items of the Consolidated Agenda (document A/63/1): 1, 2, 3, 4, 6, 8, 10(ii), 11, 15, 19, 20 and 21.
2. The reports on the said items, with the exception of item 15, are contained in the General Report (document A/63/10).
3. The report on item 15 is contained in the present document.
4. Mr. Philippe Cadre (France), Chair of the Assembly, presided over the meeting.

ITEM 15 OF THE CONSOLIDATED AGENDA

MADRID SYSTEM

5. The Chair welcomed four new Contracting Parties for which the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (hereinafter referred to as “the Protocol”) had entered into force since the Madrid Union Assembly held its previous session in October 2021, namely, the United Arab Emirates, Jamaica, Chile and Cabo Verde.

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

6. Discussions were based on document MM/A/56/1.

7. The Secretariat indicated that document MM/A/56/1 proposed a number of amendments to the Regulations Under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (hereinafter referred to as “the Regulations”). The Working Group on the Legal Development of the Madrid System for the International Registration of Marks (hereinafter referred to as, respectively, “the Working Group” and “the Madrid System”) had recommended the adoption of the proposed amendments to Rules 3, 5 and 30 of the Regulations at its nineteenth session. The proposed amendment to Rule 3 of the Regulations would prescribe the use of a form to request the recording of the appointment of a representative before the International Bureau, which would benefit holders by streamlining and expediting the processing of these requests. The proposed amendment to Rule 5 of the Regulations was merely editorial. The proposed amendment to Rule 30 of the Regulations would increase the period in which a holder can renew an international registration from three to six months before its expiration date, which would benefit those holders who must prove that their international registrations remain in force in the designated Contracting Parties. The Working Group had recommended that the proposed amendments enter into force on November 1, 2022.

8. The Delegation of Chile recalled that the Protocol had entered into force for Chile on July 4, 2022. Since then, Chile had been the subject of numerous designations and the Chilean Office had already received the first international applications. While the journey to accede to the Protocol had been long and complex, Chile had completed this journey with the support of its authorities and its Parliament, the much-valued cooperation of WIPO and the assistance of friendly industrial property offices. By the time the Protocol entered into force for Chile, the Office had developed and implemented platforms to receive online international applications and to process those applications as well as designations of Chile under the Madrid Protocol. The Office continued to train its staff and it had already organized public online seminars on the Madrid System, with the cooperation of WIPO. Looking forward, Chile would focus on consolidating its online platforms and on increasing the awareness of the Madrid System among Chilean users, in particular, among women entrepreneurs and small and medium-sized enterprises (SMEs) through a center that supports these enterprises. The Delegation stated that it looked forward to cooperating actively in matters relating to the Madrid Union.

9. The Delegation of the Russian Federation expressed its support for the proposed amendments to the Regulations. The proposed amendment to Rule 3 of the Regulations would simplify and expedite the processing of requests for the recording of the appointment of a representative before the International Bureau. The proposed amendment to Rule 5 of the Regulations would make it easier to understand. The proposed amendment to Rule 30 of the Regulations would make the renewal of international registrations more flexible. The Delegation reiterated its support for proposals to simplify and make more attractive the Madrid System and

assured that it would continue to cooperate on the new proposals and initiatives which had been already announced.

10. The Delegation of China expressed its support for the proposed amendments to the Regulations and hoped that WIPO would continue to improve the services it provided under the Madrid System, its information technology platforms and that it would expand the working languages of the Madrid System, which would provide more convenient and effective services to its users worldwide.

11. The Representative of the Intellectual Property Latin American School (ELAPI) congratulated the Working Group on the proposed amendments agreeing that each proposed amendment should make the Madrid System more efficient and beneficial for its users. The Representative celebrated the fact that Brazil, Chile, Colombia and Mexico had acceded to the Protocol and, in view of all its benefits, invited other countries in the region to do the same. The accession of all countries to the Protocol would benefit not just trademark owners but also universities, which could extend their academic pursuits, with their own trademarks, into other territories, thus expanding the educational coverage, as well as SMEs, which could be present in other countries, creating growth and economic development in each country. The Representative offered ELAPI's academic support to the Assembly, the Madrid System and Member States, in particular, to those that are members of the Group of Latin American and the Caribbean Countries (GRULAC).

12. The Madrid Union Assembly adopted the amendments to Rules 3, 5, and 30 of the Regulations Under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, as set out in the Annexes to document MM/A/56/1, with November 1, 2022, as their date of entry into force.

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