

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

Assembly

**Fifty-Eighth (33rd Extraordinary) Session
Geneva, July 9 to 17, 2024**

DRAFT REPORT

prepared by the Secretariat

1. The Assembly was concerned with the following items of the Consolidated Agenda (document [A/65/1](#)): 1, 2, 3, 4, 6, 8(ii), 9, 12, 18, 21 and 22.
2. The reports on the said items, with the exception of item 12, are contained in the draft General Report (document [A/65/11 Prov.](#)).
3. The report on item 12 is contained in the present document.
4. Ms. Loreto Bresky (Chile), Chair of the Madrid Union Assembly, presided over the meeting.

ITEM 12 OF THE CONSOLIDATED AGENDA

MADRID SYSTEM

5. The Chair welcomed one new Contracting Party that had acceded to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (hereinafter referred to as “the Madrid Protocol”) since the last session of the Assembly of the Madrid Union (hereinafter referred to as “the Assembly”) in July 2023, namely Qatar.

6. Discussions were based on document [MM/A/58/1](#).

7. The Secretariat recalled that the Working Group on the Legal Development of the Madrid System for the International Registration of Marks (hereinafter referred to as “the Working Group” and “the Madrid System”) had held its twenty-first session from November 13 to 17, 2023, and had adopted, with immediate effect, a transitional measure to align the election cycle of its officers with Rule 9 of the General Rules of Procedure of WIPO, under which Ms. Marija Božić (Serbia) was elected as Chair, and Mr. Long Kemvichet (Cambodia) and Mr. Dustyn Taylor (Australia) were elected as Vice-Chairs. The Secretariat indicated that, while document MM/A/58/1 reported on several topics discussed by the Working Group, it wished to highlight two of them, which were dependency and the possible introduction of new languages. The Working Group discussed a proposal by several delegations that would introduce flexibilities regarding dependency and the basic mark requirement. The Working Group agreed to continue discussing that proposal at its upcoming session and encouraged members and observers to submit proposals or observations regarding dependency. Following a report by the International Bureau on the technical consultations it had conducted on the possible introduction of new languages and on a proposed way forward, the Working Group requested that the International Bureau prepare a detailed draft implementation plan for the enhancement of the Terminology Database maintained by the International Bureau, the development of standardized machine-readable format for data exchange with Offices, and the introduction of a differentiated translation practice. The introduction of such measures would be valuable for trademark holders independent of the possible introduction of new languages. The Secretariat stated that it was taking advantage of that opportunity to correct a typographical error in Rule 32(2)(i) of the Regulations Under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (hereinafter referred to as “the Regulations”), which referred to Rule 40(7) instead of Rule 40(8), an error that would be corrected after the closing of the session.

8. The Delegation of Algeria, speaking on behalf of the Arab States members of the Madrid Union, thanked the Secretariat for the consultations undertaken at the request of the Working Group and reaffirmed its interest in the introduction of Arabic as a Madrid System language, considering that Arabic was an official United Nations (UN) language, that its introduction would be consistent with the criteria agreed upon for the introduction of new languages and that several benefits could be derived from the said introduction. The Delegation recalled that Arabic was the official language of 22 Member States, 10 of which were members of the Madrid Union, and that it was spoken by more than 280 million people worldwide, ranking among the top five languages spoken as a mother tongue. The Delegation commended the documents prepared by the International Bureau on that subject and expressed optimism about the introduction of new Madrid System languages. The Delegation indicated that language was one of the main obstacles Arab States faced and that the introduction of Arabic as a Madrid System language would be an incentive for those States to join that System. Additionally, such introduction would increase the number of international applications and designations within the Madrid System. The Delegation expressed its willingness to continue negotiations and consultations with the Working Group regarding the introduction of Arabic as a Madrid System language within an appropriate time frame and in accordance with the agreed upon criteria.

