

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

Twenty-Second Session
Geneva, October 7 to 11, 2024

UPDATE ON THE DEVELOPMENT OF SPECIFICATIONS FOR THE TRANSMISSION OF MACHINE-READABLE DATA IN COMMUNICATIONS FROM OFFICES

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 the Secretariat to prepare for its twenty-second session, *inter alia*, “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 [...] and, a document containing [...] an update on the development of specifications for the transmission of machine-readable data in communications from Offices described in paragraph 122 of document MM/LD/WG/21/7”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 the development of specifications for the transmission of machine-readable data in communications from Offices.

¹ See paragraph 22 of document [MM/LD/WG/21/9](#) “Summary by the Chair”.

² Document MM/LD/WG/22/6, “Update on Developments and Statistics Concerning Paragraphs 88 to 101 of document MM/LD/WG/21/7”.

UPDATE

4. Paragraphs 121 to 124 of document MM/LD/WG/21/7 relate to Exchange of Communications in Standardized Machine-readable Format.
5. In line with document [MM/LD/WG/21/6](#), the Updated Version of the Road Map for the Evolution of the Madrid System, in relation to modernizing how Offices and the International Bureau communicate with each other to improve the speed and quality of communications and of the resulting transactions, it is recognized that exchanging comprehensive information in machine-readable format provides opportunities to improve the functioning of the Madrid System for the benefit of all users, Offices and third parties.
6. Sufficiently granular data in machine-readable format vastly reduces the risks associated with data entry or character recognition. Additionally, data processing capabilities and speeds can be increased. This creates several opportunities, for example, for the deployment of analytical tools to help users and third parties better understand all aspects of the status of an international registration in its designated Contracting Parties.
7. Faster and more efficient processing of communications from Offices would also create opportunities for automation, particularly in translating those communications into existing and new Madrid System languages, either through the Terminology Database or by using machine-translation tools, virtually eliminating processing delays. Such advancements would facilitate the introduction of new Madrid System languages and lessen the associated impact.
8. Additionally, the potential advantages of receiving machine-readable data would benefit users of the Madrid System and third parties interested in this information, irrespective of the ongoing discussions on the possible introduction of new languages. Sufficiently granular machine-readable data would allow the International Bureau to make the contents of the International Register, including communications sent by designated Contracting Parties, available in virtually any language through the use of machine translation tools.
9. The International Bureau has undertaken work to define and implement improved specifications and methods for the exchange of data with Offices. The newly developed data exchange specifications are based on WIPO's International [Standard ST.96](#) for the Processing of Intellectual Property Information Using Extensible Markup Language (XML). Applying such a standard, incorporating trademark specific elements, enables comprehensive, granular, standardized machine-readable information exchanges.
10. To help ease the transition to the new specifications, many elements have been included that closely align with those of the older Madrid Electronic Communications Inbound (MECA-IN) XML specifications. This means that the format and several elements will be familiar to many Offices who already have experience with MECA-IN. The additional new elements in the specifications are included to provide for the greater level of granularity required to realize the improved benefits mentioned above.
11. The International Bureau has developed standardized XML templates and schemas to apply these new specifications for each of the transactions received by the International Bureau from member Offices. Annex I shows transactions which have had XML templates created. Annex II shows some graphical examples of the schemas.
12. Additionally, the International Bureau has developed Application Programming Interfaces (APIs) to facilitate the exchange of this standardized machine-readable data for Office based interactions. These APIs are being delivered incrementally to include all transactions sent from Contracting Parties to the International Bureau, with "Grant of Protection" being the first transaction delivered in August 2024, and the complete set to be delivered by the end of 2024.

13. The use of XML templates and APIs solutions also enables for validation of structured data, resulting in better quality data exchanges, less irregularities, and faster processing of transactions. To enable efficient translation of goods and services terms, the exchange of data using these standardized machine-readable specifications is essential.

