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Working Group on the Legal Development of the Madrid System for the International Registration of Marks

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DETAILED DRAFT IMPLEMENTATION PLAN FOR THE ENHANCEMENT
OF THE TERMINOLOGY DATABASE

Document prepared by the International Bureau

BACKGROUND

1.   At its twenty-first session, held in Geneva from November 13 to 17, 2023, 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") discussed document MM/LD/WG/21/7 "Report on Technical Consultations held on the Possible Introduction of New Languages and Proposal for a Possible Way Forward".

2.   The Working Group requested that the International Bureau prepare for its twenty-second session, *among others*, "a document containing a detailed draft implementation plan for the practical measures described in paragraphs 110 to 130 of document MM/LD/WG/21/7 which should cover, *inter alia*, cost estimates, source of funding and quality assurance, in particular, with a view to making the Terminology Database available to the public, and for the possible introduction of new languages into the Terminology Database"[1].

3.   As explained in paragraph 4 of document MM/LD/WG/22/6[2], the International Bureau has prepared four documents to meet the request made by the Working Group. The present document, which is one of the four above-mentioned documents, discusses a detailed draft implementation plan for the enhancement of the Terminology Database WIPO uses to translate data for registrations and recordings and describes how the enhanced database could be made available to the public.

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[1]   See paragraph 22(i) of document MM/LD/WG/21/9, "Summary by the Chair".
[2]   See document MM/LD/WG/22/6, "Update on Developments and Statistics Concerning Paragraphs 88 to 101 of document MM/LD/WG/21/7".

THE TERMINOLOGY DATABASE

4.   International applications, requests for recording and communications from Offices can be presented in any of the three Madrid System languages (English, French or Spanish). The International Bureau processes these communications in the language in which they are presented and determines whether the application, request, or communication can result in a registration or a recording in the International Register.

5.   The International Bureau must translate data in international registrations and recordings to inscribe and publish them in all three Madrid System languages[3]. To facilitate this, the International Bureau maintains a Terminology Database containing approximately 2.6 million indications of goods and services totaling around 13 million words[4]. Each indication stored in the Terminology Database in one of the three Madrid System languages has a thoroughly reviewed translation into the other two Madrid System languages.

6.   Data in registrations and recordings is compared against the contents of the Terminology Database in the language in which it was received and processed. When this data is found in the database, the International Bureau uses the pre-translated equivalent indications in the two other Madrid System languages, making the data ready for inscription and publication in the three Madrid System languages. Between 70 and 75 per cent of the total word count in applications, requests and communications is translated using the Terminology Database.

PREPARATORY STEPS TAKEN BY THE INTERNATIONAL BUREAU TO DRAFT AN IMPLEMENTATION PLAN TO ENHANCE THE TERMINOLOGY DATABASE

7.   The International Bureau has taken several steps to meet the request made by the Working Group to draft an implementation plan to enhance the Terminology Database by adding possible new languages, in particular Arabic, Chinese and Russian, and making the database available to the public. These steps included:

(i)   conducting a request for information (RFI) process to update the estimated range of possible rates for translation and post-editing services;

(ii)   performing data analysis to determine the optimal number words to be translated to deliver reasonable benefits for users;

(iii)   reviewing internal machine-translation capabilities in potential new languages; and

(iv)   engaging in technical consultations with interested members, as requested by the Working Group.

REQUEST FOR INFORMATION PROCESS

8.   In March 2024, the International Bureau conducted a RFI process to update earlier estimates of a range of possible rates for translation and post-editing services[5]. Twelve translation companies participated in the process by providing information on their knowledge and experience in translating trademark-related indications, the technology used, data security measures and translation capacity.

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[3]   The Regulations under the Protocol exempt notifications of provisional refusal from translation.
[4]   Word count of the English version from the English to French dataset, which is the largest dataset.
[5]   In June 2021, the International Bureau conducted a RFI process the findings of which were used to elaborate the cost estimate presented in document MM/LD/WG/19/7 "Revised Study of the Cost Implications and Technical Feasibility of the Gradual Introduction of the Arabic, Chinese and Russian Languages into the Madrid System and Other Relevant Information".

9.   In the RFI process, the International Bureau invited participants to provide non-binding quotes for translation with subsequent revision and for post-editing with subsequent revision. Translation services refers to translating from the source to the target language. Post-editing refers to the review of a machine-translation proposal. Revision is a review undertaken by a senior translator before delivering the translation output. The table below shows the estimated range of rates for these services from English to Arabic, Chinese and Russian.

Table I: Range of Possible Rates for Translation and Post-Editing in Swiss francs (CHF)

	Translation with Revision	Post-Editing with Revision
English to Arabic	Between CHF0.067 and CHF0.160 per source language word	Between CHF0.060 and CHF0.160 per source language word
English to Chinese	Between CHF0.043 and CHF0.130 per source language word	Between CHF0.021 and CHF0.130 per source language word
English to Russian	Between CHF0.100 and CHF0.155 per source language word	Between CHF0.100 and CHF0.155 per source language word

OPTIMAL NUMBER OF INDICATIONS AND WORDS TO BE TRANSLATED TO DELIVER REASONABLE BENEFITS TO USERS

10.   The international applications received in the five-year period between January 1, 2018, and December 31, 2023, 32 million indications of goods and services, containing a total of 160 million words. The International Bureau analyzed those indications and compared them with the current contents of the Terminology Database to determine the optimal level of investment required to make the database available in any new language.