9. The Delegation of China highlighted that the Madrid System was undergoing a period of important reforms and recalled that the Working Group was discussing dependency, the introduction of new languages and other important issues that would have an impact on the long-term development of the Madrid System. The Delegation recalled the work undertaken by the Secretariat, including holding technical consultations with all parties concerned regarding the introduction of new Madrid System languages and expressed appreciation for the efforts made by the Secretariat and all the parties concerned, stating that it would continue to actively participate in those consultations. The Delegation encouraged the Secretariat and all relevant parties to continue to listen to the voice of the users in light of ongoing developments and to work together to promote the Madrid System and to further improve its legal framework to provide better services to its global users.

10. The Delegation of Brazil reiterated its support for the expansion of the Madrid System language regime, particularly with a view to introducing Portuguese as a Madrid System language. The Delegation recalled that Portuguese was the eighth most spoken language worldwide, with 263 million native speakers, 215 of whom resided in Brazilian territory. The Madrid Protocol had entered into force in Brazil slightly less than five years earlier, in October 2019. Since then, the number of trademark registrations in Brazil had increased rapidly. According to information available at WIPO, the number of trademark applications filed in Brazil between 2020 and 2021 had increased by 32 per cent. Between 2021 and 2022, while several Offices experienced a decrease in the number of registrations, Brazil saw a continued increase in the number of applications, which had allowed the National Institute of Industrial Property (INPI) of Brazil to consolidate itself as the Office with the seventh largest number of trademark registrations, with 450,000 registrations in that year, which represented a 10 per cent increase. The intense demand for trademark registrations in Brazil had not been accompanied by an increase in the use of the Madrid System at a similar pace, which was evidence of the wasted potential due to the Madrid System not being open to Portuguese. The Delegation highlighted the considerable benefits for the Madrid System from the inclusion of Portuguese, particularly with regards to possible revenue, and the fact that the cost of introducing that language would not be high because the Madrid System was already adapted for languages using Latin characters. The Delegation expressed its support for a broad discussion on the introduction of new languages to the Terminology Database, particularly Portuguese, during the upcoming session of the Working Group.

11. The Delegation of Qatar announced that on May 3, 2024, it had deposited its instrument of accession to the Madrid Protocol with the Director General of WIPO and that it was adapting its procedures in line with that accession to accelerate the building of a knowledge-based economy in line with Qatar Vision 2030. The Delegation expressed its support for the position of the Arab Group on the inclusion of the Arabic language in the Madrid System, as it was one of the six official languages of the UN, spoken by more than 380 million people and the official language in 22 countries. While the use of the Madrid System in Arab Member States was witnessing exponential growth in recent years, language remained a barrier. The introduction of Arabic would be an important factor in facilitating and encouraging further use of the Madrid System by enterprises in Arab countries, regardless of their size. The Delegation stated its belief in the introduction of artificial intelligence (AI) solutions to greatly reduce the costs of introducing the Arabic language into the Madrid System and called for consideration of the adoption of these technologies to accelerate such introduction.

12. The Delegation of India acknowledged that the Madrid Protocol had undergone various amendments to accommodate the evolving needs and advances in the realm of international trademark registration and expressed its unwavering support and commitment to strengthening the international trademark registration system. The Delegation extended its support to the proposal of preserving the basic mark requirement, while shortening the dependency period from five to three years, and emphasized the significance of preserving the basic mark requirement, which ensured that trademark holders could rely on a consistent and credible

framework for their intellectual property (IP) protection. The Delegation also expressed support for the introduction of a minimum time limit of two months to respond to notifications of provisional refusal for the convenience of trademark holders, as it would facilitate a more efficient management of international trademark portfolios and reduce the risk of loss of trademark rights due to procedural delays. The Delegation indicated that India, as one of the most linguistically diverse countries in the world, recognized the significance of linguistic diversity and extended its support for measures that fostered inclusivity and trusted that the inclusion of additional Madrid System languages would be decided after a thorough feasibility evaluation. The Delegation reiterated its commitment to working closely with Member States in their deliberations on the various proposals.