14. Member Offices are invited to contact the International Bureau to discuss the newly developed XML templates, schemas, and usage of the Office APIs. Member Offices who wish to update their office interactions to utilize the APIs solutions can note the steps that can be undertaken shown in Figures I and II below.

15. The International Bureau recognizes that the implementation by Member Offices of the newly developed XML templates, schemas, and usage of the Office APIs may require significant changes to existing systems and cannot in all case be accomplished in the short-term. These changes, however, are not only essential for the introduction of new languages into the Madrid System, but also for the long-term success of the Madrid System as a whole. For this reason, the International Bureau stands ready to offer full support to the Member Offices in the implementation of these features.

Figure I: Actions to Adopt Office APIs for Exchanging Machine-readable Data in Transactions

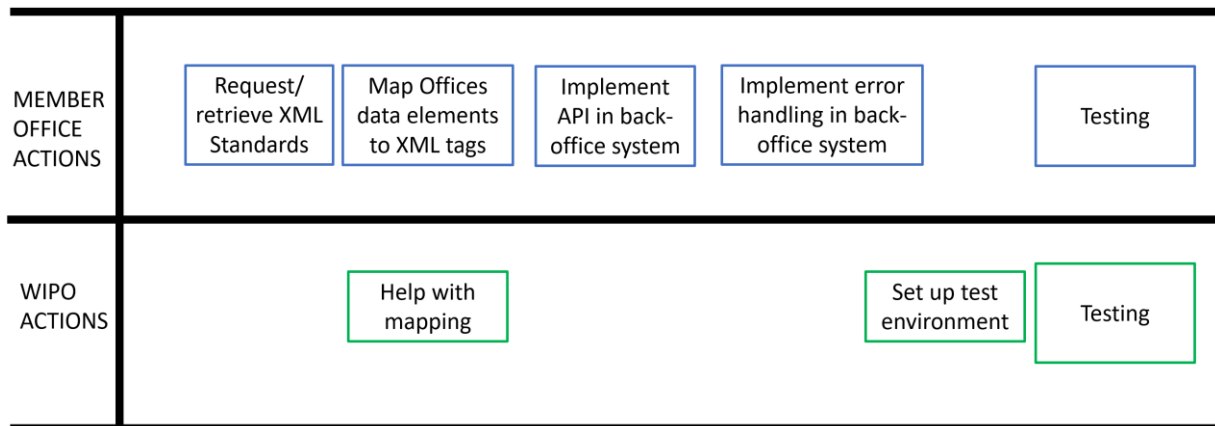
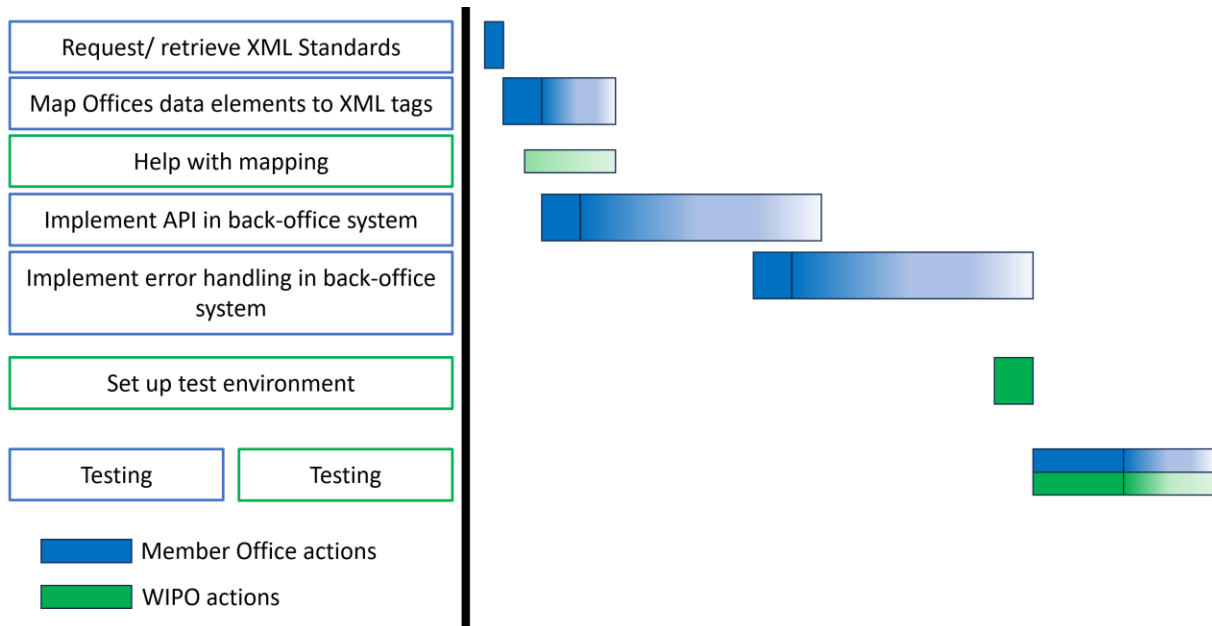