11.   The analysis revealed that translating 70 per cent of all the words in the list of goods and services included in the above-mentioned international applications required 280,000 indications in the Terminology Database containing 2 million words. Translating 80 per cent required 530,000 indications containing 4.9 million words, while translating 90 per cent required 900,000 indications containing 10 million words.

12.   In other words, the effort required to translate into any new language 80 per cent of the words in indications of goods and services contained in the said international registrations through the Terminology Database would be 2.45 times higher than the effort needed to translate 70 per cent of those words. Translating 90 per cent of those words would require an effort five times greater than the investment required to translate 70 per cent.

13.   In the view of the Secretariat, investing in the translation of the 280,000 most frequently used indications of goods and services in the Terminology Database, containing 2 million words, would be the optimal level of investment to deliver reasonable benefits for users, which would be about 70 per cent of the words in lists of indications of goods and services. Further investments would yield smaller incremental gains due to diminishing returns. As previously indicated, currently, between 70 to 75 per cent of the total word count in international applications and requests for recording and communications from Offices are translated through the Terminology Database. This word count primarily concerns indications of goods and services, as well as other elements such as descriptions of marks, claims, disclaimers and grounds for decisions.

MACHINE TRANSLATION CAPABILITIES IN POTENTIAL NEW LANGUAGES

14.   The International Bureau has developed an artificial intelligence machine-translation tool called WIPO Translate. The underlying software, designed specifically for translating trademark-related indications, remains the same for every source-target language combination, with minor variations[6]. For optimal results, the translation model must be trained using examples specific to each source-target language combination and to the intended use of the data. For example, the model has been trained with trademark-related data found in the International Register, translated from English to French, to produce the best results for that particular language pair.

15.   The model would require similar data to be trained in any new language pair. The most useful data would be trademark-related parallel data in both the source and the new target languages. Ideally, this would primarily consist of data in international registrations notified to the designated Offices and translated into the local languages for processing, publication or other purposes. Additionally, as explained below, parallel trademark-related data could be used to enhance the Terminology Database into the new languages.

16.   In the absence of such parallel data, the model could be trained using other data, such as:

   (i)   parallel data available in other domains (e.g., patent-related parallel data);

   (ii)   comparable data, such as data in priority claims where the earlier application is in the source language and the claim is made in the target language; and

   (iii)   data translated from the target to the source language or *vice versa* using machine translation.

17.   Provided sufficient and relevant data is available in a new language pair, it would take approximately two weeks to prepare the data, one month to train the model, and two weeks to conduct an automatic evaluation of the machine translation output to determine whether the process has been successful, and the output can be used. To further ensure the quality of the machine translation, the output could also undergo further human evaluation. This process would be undertaken by the International Bureau under its current operating budget and at no additional cost to the Madrid Union.

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[6]   For translation purposes, source language is the language in which the data to be translated was created, whereas target language is the language in which that data is to be translated. For example, for data to be translated from English to French, the source language is English, and the target language is French.

TECHNICAL CONSULTATIONS HELD BY THE INTERNATIONAL BUREAU

18.   As reported in document MM/LD/WG/22/6, between April and June 2024, the International Bureau held technical consultation sessions with delegations from members who had proposed the introduction of Arabic, Chinese and Russian as Madrid System languages, as well as with delegations from members who had expressed interest in expanding the Terminology Database into German, Japanese and Portuguese.

19.   One of the objectives of the technical consultations was to determine the availability of trademark-related parallel data, or other relevant data, between English and the potential languages into which the Terminology Database could be expanded. Another objective was to assess the capacity for collaboration to undertake the necessary tasks for such expansion, particularly to review the quality of the database. To this end, the International Bureau distributed a questionnaire to be replied by the Offices of members with a direct interest in expanding the Terminology Database.

20.   In the said questionnaire, Offices were asked if they translated designations under the Madrid System into the local language. Offices were also asked in which language they render their decisions and, if rendered in the local language, how these decisions were translated to notify the International Bureau. In addition, Offices were asked whether they maintained data in the local language related to basic marks used to file international applications.

21.   Offices were asked whether they maintain lists of acceptable indications of goods and services in the local language, whether these lists were grouped following the Nice Classification, had been translated into English and could be made available to the International Bureau.

22.   This set of questions sought to determine the possible availability of parallel trademark-related data. This data could be compared with the contents of the Terminology Database and used to expand this database when a perfect match is found, thereby decreasing the number of indications requiring translation. Additionally, both parallel data and other relevant data could be used to train WIPO Translate to enhance the quality of its machine-translation output, which would then only require post-editing, a less expensive service.

23.   The questionnaire also sought information on how data was translated (e.g., manually, automatically) using which tools (e.g., Google Translate, DeepL) and for which purposes (e.g., processing, publication). These questions sought to obtain a preliminary impression on the possible quality of the data.

24.   The questionnaire had some technical questions, such as how data was stored and updated and in which machine-readable formats the Office could share this data with the International Bureau (e.g., XML, CSV). These questions sought to ascertain the ease with which the International Bureau could process the data.