13. The Delegation of Spain stated that, being mindful of the fact that technical work and studies were essential for the Organization, it actively participated in the working groups of the various systems, particularly in the Madrid System Working Group. The Delegation indicated that the proper functioning of the System and its stability were relevant concerns for the Delegation and that it looked forward to the changes proposed at the previous session of the Working Group regarding the election of officers, trusting that changes made to the procedure for the conduct of the sessions would always be aimed at contributing to its better functioning. Regarding possible modifications to the dependency regime, the Delegation recalled that after several years of proposals and discussions, the Secretariat had asked members of that Working Group to present concrete proposals on which to move forward with the debate. The Delegation said that, while it looked forward to hearing the proposals from its colleagues, it wished to recall that the dependency regime was one of the pillars of the functioning of the Madrid System and that any proposal to improve it should be carefully studied, adding that caution and prudence should be exercised when modifying essential aspects. Regarding multilingualism, the Delegation indicated that it had noted with attention the firm commitment of the Secretariat to increase the presence of new languages in the Madrid System and that it would analyze with interest those initiatives that guarantee the efficiency and sustainability of the system.

14. The Delegation of Portugal expressed its appreciation for the work of the Organization in the promotion of multilingualism and on the possible introduction of new languages into the Madrid System and stated its belief that a multilingual and inclusive system would be more robust and better able to respond to the needs of a globalized and diverse economy. The Delegation recalled that Portuguese was the eighth most spoken language worldwide and the official language of nine countries in four continents, with nearly 300 million speakers worldwide, and projected to reach 350 million speakers by 2050. That vast linguistic community represented not only cultural diversity but also a significant global economic market, because the combined nine economies of the community of Portuguese-speaking countries comprised a value of approximately 2.7 billion Euros, or 2.89 billion United States dollars, which would make them the sixth largest economy in the world should they be just one country, according to International Monetary Fund (IMF) figures from 2016. The Delegation stated that the possible introduction of Portuguese would facilitate access to the Madrid System for users in Portuguese-speaking countries by eliminating barriers that made it difficult for them to protect their trademarks in international markets. The Delegation recognized that notwithstanding the logistical and financial challenges involved in the introduction of new languages to the Madrid System, the benefits would outweigh the initial costs by increasing the use of the system and the benefits for its users. The Delegation reiterated its willingness to contribute and participate in the discussions and efforts needed to analyze the introduction of Portuguese and other languages into the Madrid System.

15. The Delegation of Saudi Arabia, while commending the efforts of the Working Group and its developments, announced that the Kingdom of Saudi Arabia aimed to deposit its instrument of accession to the Madrid Protocol in the near future. The Delegation emphasized the importance of introducing Arabic as one of the languages of the Madrid System, as well as

other official UN languages, and of promoting multilingualism as one of the fundamental values of the Organization. The Delegation stated that such introduction would provide an impetus to promote the use of the Madrid System by right holders in Arab countries.

16. The Delegation of the Russian Federation expressed its support for the steps taken by the Secretariat to improve the Madrid System and make it more user-friendly and attractive for applicants and users and stated that it favored continuing work on the expansion of the language regime of the Madrid System in the context of the introduction of Russian, Arabic and Chinese. The Delegation commended the Secretariat for conducting informal consultations during the intersessional period, including the preparation of a questionnaire on data collection and availability regarding indications of goods and services in several languages and indicated its willingness to continue to fully assist the Secretariat on the matter of the introduction of Russian as a Madrid System language. Regarding the ongoing discussions on dependency, the Delegation recalled that it had consistently advocated for freezing the application of paragraphs (2), (3), (4) and (6) of Article 6 of the Madrid Protocol, emphasizing that of all the possible options considered, freezing was the only option within the competence of the Madrid Union Assembly and that did not require convening a diplomatic conference. The Delegation noted that freezing the application of the dependency principle would be a temporary solution for a reasonable period sufficient to analyze its impact on applicants and trademark owners, as well as on the Madrid System as a whole. Freezing the application of the dependency period would provide time for Member States, IP Offices and users to evaluate in practice the pros and cons of reducing the dependency period. In that way, all stakeholders would be able to use that flexibility and advocate for a reduction of the dependency period. The Delegation said that it was ready for an instructive dialogue with a view to further improving the Madrid System for the benefit of all its users. The Delegation expressed its regret for the need to reiterate its deep concern for and strong condemnation against the destructive actions of the European Union which were contrary to the norms of international law in the field of IP with regards to the protection of the rights of Russian trademark applicants and right holders, actions that were absolutely unacceptable and inadmissible.