Figure II: Chart of Actions to Adopt Office APIs for Exchanging Machine-readable Data in Transactions



12. *The Working Group is invited to:*

- (i) consider the contents of the present document; and,*
- (ii) call on Contracting Parties to take the necessary steps to implement the XML templates and APIs solutions described in paragraphs 4 to 15 of the present document in collaboration with the International Bureau.*

[Annex I follows]

ANNEX I: LIST OF TRANSACTIONS FOR WHICH XML TEMPLATES HAVE BEEN CREATED

Operation Types	API Codes
New application	EN
Handling fee	HF
Declaration of Intention to Use	DIU
Basic mark / Division of basic mark	EB / DB
Irregularity response	IRR
Reproduction of the representation of the mark	LGO
Potential ceasing of effect of the basic mark	CB
Ceasing of effect of the basic mark	CB
Office of Origin or Holder	
Operation Types	API Codes
Change in ownership	TR
Partial change in ownership	TR
Office of Origin, Office of the Designated Contracting Party, or Holder	
Operation Types	API Codes
Restriction of the holder's right of disposal	HR
Withdrawal of the holder's right of disposal	RHR

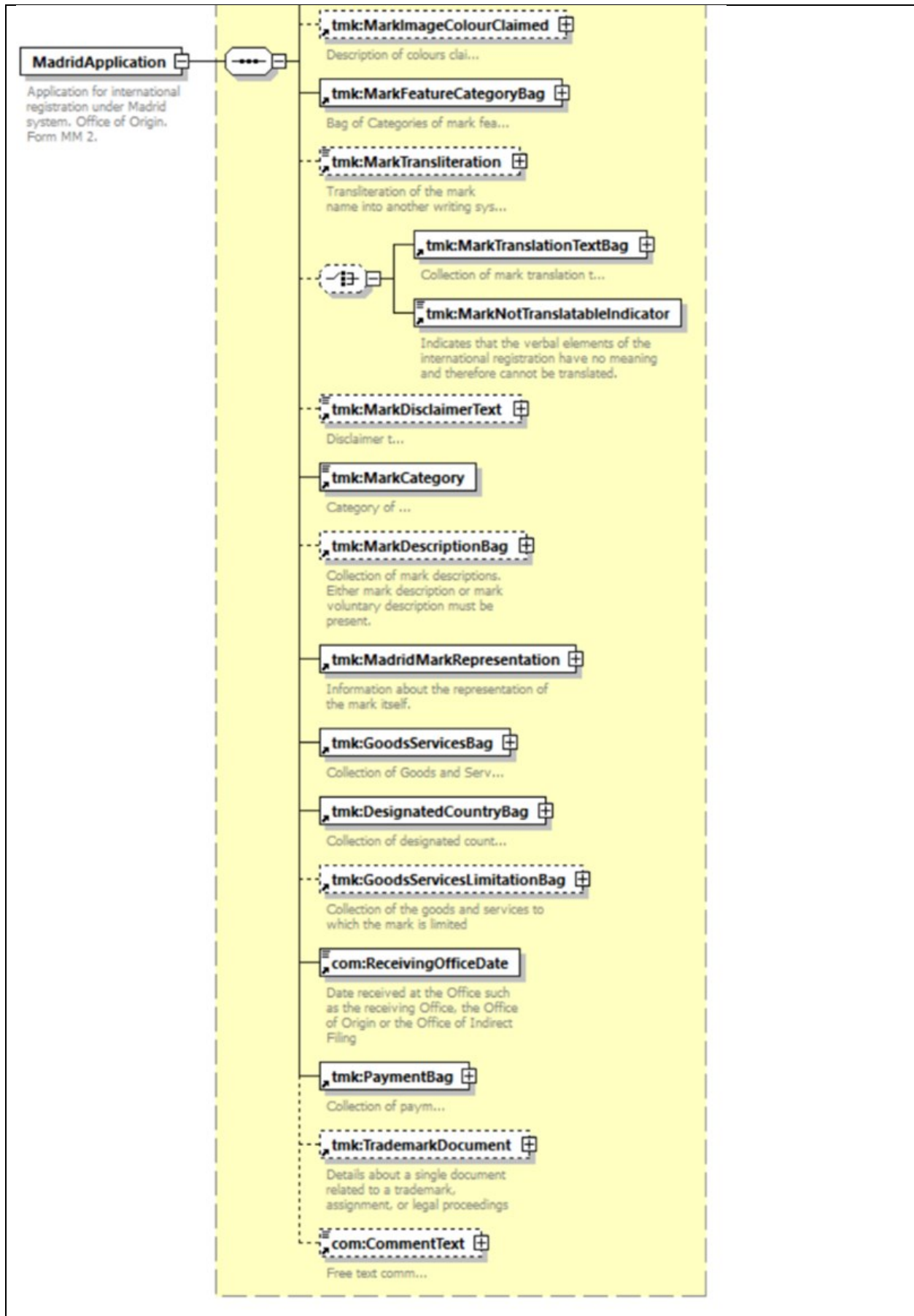
Designated Contracting Party	
Operation Types	API Codes
Grant of protection	GP
Interim status	IS
Provisional refusal of protection – partial	RF
Provisional refusal of protection – total	RF
Final decision – partial (disclaimer)	FI
Final decision – total	FI
Final decision – accepted	FI
Further decision – partial	FD
Further decision – total	FD
Further decision – accepted	FD
Opposition decision possible after 18 months	OP
Partial invalidation	IN
Total invalidation	IN
Declaration change of ownership has no effect	RT
Declaration that the limitation has no effect	LN
Notification for second part of individual fee to be paid	NT
Replacement of a national registration by an international registration	FB
Division	DR
Merger	MR
Office Communication	OC
Seniority – EUIPO	SN

[Annex II follows]