25.   Finally, the questionnaire asked whether the Office had a team of translators who could review indications of goods and services translated from English into the local language with a view to ascertain the possible degree to which cooperation to control the quality of the enhanced Terminology Database was possible.

26.   The International Bureau received answers from the Offices of Brazil, China, Germany, Egypt, Japan, Portugal, the Russian Federation and the Syrian Arab Republic. The questions, as well as the replies received are presented in the Annex to this document.

DRAFT IMPLEMENTATION PLAN TO ENHANCE THE TERMINOLOGY DATABASE AND MAKE IT AVAILABLE TO THE PUBLIC
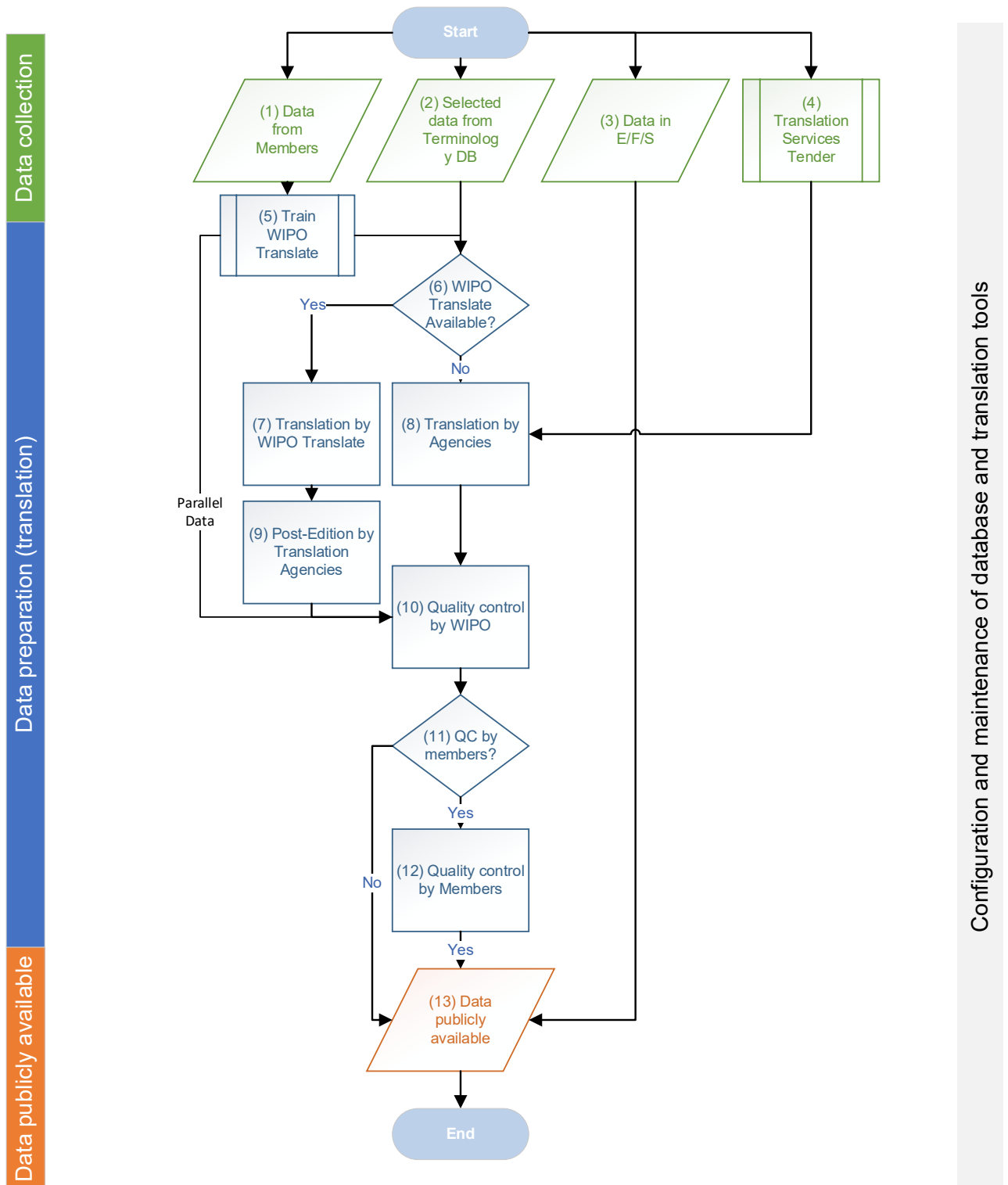
27.   As requested by the Working Group, the International Bureau has developed a draft detailed implementation plan to enhance the Terminology Database and make its contents available to the public. The plan outlines the steps necessary to enhance the database by integrating new language pairs and ensuring the quality of the translated content while optimizing costs.

28.   The plan consists of three phases:

    (i)   a data collection phase,

    (ii)   a data preparation phase, and

    (iii)   a data publication phase.

The graph below illustrates the steps in each phase of the implementation plan.