17. The Delegation of Sudan emphasized the importance of introducing Arabic, as well as Chinese and Russian, as Madrid System languages, as they were official languages of the UN, adding that an increase in the number of languages would attract more users to the Madrid System. More trademark owners would be able to manage their applications and registrations and receive decisions from designated Offices in their national languages. The Delegation noted that the introduction of Arabic would contribute to increase the number of Arab countries that were not members of the Madrid System, as only a few Arab countries were members of the system. The Delegation expressed its support for continued consultations on practical ways to move forward on how to benefit from the introduction of more languages to the Madrid System and find ways to reduce costs while sustaining the necessary funding and emphasized the importance of developing digital systems to facilitate such introduction.

18. The Delegation of Iran (Islamic Republic of) expressed its appreciation for the recent cooperation with the Organization in launching the Madrid Flyer project, which had been instrumental in raising awareness and empowering small and medium-sized enterprises (SMEs) about the Madrid System. The Delegation also welcomed the increase in the number of users of the Madrid System and their growing awareness of its benefits. The Delegation expressed its support for the proposed amendments to Article 6 of the Madrid Protocol, known as the dependency principle, which would reduce the international trademark registration dependency period from five to three years, adding that it had submitted its views in writing to the International Bureau of WIPO. Considering the need to convene a diplomatic conference for any review of Article 6 of the Madrid Protocol, the ongoing work of the Working Group and its decisions in that regard were highly significant. The Delegation also expressed its support for recent amendments to Rule 17(7) of the Regulations regarding the time limit to respond to notifications of provisional refusal, the way in which these time limits were to be calculated, and

the obligation according to which members had to notify the length of those time limits to the International Bureau of WIPO. Those amendments would protect users of the System and promote greater coordination and consistency in the examination process among Contracting Parties. The Delegation expressed its belief that the Road Map for the Evolution of the Madrid System, presented by the International Bureau in document [MM/LD/WG/21/6](#), was a valuable guide for implementing reforms aimed at enhancing the efficiency and flexibility of the Madrid System, thereby expanding its geographical scope worldwide.

19. The Delegation of Vanuatu underscored the profound significance of the Madrid System for its nation. As a small island developing State, Vanuatu recognized the critical role that IP played in fostering economic growth, encouraging innovation, and protecting cultural heritage. The Madrid System offered a streamlined, efficient, and cost-effective means for businesses to secure trademark protection in multiple jurisdictions worldwide. That was particularly invaluable for Vanuatu, where the potential for international trade and tourism was immense, yet resources were limited. Accessibility to the Madrid System empowered entrepreneurs and businesses from Vanuatu to expand their reach beyond its shores, fostering economic diversification and resilience. By simplifying the process of obtaining international trademark protection, the Madrid System supported the strategic objectives of Vanuatu to enhance trade, attract foreign investment, and promote its unique cultural products on the global stage. The Delegation commended the Organization on its efforts to enhance the Madrid System and ensure it met the needs of all Member States, especially those with developing economies. The Delegation stated that it remained committed to actively participating in discussions and initiatives aimed at improving that vital international tool, and it looked forward to continuing collaboration to strengthen the global IP framework for the benefit of all Member States.