ANNEX II: GRAPHICAL EXAMPLE OF XML SCHEMA

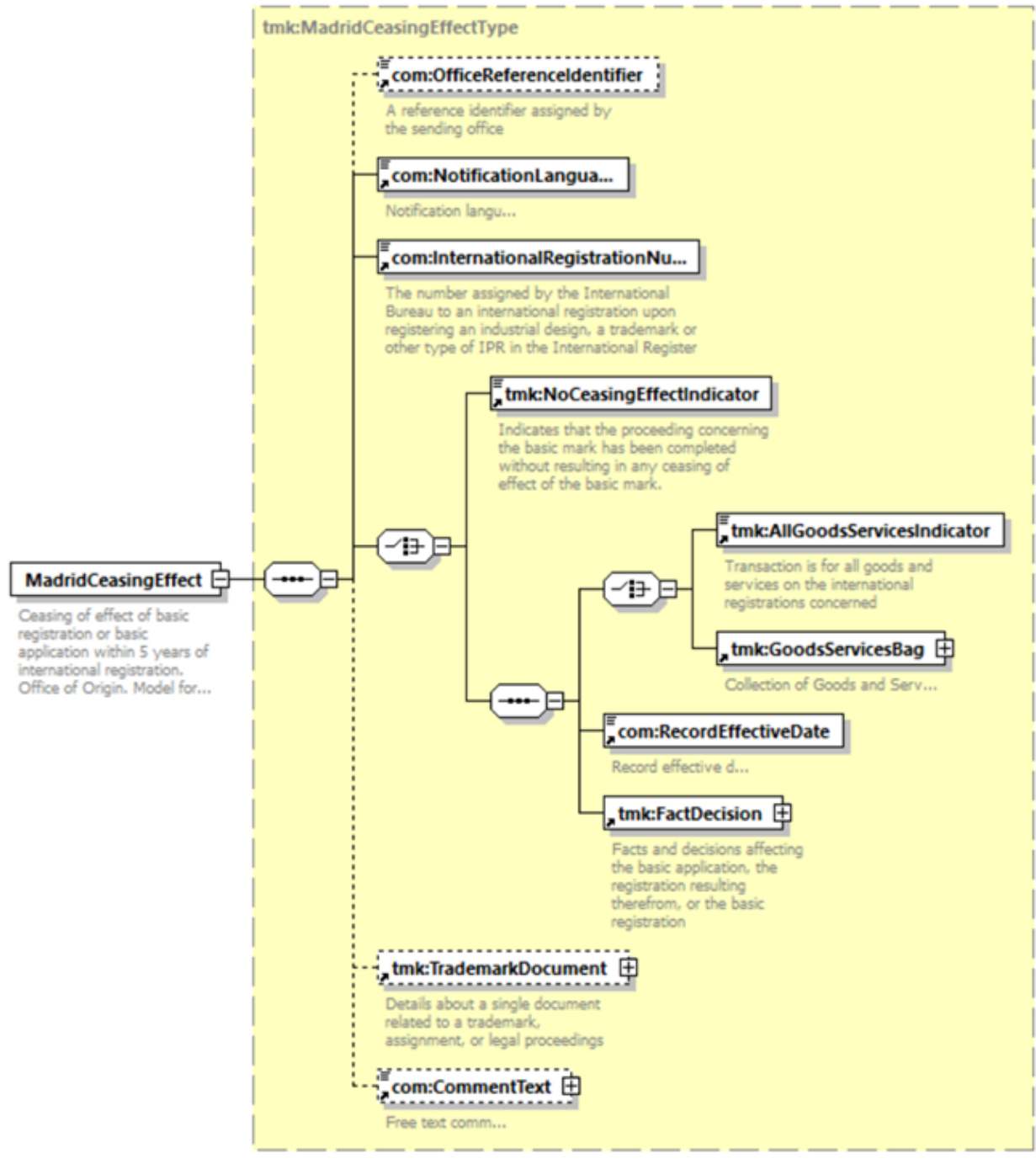
New Application (EN)