Graph I: Implementation Plan To Enhance the Terminology Database and Prepare it for Publication

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                              ┌─────────┐
                              │  Start  │
                              └─────────┘

   Data collection

   (1) Data        (2) Selected      (3) Data in      (4)
   from            data from          E/F/S           Translation
   Members         Terminology DB                     Services
                                                      Tender

   Data preparation (translation)

   (5) Train
   WIPO
   Translate

                    (6) WIPO
              Yes   Translate
                    Available?
                        No

   (7) Translation     (8) Translation
   by WIPO Translate   by Agencies

   (9) Post-Edition
   by Translation
   Agencies            (10) Quality control
   Parallel            by WIPO
   Data

                       (11) QC by
                       members?
                           Yes
              No
                       (12) Quality control
                       by Members
                           Yes

   Data publicly available

                       (13) Data
                       publicly
                       available

                              ┌─────────┐
                              │   End   │
                              └─────────┘
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Configuration and maintenance of database and translation tools

DATA COLLECTION PHASE

29.   During this phase, the International Bureau would collect trademark-related data from members (step 1) and extract the most frequently used indications from the Terminology Database (step 2). As indicated in paragraph 13, above, the optimal goal would be to translate some 280,000 indications containing around 2 million words. However, this number is slightly reduced thanks to some indications already being available in the Madrid Goods and Service Manager (MGS) database[7]. Additionally, parallel data collected from Offices that perfectly matches entries in the Terminology Database might further reduce the number of indications that require translation[8].

30.   The current data in the Terminology Database, available in English, French and Spanish, could be released to the public. This release could include either the most frequently used terms or the entire dataset, with minor edits to remove redundancies (step 3). Simultaneously, the International Bureau would initiate the process to select and engage agencies proficient in translating trademark-related indications into the additional languages (step 4).

DATA PREPARATION PHASE

31.   During this phase, the International Bureau would translate and prepare the data for publication. As indicated in paragraphs 14 to 17, above, parallel data and other trademark-related data collected from members would be used to train WIPO Translate (step 5) and the quality of the output would be assessed to determine whether WIPO Translate could be used to produce a translation proposal into the new languages (step 6). If WIPO Translate does not meet the required quality standards, the data would be shared with the translation agencies for manual translation and subsequent revision (step 8).

32.   If WIPO Translate meets the required quality standards, it would be used to translate the data (step 7) and the output would be shared with the translation agencies for post-editing and subsequent revision (step 9).

33.   The International Bureau would control the quality of the manual translation and post-editing work undertaken by the translation agencies. In addition, the International Bureau would control the quality of parallel data collected from members before it is made available to the public (step 10). Members could also undertake, in collaboration with the International Bureau, a final quality control of the work undertaken by the translation agencies before it is made available to the public (step 11).

34.   A second quality control review undertaken by interested Offices would enhance the value of the Terminology Database by further ensuring its accuracy. In addition, where an indication can be translated into several expressions with the same meaning, the Terminology Database could, in an enhanced version of the interface, inform users about the preferred or customary expression used by an Office. A similar feature already exists in the MGS database, where users can access versions of the MGS database that feature expressions for local goods and services, as well expressions preferred in a Madrid System member.

DATA PUBLICATION PHASE

35.   Once the data is made available to the public (step 13) the International Bureau could enhance the interface to receive comments or suggestions for improvement from users and amend the data as required.

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[7]   For example, of the 280,000 most frequently used indications, 20,000 are available in the MGS database in Arabic, 42,000 are available in Chinese and 43,000 available in Russian.

[8]   As indicated in paragraph 15, above, parallel data is available in both the source and target languages.

COST OF ENHANCING THE TERMINOLOGY DATABASE

36.   Enhancing the Terminology Database would involve training WIPO Translate, configuring and maintaining the database and adapting the translation tools used by the International Bureau. Such work would be undertaken by the International Bureau within its current operating budget, incurring in no additional cost to the Madrid Union.

37.   Primarily, the additional investment required to enhance the Terminology Database would be for translation or post-editing services and quality control. The potential cost for translation or post-editing services can be estimated using the range of possible rates obtained through the RFI process, under the assumption that the International Bureau would need to translate or post-edit 2 million words. The actual number of words would be lower thanks to the results of the data collection effort.

38.   To ensure the quality of the work performed by the translation agencies, the International Bureau would engage a translator-reviser for each new language on a temporary basis. A translator-reviser would review weekly samples of approximately 5,000 words and would require no less than nine months to complete the quality control process. For example, the table below shows the possible cost of enhancing the Terminology Database into Arabic, Chinese and Russian based on the need to translate or post-edit 2 million words.

Table II: Estimated Cost of Enhancing the Terminology Database, in Swiss francs (CHF)

Language	Service	Estimated Cost of the Service	Translator-reviser[9]	Total
Arabic	Translation	Between CHF134,000 and CHF320,000	CHF156,000	Between CHF290,000 and CHF476,000
	Post-editing	Between CHF120,000 and CHF320,000		Between CHF276,000 and CHF476,000
Chinese	Translation	Between CHF86,000 and CHF260,000		Between CHF242,000 and CHF416,000
	Post-editing	Between CHF42,000 and CHF260,000		Between CHF198,000 and CHF416,000
Russian	Translation	Between CHF200,000 and CHF310,000		Between CHF356,000 and CHF466,000
	Post-editing	Between CHF200,000 and CHF310,000		Between CHF356,000 and CHF466,000

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[9]   The 2025 annual standard cost for a temporary translator-reviser at P3 level.