20. The Delegation of the Republic of Moldova, speaking on behalf of the Central European and Baltic States (CEBS) Group, recognized the work on improving the efficiency of the system through adequate modifications that would make the system more user-friendly, and expressed its appreciation for the discussions held on the future development of the Madrid System and its simplification based on the updated road map offered by the Secretariat as a basis for discussions. The Delegation said that it saw the value in discussing further and more in-depth the issue of dependency, especially in the context of possible amendments to Article 6 of the Madrid Protocol to reduce the dependency period to three years, as well as other amendments needed with a view to modernize the provisions in the Madrid Protocol. The Delegation stated its openness to the possibility of convening a diplomatic conference related to that matter, based on the conviction that a tangible and workable outcome was possible with benefits for the users of the Madrid System, adding that it was ready to further engage in those discussions. The Delegation recalled that the CEBS Group had actively participated in the discussions and technical consultations on the possible introduction of new languages into the Madrid System and expressed its appreciation to the Secretariat for presenting information and various concepts related to that topic. Further work was needed with a view to achieving better clarity and find a consensual approach to some of the technical measures related to the implementation plan, including costs estimates, source of funding, and quality assurance in the process of introducing new languages. The Delegation reiterated that further discussions on introducing new languages should be based on objective criteria and should not put any of the users of the Madrid System in an inferior position in comparison to users who could directly benefit from that development. The CEBS Group would not be able to support any decision that could have a negative impact on the users of the Madrid System, particularly due to possible financial implications. The Delegation stated that introducing new languages into the system would be perceived as a benefit for users of the specific language concerned. Based on the above and considering the geopolitical context at that time, the Delegation indicated that the CEBS Group would not be in a position to support the introduction of the Russian language.

21. The Delegation of Lithuania said that it aligned itself with the statements delivered by the Delegation of the Republic of Moldova, on behalf of the CEBS Group, and the Delegation of Ukraine. The Delegation expressed its appreciation to the Secretariat and to the Member States for their continuous efforts and progress achieved during the twenty-first session of the Working Group. Noting that there had been discussions and developments on several topics during the said session, the Delegation said that it wished to underline the most important ones for its country. Considering the digital environment as well as the rapidly expanding global businesses and their needs, the Delegation expressed its support for initiatives and further discussions with a view to modernizing the Madrid System. The Delegation said that, while it favored reviewing the requirements in Article 6 of the Madrid Protocol and could support a reduction of the dependency period from five to three years, concerns remained. The Delegation therefore wished to hold deeper discussions on the option to completely abolish the dependency on the basic mark. The Delegation indicated that the second most important issue concerned discussions on the possible introduction of new languages into the Madrid System. The Delegation, while expressing its appreciation for the efforts of the Secretariat to collect and present statistical information as well as to present various scenarios related to that topic, said that it aligned itself with the view that further discussions on the possible introduction of new languages into the System should be based on objective criteria and should not negatively impact users of the Madrid System, especially considering the possible financial implications of such change. Referring to the possible introduction of the Russian language, the Delegation stated that the Russian Federation should not be allowed to be the primary beneficiary of the said change. The Delegation underscored that, as long as the Russian Federation continued its unprovoked and unjustified war against Ukraine, in violation of international law, the Delegation would strongly oppose and would not be in any position to accept the introduction of Russian as a new language of the Madrid System. It reiterated that the aggressor State should be deterred from exploiting WIPO resources and WIPO-administered global IP services to justify and support its military aggression against Ukraine. The Delegation restated its serious concerns about the operation of the Madrid System regarding addresses in illegally annexed territories of Ukraine showing the Russian Federation as the country of origin. The Delegation said that the most recent example of a cynical action by the Russian Federation was the registration of the “Melitopol Cherry”, coming from an illegally annexed territory of Ukraine and which had been protected as a Ukrainian geographical indication, adding that such behavior was unjustified and immoral and needed a strong response from the Secretariat and the world IP community. The Delegation thanked the Legal Counsel of the Organization for her explanation, on the previous day, in reply to a question posed by the Delegation of Latvia regarding actions taken by the International Bureau to address the concerns of several Member States regarding the implementation of the UN General Assembly Resolution 68/262, adopted on 27 March, 2014, regarding the territorial integrity of Ukraine and which called upon all States, international organizations and specialized agencies not to recognize any change in its status and to refrain from actions that could be considered as such recognition. Having heard the explanations delivered by the Legal Counsel of the Organization and considering that legal changes would be needed for a proper solution of the issue at hand, the Delegation called upon the International Bureau to update the road map for the evolution of the Madrid System to include a revision of the Madrid Protocol and the Regulations regarding the possibility to correct international registrations and to refuse the registration of marks in international applications from territories which the UN had recognized as illegally annexed. The Delegation said that it remained ready to contribute and work constructively on that matter at the upcoming session of the Working Group.