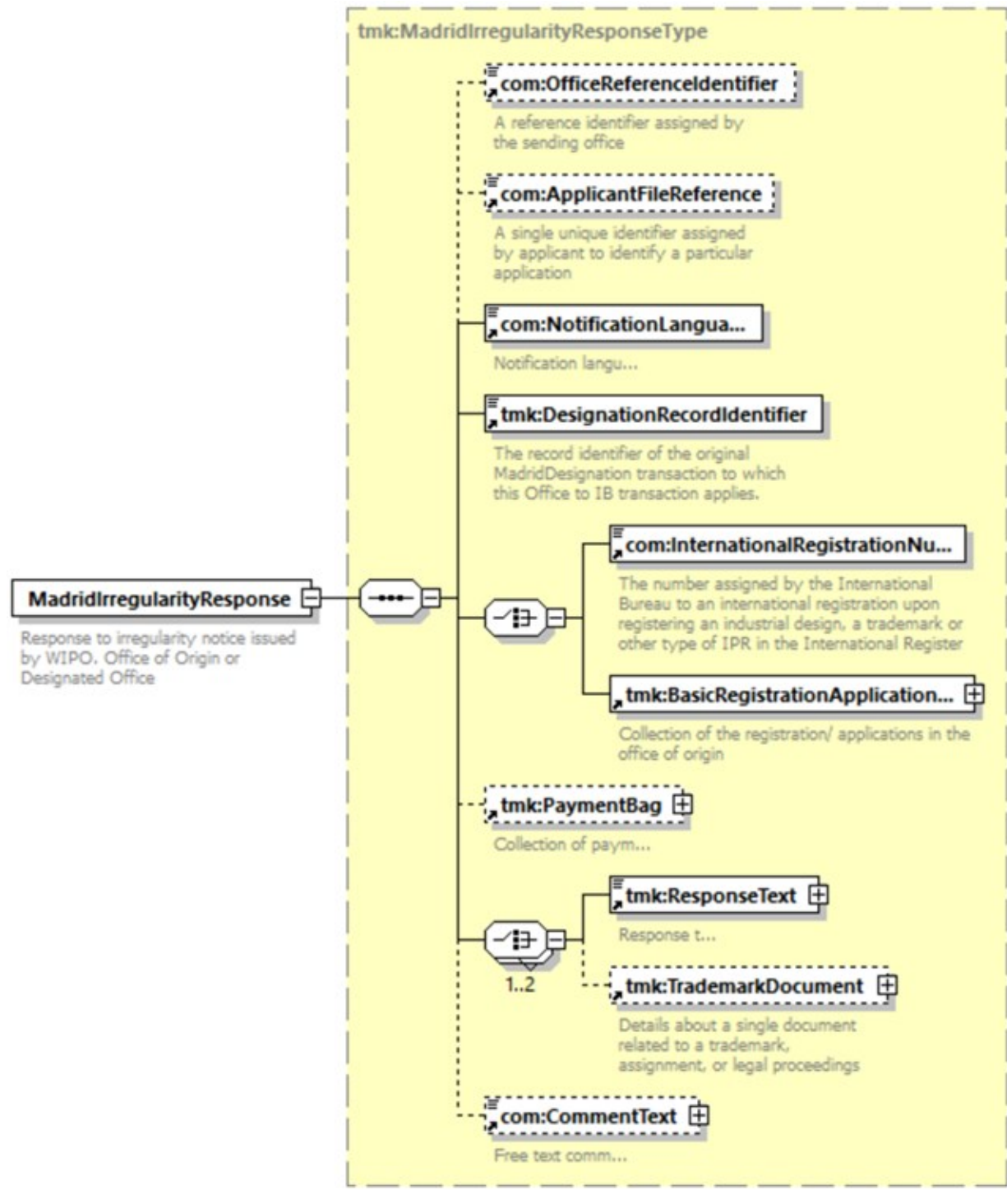

```
<xsd:complexType name="MadridApplicationType">
  <xsd:sequence>
    <xsd:element ref="com:OfficeReferenceIdentifier" minOccurs="0"/>
    <xsd:element ref="com:ApplicantFileReference" minOccurs="0"/>
    <xsd:element ref="com:ApplicationLanguageCode"/>
    <xsd:element ref="com:SecondLanguageCode" minOccurs="0"/>
    <xsd:element ref="com:CorrespondenceLanguageCode" minOccurs="0"/>
    <xsd:element ref="com:CorrespondenceAddress" minOccurs="0"/>
    <xsd:element ref="tmk:ApplicantBag"/>
    <xsd:element ref="com:Representative" minOccurs="0"/>
    <xsd:element ref="tmk:BasicRegistrationApplicationBag"/>
    <xsd:element ref="tmk:PriorityBag" minOccurs="0"/>
    <xsd:element ref="tmk:SeniorityBag" minOccurs="0"/>
    <xsd:element ref="tmk:MarkSignificantVerbalElementText" minOccurs="0"/>
    <xsd:element ref="tmk:MarkVerbalElementText" minOccurs="0"/>
    <xsd:element ref="tmk:MarkStandardCharacterIndicator" minOccurs="0"/>