39.   As noted in the table shown above, the cost of enhancing the Terminology Database to include a new language could range from 198,000 Swiss francs (for post-editing 2 million words) to 476,000 (for translating the same number of words). The likely amount would be closer to the lower estimate, based on the reasonable assumption that the data collection efforts undertaken by the International Bureau would allow for machine-translation using WIPO Translate.

MAKING THE ENHANCED DATABASE AVAILABLE TO THE PUBLIC

40.   In addition to the Terminology Database, the International Bureau maintains two other databases for the classification of indications of goods and services, namely, the MGS database and the WIPO operationally acceptable terms database.

41.   The MGS database contains indications from the Nice Classification alphabetical list and other correctly classified indications in the three Madrid System languages. It contains over 150,000 English indications, 115,000 French indications and 136,000 Spanish indications, with most indications matched with translations in the other two Madrid System languages. The MGS database also features functionality for translating selected indications into languages beyond Madrid System languages, made possible through collaboration with Offices of interested members[10].
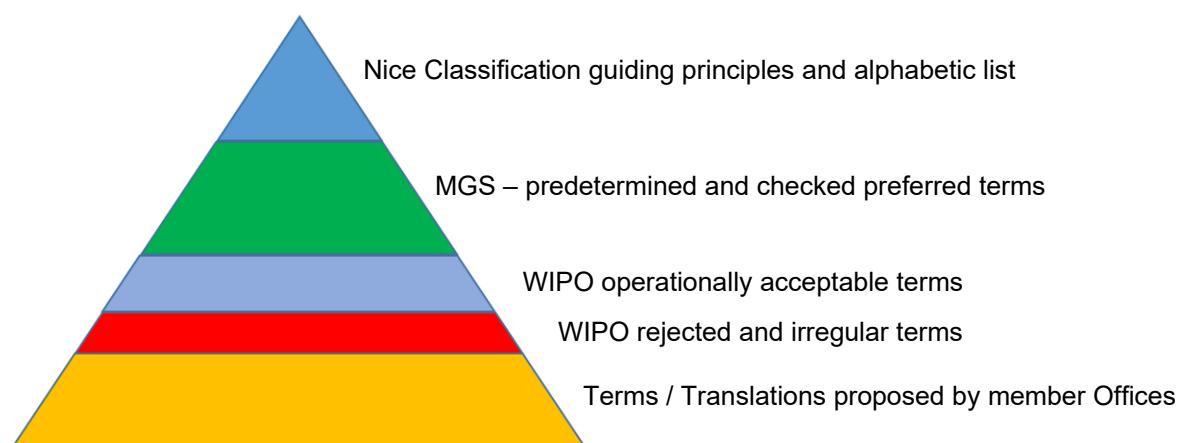
42.   The WIPO operationally acceptable terms database contains 162,000 indications in English, 142,000 indications in French, and 120,000 indications in Spanish, which are either operationally acceptable or rejected for being irregular. This internal database is used by the processing systems of the International Bureau to assist examiners in controlling the proper classification of indications of goods and services in international applications. It achieves this by displaying indications in different colors based on their acceptance status and suggesting the appropriate classification or improved wording.

43.   Independently of the discussion on the possible introduction of new languages into the Madrid System, the International Bureau has been developing an improved database structure for its classification collections. This structure combines data from the Terminology Database, the MGS database and the WIPO operationally acceptable term database to create a Unified Terminology Database. The new database aims to enhance public access to classification and translations of indications of goods and services used in the Madrid System, while increasing consistency in how these terms are treated during examination. The International Bureau plans to make this new database accessible to the public through newly developed interfaces and integration with existing WIPO systems.

44.   Should the Working Group recommend that the Secretariat proceed with the implementation of the enhanced Terminology Database as described in the preceding sections of this document, the optimal way to make this enhanced database available to the public would be through the Unified Terminology Database. Figure I below illustrates the potential data sources for the Unified Terminology Database.

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[10]   In addition to English, French and Spanish, the MGS database is also available, for selected indications, in Arabic, Bulgarian, Chinese (simplified), Dutch, Georgian, German, Hebrew, Indonesian, Italian, Japanese, Khmer, Korean, Mongolian, Norwegian, Persian, Portuguese, Russian, Serbian, Turkish, Ukrainian and Vietnamese.

Figure I: Data Sources for the Unified Terminology Database

Nice Classification guiding principles and alphabetic list

MGS – predetermined and checked preferred terms

WIPO operationally acceptable terms

WIPO rejected and irregular terms

Terms / Translations proposed by member Offices

45.	The development of a new system to support public access to the enhanced Terminology Database would be undertaken using an agile, multi-phased approach. The focus would be on delivering immediate value to users and establishing capabilities which could be further enhanced if required by the Madrid members.

46.	The development would begin by establishing new Application Programming Interfaces (APIs) to support submission, search and retrieval of terminology data to and from the new database in a manner that can be integrated into related systems, both internal and external. The International Bureau would develop and support these APIs using existing data exchange standards, standard architecture and existing infrastructure to minimize resource requirements and required development effort.