22. The Delegation of Timor-Leste stated that, while not yet a member of the Madrid System, it recognized the significant benefits that participation in that international framework offered for trademark protection, and said that it was particularly encouraged by the efforts to recalculate individual fees, address issues of dependency, and explore the inclusion of new languages, which would enhance the accessibility and effectiveness of the Madrid System for all its stakeholders. The Delegation acknowledged the importance of these initiatives and their

potential to facilitate a more inclusive and comprehensive system for the protection of IP rights globally and indicated that, while it remained committed to strengthening its national IP framework, it was actively considering future membership in the Madrid Union. The Delegation stated that the Madrid Protocol would not only contribute to the global trademark protection landscape but would also support the domestic economic development of its country by providing businesses with the tools necessary to protect their brands internationally. The Delegation indicated that it looked forward to engaging with the Working Group and with other WIPO Member States as it progressed towards potential future membership and was eager to contribute to the ongoing development and success of the Madrid System ensuring that it met the needs of all its members and observers.

23. The Delegation of Ukraine reiterated its strong objection to the introduction of Russian as a Madrid System language and, following recent discussions within the Working Group, recalled that, while it was not opposed to the idea of introducing new languages, it found insufficient justifications for the introduction of Russian into the Madrid System. The Delegation pointed out that, on that day, the Assembly had heard about another important issue that clearly needed the attention of all WIPO Member States. During an earlier discussion held during those Assemblies there had been a call on the Secretariat of the Organization and Member States to respect the internationally recognized borders of Ukraine and to comply with several UN resolutions within the framework of WIPO's work. That morning, the IP community had learned of the misappropriation by the Russian Federation of the geographical indication "Melitopol Cherry", registered in Ukraine in 2020, which had defined its geographical boundaries around the city of Melitopol and its surrounding settlements. Unfortunately, these areas had become temporarily occupied by Russian troops as from February 24, 2022. During the most significant annual event for the IP sphere, officials from the Russian Federation, particularly officials from the Federal Service for Intellectual Property (ROSPATENT), had decided to deliberately remind everyone that they did not care about the principles of the UN Charter nor about the high mission and vision of WIPO. ROSPATENT had announced the issuance of a certificate of exclusive rights to a regional brand in the so-called new regions of the Russian Federation. The Delegation quoted an official from the Russian Federation as stating that the registration of the regional brand by ROSPATENT would improve the integration of that region into the Russian Federation in the minds of both the residents of the region and the residents of the whole Russian Federation. The Delegation drew attention to the use of the word integration by officials from the Russian Federation to refer to the illegal occupation and oppression, adding that those officials further indicated that the registration of that geographical indication from the temporarily occupied territories of Ukraine, was just the beginning and that it would be followed by many more. The Delegation stated that the Russian Federation, cynically and during the Assemblies, had registered IP from the temporarily occupied territories, thus disrespecting the global IP community, and once again demonstrating to the world that it had no moral boundaries, and that provisions of international agreements and rules did not apply to it. The Delegation recalled that, during previous sessions of the Assemblies and on other WIPO platforms, it had stated that IP had become both a hostage and a weapon in the hands of a terrorist State and added that if someone did not believe it then, on that day they were witnessing a direct and indisputable example of that statement. In addition to oppression, occupation, deportation and concentration camps, the Russian Federation had inflicted even more harm on the population of the temporarily occupied territories of Ukraine by stealing their traditions and IP. The Delegation underscored that, as stated in the preamble of the WIPO Convention, the Contracting Parties had agreed to establish that Organization to contribute to better understanding and cooperation among States for their mutual benefit based on respect for their sovereignty and equality and asserted that such blatant violation ought to be responded to within WIPO. The Delegation reiterated its strong call on the WIPO Secretariat and on all Member States to deliver the only possible effective response to such action, namely closing the WIPO External Office in Moscow, suspending funding for any WIPO projects in the Russian Federation, ceasing cooperation with officials from the Russian Federation and pressuring them to immediately stop using IP, WIPO platforms and resources to legitimize the

