

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

**Twenty-First Session**  
**Geneva, November 13 to 17, 2023**

### **SUMMARY BY THE CHAIR**

*approved by the Working Group*

1. The Working Group on the Legal Development of the Madrid System for the International Registration of Marks (hereinafter referred to as “the Working Group”) met in Geneva from November 13 to 17, 2023.
2. The list of participants is contained in document MM/LD/WG/21/INF/1.

### **AGENDA ITEM 1: OPENING OF THE SESSION**

3. Ms. Wang Binying, Deputy Director General, Brands and Designs Sector, World Intellectual Property Organization (WIPO), opened the session and welcomed the participants.

### **AGENDA ITEM 2: ADOPTION OF THE AGENDA**

4. The Working Group adopted the draft Agenda (document MM/LD/WG/21/1 Prov. 4).

### **AGENDA ITEM 3: FUTURE ELECTIONS OF CHAIRS AND VICE-CHAIRS**

5. The Working Group adopted, with immediate effect, the transitional measure described in paragraphs 7 and 8 of document MM/LD/WG/21/2 and agreed to apply the General Rules of Procedure of WIPO to the future election of officers.

**AGENDA ITEM 4: ELECTION OF THE CHAIR AND TWO VICE-CHAIRS**

6. Ms. Marija Božić (Serbia) was elected as Chair of the Working Group and Mr. Long Kemvichet (Cambodia) and Mr. Dustyn Taylor (Australia) were elected as Vice-Chairs.
7. Ms. Debbie Roenning acted as Secretary to the Working Group.

**AGENDA ITEM 5: PROPOSED AMENDMENTS TO THE REGULATIONS UNDER THE PROTOCOL RELATING TO THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS**

8. Discussions were based on document MM/LD/WG/21/3.
9. The Working Group agreed to continue discussions on document MM/LD/WG/21/3 at its following session.

**AGENDA ITEM 6: DEPENDENCY: INVITATION TO SUBMIT PROPOSALS ON OTHER POSSIBLE OPTIONS REGARDING DEPENDENCY**

10. Discussions were based on document MM/LD/WG/21/4.
11. The Working Group took note of document MM/LD/WG/21/4 and encouraged Contracting Parties, other WIPO Member States and observer organizations to submit to the International Bureau proposals or observations regarding dependency for their consideration at the twenty-second session of the Working Group.

**AGENDA ITEM 7: PROPOSAL BY THE DELEGATIONS OF AUSTRALIA, CHILE, GHANA, THE PHILIPPINES, THE REPUBLIC OF KOREA AND THE UNITED STATES OF AMERICA**

12. Discussions were based on document MM/LD/WG/21/8 Rev.
13. The Working Group agreed to continue discussions on document MM/LD/WG/21/8 Rev. at its following session.

**AGENDA ITEM 8: THE POSSIBLE CONVENING OF A DIPLOMATIC CONFERENCE TO AMEND ARTICLE 6 OF THE PROTOCOL RELATING TO THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS**

14. Discussion were based on document MM/LD/WG/20/5.
15. The Working Group agreed to continue discussions on the possibility to convene a diplomatic conference at a later session, based on proposals and observations regarding dependency submitted by Contracting Parties, other WIPO Members States and observer organizations.

**AGENDA ITEM 9: UPDATED INFORMATION ON THE TIME LIMIT TO RESPOND TO NOTIFICATIONS OF PROVISIONAL REFUSAL AND ON THE WAY TO CALCULATE THEM**

16. Discussions were based on document MM/LD/WG/21/5 Rev.

17. The Working Group took note of document MM/LD/WG/21/5 Rev. and encouraged Contracting Parties to continue to notify the International Bureau of the information required under new Rule 17(7) of the Regulations, as well as any change thereof, without delay.

**AGENDA ITEM 10: UPDATED VERSION OF THE ROAD MAP FOR THE EVOLUTION OF THE MADRID SYSTEM**

18. Discussions were based on document MM/LD/WG/21/6.

19. The Working Group took note of document MM/LD/WG/21/6 and requested that the Secretariat undertake the necessary preparations to ensure that the topics discussed in the Annex of document MM/LD/WG/21/6 be included in the agenda of future sessions of the Working Group and its Roundtable, taking into account the interventions made by several delegations.

**AGENDA ITEM 11: REPORT ON TECHNICAL CONSULTATIONS HELD ON THE POSSIBLE INTRODUCTION OF NEW LANGUAGES AND PROPOSAL FOR A POSSIBLE WAY FORWARD**

20. Discussions were based on document MM/LD/WG/21/7.

21. The Working Group recalled the proposals for the introduction of Arabic, Chinese and Russian as Madrid System languages contained in documents MM/LD/WG/16/7, MM/LD/WG/16/9 Rev. and MM/LD/WG/17/10, and acknowledged the work undertaken and the progress achieved so far on the basis of documents MM/LD/WG/17/7 Rev., MM/LD/WG/18/5, MM/LD/18/5 Corr., MM/LD/WG/19/7 and MM/LD/WG/20/7.

22. The Working Group requested the Secretariat to prepare for its twenty-second session:

(i) 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; and,

(ii) a document containing updated statistics concerning paragraphs 88 to 101 of document MM/LD/WG/21/7, as well as 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.

23. In the spirit of promoting the Madrid System, the Working Group agreed to continue discussions on the possible introduction of new Madrid System languages, including Arabic, Chinese and Russian, as proposed in documents MM/LD/WG/16/7, MM/LD/WG/16/9 Rev. and MM/LD/WG/17/10, based on the criteria outlined in document MM/LD/WG/21/7, and on the information contained in the documents requested in paragraph 22, above.

24. The Working Group requested the Secretariat to continue holding technical consultations with interested Contracting Parties, other WIPO Member States and users' organizations.

#### **AGENDA ITEM 12: MADRID WORKING GROUP ROUNDTABLE**

25. The International Bureau presented the latest developments in the Madrid Registry.

#### **AGENDA ITEM 13: SUMMARY BY THE CHAIR**

26. The Working Group approved the Summary by the Chair, as contained in the present document.

#### **AGENDA ITEM 14: CLOSING OF THE SESSION**

27. The Chair closed the session on November 17, 2023.

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