47.	Existing WIPO systems that classify indications of goods and services, including MGS database and Madrid eFiling, would be improved to integrate data from the new enhanced Terminology Database. Additional search and retrieval services would be developed to provide easy access to information for individuals, building on the same APIs created for direct system integration.

48.	Given the emphasis on reusing existing solutions and maximizing value delivery, the development of these basic capacities can be undertaken by resources currently available to the International Bureau within a timeframe of four to six months. Further enhancements could be envisaged once the underlying capacities of data submission, storage, search and retrieval to make the Terminology Database available to the public have been established.

49.	*The Working Group is invited to:*

(i)	*consider the information presented in this document; and,*

>   (ii)   *indicate whether the International Bureau can proceed with the implementation of the enhancement of the Terminology Database and its making available to the public, and for which languages.*

[Annex follows]

ANNEX: COMPILATION OF ANSWERS RECEIVED BY THE INTERNATIONAL BUREAU TO THE QUESTIONNAIRE ON DATA AVAILABILITY REGARDING INDICATIONS OF GOODS AND SERVICES

1) Does your Office translate Madrid designations from the notification language (English/French/Spanish) to its working (local) language? If yes,	
BR (Brazil)	Yes. Brazil translates the list of goods and services.
CN (China)	Yes, we translate the designated goods and services from the notification language (English/French/Spanish) to Chinese.
DE (Germany)	Germany does not translate Madrid designations from the notification language (English/French) to German.
EG (Egypt)	The Egyptian Trademark Office does not routinely translate the Madrid designation into Arabic. However, examiners may translate specific terms if necessary to ensure proper understanding during examination.
JP (Japan)	Yes. The Japan Patent Office (JPO) has the indications of goods and services translated by an external translation agency.
PT (Portugal)	No, our Office keeps the Madrid designations in the notification language (English).
RU (Russian Federation)	Currently, Rospatent is not obliged to translate Madrid designations, since the working languages of the Madrid system are English, French and Spanish. In some cases, if it is necessary for the examination purposes, we do translate the designations. Given that the Madrid forms have a standardized structure, thus it will be rather easy to adapt. However, practically having different foreign languages is not convenient for the examination purposes, the introduction of the Russian language will significantly reduce efforts and increase operation efficiency not only of the Russian IP Office, but also other Offices in our region.
SY (Syrian Arab Republic)	Yes.

a) Is the translation done using (i) automatic translation against a database of pre-translated terms; (ii) machine translation; (iii) machine translation and post-editing or (iv) manually?	
BR (Brazil)	Brazil uses an automatic translation from a database of pre-translated terms and outsourced manual translation only for the terms not found in the pre-translated database.
CN (China)	The translation is done manually.
DE (Germany)	N/A.
EG (Egypt)	The Egyptian Trademark Office does not routinely translate the Madrid designation into Arabic. However, examiners may translate specific terms if necessary to ensure proper understanding during examination.
JP (Japan)	The translation is done using (i) automatic translation against a database of pre-translated terms and (iv) manually.
PT (Portugal)	N/A.
RU (Russian Federation)	Automatic and manual translation with machine translation tools.
SY (Syrian Arab Republic)	Machine translation and post-editing and manually.

b) If using machine translation, what machine translation tools (e.g., Google, DeepL) does your Office use?	
BR (Brazil)	N/A.
CN (China)	N/A.
DE (Germany)	N/A.
EG (Egypt)	Google Translate may be used by examiners for translating terms requiring clarification.
JP (Japan)	Machine translation is not used very often. Even when it is used, the results of machine translation are only used as a light reference by the translator, and the translation is done manually. The tools are Google Translate and DeepL.
PT (Portugal)	N/A.
RU (Russian Federation)	Any available translation tool may be used. As part of AI initiatives implemented by the Office, translation may be performed using the hybrid machine translation system developed by the Russian company PROMPT. The system comprises methods of thorough linguistic analysis. The neural network has been created through machine learning methods using parallel texts of IP-related documents in both Russian and English.
SY (Syrian Arab Republic)	We use many of these sites in translation (e.g., Google, wordreference, Reverso, English Arabic dictionaries and English dictionaries, etc.), but we rely on contextual meaning, so we edit and review according to the context and terms provided to obtain a professional translation.

c)	What is the purpose of this translation (e.g., examination, publication)?
BR (Brazil)	Publication and examination. According to Brazilian law, the relevant data to define the protection must be in Portuguese.
CN (China)	The translation of goods and services is for the purpose of examination and integration of Madrid international registrations into our national register.
DE (Germany)	N/A.
EG (Egypt)	The translation of terms is for the examiner's understanding of the document and is not used for examination or publication purposes.
JP (Japan)	The translation of the list of goods and services serves as a reference to facilitate the understanding of rights resulting from a designation under the Madrid System during examination at the JPO and is included in the national publication to facilitate the understanding of the scope of the trademark right. Please note that the scope of the right is judged based on the list of goods and services recorded in the International Register, not the translation.
PT (Portugal)	N/A.
RU (Russian Federation)	Examination purposes, if necessary.
SY (Syrian Arab Republic)	Data entry into the database of the Directorate of Commercial & Industrial Property Protection, examination and publication, etc.