illegal occupation of the territory of Ukraine, as well as any other action to ensure that the Russian Federation no longer conducts such and similar acts of disrespect against Member States and WIPO itself.

24. The Delegation of Poland said that it aligned itself with the statements made by the Delegation of the Republic of Moldova, on behalf of the CEBS Group, and the Delegations of Lithuania and Ukraine and indicated that, as important issues had been discussed during the previous session of the Working Group that might lead to the significant changes in the Madrid System, the Delegation wished to comment on them. While it favored reviewing Article 6 of the Madrid Protocol and supported the reduction of the dependency period from five to three years, the Delegation held the view that the topic required further attention and more in-depth discussions and considerations if dependency or the requirement for a basic mark were to be completely abolished. The Delegation indicated that it continued to engage in the discussion related to the introduction of new languages into the Madrid System and saw a need to further explore specific issues, especially the criteria defining the introduction of new languages and stated that it would not be in a position to support any solution that entailed a potential negative impact for the Madrid System users, especially taking into account financial aspects of such possible changes. The Delegation recalled the continued negative impact of the unprovoked and unjustified war of aggression of the Russian Federation against Ukraine, which was evidenced in the reports on WIPO's assistance and support for Ukraine's innovation and creativity sector and IP system, issued in the previous and present years, and stated that it could not accept the introduction of the Russian language into the Madrid System in view of the continued, unprovoked, unjustified, and full-scale aggression of the Russian Federation against Ukraine and of the violation of the UN Charter by the Russian Federation. The Delegation indicated that it looked forward to taking part in the upcoming session of the Working Group to discuss issues of mutual concern.

25. The Delegation of the Syrian Arab Republic indicated that, as a member of the Madrid System, it had participated in the activities carried out to study the introduction of more languages into the Madrid System. The Delegation expressed its support for the introduction of Arabic as a Madrid System language considering the growing number of users and its status as a UN official language, as well as the introduction of other languages, because that expansion would render the Madrid System more flexible and appealing.

26. The Delegation of Colombia stated that it considered it appropriate for the Working Group to continue discussing the proposals to improve, modernize and simplify the Madrid System, thus achieving greater efficiency and flexibility for the benefit of its users and members.

27. The Delegation of Latvia expressed its support for the statements delivered by the Delegation of the Republic of Moldova, on behalf of the CEBS Group, and by the Delegations of Ukraine, Poland, and Lithuania. The Delegation expressed its appreciation for the efforts undertaken by the Organization to further develop and enhance the performance of the Madrid System, because it understood, from the perspective of a national Office, how important it was to work toward enhancements that benefited users and improved their experience. The Delegation acknowledged the road map prepared by the Secretariat, which was an excellent starting point for further discussions in which the Delegation was happy to participate. The Delegation declared that it considered the introduction of new languages in the Madrid System required further analysis and that it remained cautious about potential negative financial implications such decision may have for current and future users of the Madrid System. The Delegation added that it was not the right time to pretend that it was business-as-usual and discuss the introduction of Russian in any WIPO-administered system when the Russian Federation was waging, with the support of Belarus, a full-scale military aggression against Ukraine and there was great violation of international law and of the UN Charter. The Delegation said that it would come as no surprise that it supported the request made earlier by the Delegation of Lithuania and that it joined the Delegation of Ukraine in condemning the