    <xsd:element ref="com:ColourIndicator" minOccurs="0"/>
    <xsd:element ref="tmk:MarkImageColourClaimed" minOccurs="0"/>
    <xsd:element ref="tmk:MarkFeatureCategoryBag"/>
    <xsd:element ref="tmk:MarkTransliteration" minOccurs="0"/>
    <xsd:choice minOccurs="0">
      <xsd:element ref="tmk:MarkTranslationTextBag"/>
      <xsd:element ref="tmk:MarkNotTranslatableIndicator"/>
    </xsd:choice>
    <xsd:element ref="tmk:MarkDisclaimerText" minOccurs="0"/>
    <xsd:element ref="tmk:MarkCategory"/>
    <xsd:element ref="tmk:MarkDescriptionBag" minOccurs="0"/>
    <xsd:element ref="tmk:MadridMarkRepresentation"/>
    <xsd:element ref="tmk:GoodsServicesBag"/>
    <xsd:element ref="tmk:DesignatedCountryBag"/>
    <xsd:element ref="tmk:GoodsServicesLimitationBag" minOccurs="0"/>
    <xsd:element ref="com:ReceivingOfficeDate"/>
    <xsd:element ref="tmk:PaymentBag"/>
    <xsd:element ref="tmk:TrademarkDocument" minOccurs="0"/>
    <xsd:element ref="com:CommentText" minOccurs="0"/>
  </xsd:sequence>
</xsd:complexType>
```