d) If your Office examines and renders its decision in its working (local) language, how is this decision translated into the language of communication (English/French/Spanish) to send the decision to WIPO?	
BR (Brazil)	Brazilian Madrid examiners are bilingual, so they render the decision in Portuguese and in English. The communication sent to WIPO is the English version of the decision.
CN (China)	We render our decisions in the notification language.
DE (Germany)	N/A.
EG (Egypt)	When the examiners issue a decision in Arabic, the decision is entered into the local "IBASS" system. This system automatically generates an English language version of the decision in a form, which is sent to WIPO automatically.
JP (Japan)	The JPO does not examine or render its decision in Japanese.
PT (Portugal)	N/A.
RU (Russian Federation)	Currently, Rospatent issues decisions in English as a working language of the Madrid system. Given that decision forms have a standard structure, it will not be a problem to swiftly adapt and issue decisions in Russian, as per our national practice.
SY (Syrian Arab Republic)	The decision is made, manually, into a legal context according to our National law.

e) Does your Office maintain the translated version and the original language document in pairs (e.g., the notification of the Madrid designation paired with its translation to the working (local) language)? If yes,	
BR (Brazil)	Yes. Brazil keeps the list of goods and services in English and in Portuguese. Both are published in the Office's gazette.
CN (China)	We maintain in our database the goods and services both in the original language and Chinese.
DE (Germany)	N/A.
EG (Egypt)	The Egyptian Trademark Office maintains only the original application documents (presumably in the language of filing). Translated versions are not routinely created.
JP (Japan)	The JPO maintains only the indications of goods and services in pairs (- not the entire notification of designation).
PT (Portugal)	N/A.
RU (Russian Federation)	No. Since the working languages are English, French and Spanish. We may have some materials used for machine learning and relevant databases.
SY (Syrian Arab Republic)	Yes.

f) How are translation to and from the working (local) language stored and updated?	
BR (Brazil)	Brazil has a translation system that retrieves the original data (list of goods and services) from IPAS system and perform the automatic translation from our pre-approved database. The remaining terms that need translation is compiled into an excel spreadsheet (.csv format), downloaded from the system and sent to the outsourced translation. When all the translation is done, the excel file is uploaded to the system, it compiles the data and send it all back to IPAS system. The original and translated data of the list of goods and services are stored in IPAS system database.
CN (China)	Before examination, the goods and services both in the original language and Chinese translation are integrated into the examination system.
DE (Germany)	N/A.
EG (Egypt)	Examiners only translate specific unclear terms or phrases, not the entire Madrid application document.
JP (Japan)	The JPO sees this as a question of how to store and update bilingual data on the indications of goods and services used in the examination. Bilingual data is stored in a dedicated database. When examining a Madrid application, the examiner will check the translation of the indication of goods and services (allocated by outsourcing), etc. If the examiner finds no problem, they carry out certain operations in the examination system. The indication/translation pairs are then stored in the above-mentioned database. In addition, if the classification department determines that a translation in the database can be made more appropriate, it can correct or update the database directly without going through the examination system.
PT (Portugal)	N/A.
RU (Russian Federation)	Individual experts may store their translations on their working computers.
SY (Syrian Arab Republic)	In the database of the Directorate of Commercial & Industrial Property Protection.

g) What methods and formats does your Office have to exchange translation data with WIPO in machine-readable format?	
BR (Brazil)	Brazil exchange data with WIPO in electronic communications both in XML and PDF formats. Brazil is looking to move the most as possible to XML format.
CN (China)	By email in excel table format.
DE (Germany)	N/A.
EG (Egypt)	When examiners complete a model form within the system, the form is automatically translated into English and sent to WIPO.
JP (Japan)	The bilingual database can be shared in TSV format.
PT (Portugal)	N/A.
RU (Russian Federation)	Rospatent can share and exchange data with WIPO in any agreed format and using agreed methods, such as FTP.
SY (Syrian Arab Republic)	It is provided as pdf documents.

2) Does your Office maintain a list of accepted indications of goods and services in its working (local) language? If yes	
BR (Brazil)	Brazil has a list of pre-approved goods and services that applicants can choose from when filling out the electronic form for a new application. However, this does not mean that they are accepted by the Office, for example, class headings are in this list but are accepted only if the terms are sufficiently precise. Regarding translation, Brazil has a database of pre-approved translations of goods and services, from English to Portuguese, with approximately 107,000 terms. This does not mean they are accepted by the Office.
CN (China)	Yes.
DE (Germany)	Together with the other European Offices, Germany has developed the Harmonised Database (HDB) that is operated by EUIPO and is still working intensively on its further development and maintenance.
EG (Egypt)	Yes, the list of goods and services classified according to the Nice Classification is available on the WIPO website in Arabic.
JP (Japan)	Yes.
PT (Portugal)	Yes.
RU (Russian Federation)	Rospatent maintains an in-house database of accepted indications of goods and services included in applications and beyond the Nice Classification. Thus, all relevant indications in Russian were identified and sorted by the classes of the Nice Classification. Some of those indications were not translated into English, mainly except those present in the Nice Classification. Our IP Office can share with WIPO an up-to-date Excel database of indications included in the Lexical Information Bulletin of Goods and Services and based on the received application materials containing indications of new goods or services, or indications that are synonymous with existing ones present in the Nice Classification but not in the Madrid Goods & Services Manager (MGS). The Lexical Information Bulletin of Goods and Services in Russian is available here: https://new.fips.ru/publication-web/classification/mktu/static?page=leksiko-semanticheskiy-identifikator-naimenovaniy-tovarov-i-uslug-16-ya-redaktsiya. Furthermore, Rospatent regularly updates the Russian version of the MGS. The translated terms can be used, inter alia, in the WIPO Terminology Base by integrating them from the MGS. In addition, the latest official Russian-language edition of the Nice Classification is annually posted in the MGS.
SY (Syrian Arab Republic)	Yes.