actions taken by ROSPATENT on the matter of the “Melitopol Cherry”. The Delegation stated that it found it very difficult to say something on that topic, but it thought that it was quite absurd, and found it hypocritical on one side to listen to how inappropriate and illegal it was for the European Union to impose sanctions on the Russian Federation and, at the same time, for the Russian Federation to do what it had done and publish it on its website during the WIPO Assemblies. In conclusion, the Delegation indicated that all the delegations could do, was to condemn that action.

28. The Delegation of Croatia said that it aligned itself with the statement made by the Delegation of the Republic of Moldova, on behalf of the CEBS Group, and expressed its support for the statement made by the Delegation of Ukraine. The Delegation stated that it was not satisfied with the explanations delivered by the Secretariat on the matter of false indications of the country of origin concerning occupied territories of Ukraine and requested that the Secretariat study more thoroughly the legal framework in force regarding the correction of irregularities, particularly, Rule 11(2) of the Regulations because, as a UN organization, WIPO was obliged to respect UN principles, including in its IP-related proceedings. Regarding the language regime, the Delegation invited the Secretariat to consider whether the level of advanced technologies at that time provided an opportunity to expand the language regime to the languages of all Member States of the Madrid System, rather than relying in its analysis on conventional proceedings.

29. The Delegation of Samoa acknowledged the support from both the Madrid Registry and the IP Office Business Solutions Division to the Registries of Companies and Intellectual Properties Madrid Regime. The Delegation asserted that the success of its Madrid Registry had enabled it to contribute to its national economy and encouraged other WIPO members, specifically the Pacific Islands, to join the Madrid family. The Delegation expressed its support for the road map provided by the Secretariat.

30. The Delegation of the Russian Federation, exercising its right of reply, noted that several colleagues carefully read the website of its IP Office and closely followed the developments of the IP system of the Russian Federation. The Delegation recalled that in its work, it proceeded according to the will of the applicant, who determines his or her own nationality and was guided by the Constitution of the Russian Federation and its national legislation for granting legal protection and facilitating international registration. The Delegation said that it was disheartening to hear statements from countries that actively practiced and explicitly enshrined in their legislation discrimination on the bases of nationality and language and urged WIPO Member States to refrain from politicizing the work of the expert and governing bodies of the Organization.

31. The Representative of the Intellectual Property Latin American School (ELAPI) highlighted the remarkable progress and growth of the Madrid System, which simplified trademark registration in multiple territories through a single application and a unified set of fees. However, according to the *2023 Madrid Yearly Review*, the need to further strengthen communication channels with entrepreneurs in the Latin American and the Caribbean region was evident, as only 0.6 per cent of international applications in 2023 were filed by companies from that region. According to the same report, most applications contained indications of goods and services in classes 9 and 42 of the *International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification)*, classes in which companies from Argentina, Chile, Colombia and Mexico stood out, particularly startups with regional and international reach. The Representative expressed support for the introduction of new languages in the System to facilitate access, which would result in continued growth and confidence in the system to protect IP assets globally. The Madrid System offered an efficient and cost-effective process, but faced challenges, such as variability in examination practices. The Representative said that it was crucial to continue working on harmonizing practices and improving digitization, transparency, and dissemination of the system. The Representative

offered ELAPI's technical and academic support to the Member States, particularly those in the Group of Latin American and the Caribbean Countries (GRULAC) region and looked forward to the upcoming session of the Working Group, which would take place in early October in that year.

32. The Assembly of the Madrid Union took note of the "Report on the Working Group on the Legal Development of the Madrid System for the International Registration of Marks" (document MM/A/58/1).

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