Ceasing of Effect (CB)



```
<xsd:complexType name="MadridCeasingEffectType">
  <xsd:sequence>
    <xsd:element ref="com:OfficeReferenceIdentifier" minOccurs="0"/>
    <xsd:element ref="com:NotificationLanguage"/>
    <xsd:element ref="com:InternationalRegistrationNumber"/>
    <xsd:choice>
      <xsd:element ref="tmk:NoCeasingEffectIndicator"/>
      <xsd:sequence>
        <xsd:choice>
          <xsd:element ref="tmk:AllGoodsServicesIndicator"/>
          <xsd:element ref="tmk:GoodsServicesBag"/>
        </xsd:choice>
        <xsd:element ref="com:RecordEffectiveDate"/>
        <xsd:element ref="tmk:FactDecision"/>
      </xsd:sequence>
    </xsd:choice>
    <xsd:element ref="tmk:TrademarkDocument" minOccurs="0"/>
    <xsd:element ref="com:CommentText" minOccurs="0"/>
  </xsd:sequence>
</xsd:complexType>
```

Response to Irregularity (IRR)



```
<xsd:complexType name="MadridIrregularityResponseType">
  <xsd:sequence>
    <xsd:element ref="com:OfficeReferenceIdentifier" minOccurs="0"/>
    <xsd:element ref="com:ApplicantFileReference" minOccurs="0"/>
    <xsd:element ref="com:NotificationLanguage"/>
    <xsd:element ref="tmk:DesignationRecordIdentifier"/>
    <xsd:choice>
      <xsd:element ref="com:InternationalRegistrationNumber"/>
      <xsd:element ref="tmk:BasicRegistrationApplicationBag"/>
    </xsd:choice>
    <xsd:element ref="tmk:PaymentBag" minOccurs="0"/>
    <xsd:choice maxOccurs="2">
      <xsd:element ref="tmk:ResponseText"/>
      <xsd:element ref="tmk:TrademarkDocument" minOccurs="0"/>
    </xsd:choice>
    <xsd:element ref="com:CommentText" minOccurs="0"/>
  </xsd:sequence>
</xsd:complexType>
```

[End of Annex II and of document]