a) Is that list classified according to the Nice Classification?	
BR (Brazil)	The database of pre-approved translations keeps track of the Nice class and edition of the term.
CN (China)	Yes.
DE (Germany)	The HDB is classified according to the Nice Classification.
EG (Egypt)	Yes, this list is classified according to Nice Classification.
JP (Japan)	Yes.
PT (Portugal)	Yes.
RU (Russian Federation)	Yes.
SY (Syrian Arab Republic)	Yes.

b)	**Has this list ever been translated into English?**
BR (Brazil)	The database has the English and the Portuguese terms.
CN (China)	No.
DE (Germany)	Each single term has been translated into English.
EG (Egypt)	The WIPO "MADRID SYSTEM" website offers the Nice Classification list in both English and Arabic.
JP (Japan)	Partially yes.
PT (Portugal)	Yes.
RU (Russian Federation)	Partially.
SY (Syrian Arab Republic)	Yes.

c)	Can your Office share this list with WIPO?
BR (Brazil)	Yes.
CN (China)	We could exchange with WIPO our MGS list regularly, and we hope WIPO could share the cost on translation with CNIPA.
DE (Germany)	WIPO probably has the database already available.
EG (Egypt)	WIPO provides the Nice Classification list, and it's not necessary for each member office to translate it independently.
JP (Japan)	The same lists that the JPO provides to the EUIPO HDB (i.e., bilingual tables of entries on the Examination Guidelines for Similar Goods and Services, the Nice Alphabetical List, the MGS and the ID List (approximately 70,000 in total)) can be shared.
PT (Portugal)	Yes, the list of accepted indications in Portuguese, classified according to the Nice Classification, can be found in the TmClass tool (https://tmclass.tmdn.org/ec2/), developed by the EUIPO.
RU (Russian Federation)	Yes.
SY (Syrian Arab Republic)	Yes.

3) Can your Office provide WIPO with its collection of trademark applications and registrations that have been used as a basic mark in international applications filed through your Office?	
BR (Brazil)	Yes. Brazil can provide it.
CN (China)	The information concerning the trademark applications and registrations that have been used as a basic mark in international applications filed through our Office is available in the related international applications.
DE (Germany)	DPMA can provide WIPO with its collection of trademark applications and registrations that have been used as a basic mark in international applications filed through DPMA. WIPO probably has the data already available from the data deliveries for the global brand database.
EG (Egypt)	There is no international application filled by the clients, the local application already existed on the office system in Arabic, when international registration is requested, the examiner fills out a form in English directly within the WIPO system.
JP (Japan)	The JPO shares the collection of trademark applications, which includes those which have been used as a basic mark in Madrid international applications filed through the JPO acting as the Office of origin. https://branddb.wipo.int/en/coverage
PT (Portugal)	Yes, but it's important to know since when should we provide the data (for example, the last 5 or 10 years).
RU (Russian Federation)	Rospatent possesses a collection of trademarks and registrations that have been used as a basic mark in international applications and is able to cooperate with WIPO towards the data exchange of the agreed with WIPO data collection and its structure, as well exchange methods and mechanisms. Furthermore, the complete information on applications is available on the Office's website (in Russian): https://fips.ru/registers-web/action?acName=clickRegister&regName=RUTMAP And information on registrations is available here (in Russian): https://fips.ru/registers-web/action?acName=clickRegister&regName=RUTM
SY (Syrian Arab Republic)	Yes.

4) Does your Office have a team of translators who could review indications of goods and services and other trademark related indications translated from English into your working (local) language?	
BR (Brazil)	Brazil has a team of experts in the Nice classification who can review the indications into Portuguese. However, due to the small size of the team, a feasible volume of review must be agreed in advance.
CN (China)	No.
DE (Germany)	DPMA does not have a team of translators who could review indications of goods and services and other trademark related indications translated from English into the German language.
EG (Egypt)	MGS List Translation Project - The Egyptian Trademark Office collaborates with WIPO on a project to translate the MGS (Madrid Goods and Services) list from English to Arabic. A team of in-office translators works on this project. Once translated, the Arabic MGS list is sent to WIPO via email.
JP (Japan)	As for the list of goods and services included in the notification of designation under the Madrid System, the external translation agency provides translations of them into Japanese. The internal section in charge of international classification provides translations of the NICE Classification and the indications of the goods and services included in the MGS Manager.
PT (Portugal)	Our Office does not have exactly a "team of translators", but in principle we can review the translations from English to Portuguese, unless the amount of indications is unbearable.
RU (Russian Federation)	Yes.
SY (Syrian Arab Republic)	Yes.

[End of Annex and of document]