

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

Assembly

Forty-Fifth (26th Extraordinary) Session
Geneva, October 1 to 9, 2012

REVIEW OF THE PROPOSAL ON TRANSLATIONS REQUESTED BY THE MADRID UNION ASSEMBLY

Document prepared by the International Bureau

INTRODUCTION

1. At the forty-fourth (19th Ordinary) session of the Assembly of the Madrid Union in 2011, the Assembly, upon the recommendation reached at the ninth session of the Working Group on the Legal Development of the Madrid System for the International Registration of Marks (hereinafter referred to as “the Working Group”), took note of practices concerning the translation of the list of goods and services in statements of grant of protection, following a provisional refusal, made under Rule 18~~ter~~(2)(ii) of the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement (hereinafter referred to, respectively, as “the Common Regulations”, “the Agreement” and “the Protocol”), and those affected by a limitation in an international application, a subsequent designation or a request for the recording of a limitation, as described in document MM/LD/WG/9/4¹.

¹ See also document MM/LD/WG/9/7, paragraphs 255 and 279.

2. The Assembly of the Madrid Union, while taking note of the aforementioned practices, as described in document MM/A/44/1, referred the issue to the following session of the Working Group for further review².

3. At its tenth session, held in Geneva from July 2 to 6, 2012, the Working Group agreed to recommend to the Assembly of the Madrid Union that it continue to take note of the said practices in place concerning translation. The Working Group further agreed to recommend to the Assembly of the Madrid Union that it mandate the International Bureau to, after a period of three years, or earlier at the request of the Working Group, undertake a review of said practices in light of the views expressed by delegations and user-organizations in the Working Group, and in light of ongoing developments, including information technology and automated translations³.

4. *The Assembly is invited to:*

(i) continue to take note of the practice of the International Bureau concerning translation upon request of statements of grant of protection, following a provisional refusal, as well as the translation of the list of goods and services affected by a limitation, as hereinbefore described; and

(ii) mandate the International Bureau, after a period of three years, or earlier at the request of the Working Group, to undertake a review of said practices in light of the views expressed by delegations and user-organizations in the Working Group, and in light of ongoing developments, including information technology and automated translations.

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² See document MM/A/44/5.

³ See documents MM/LD/WG/10/5 and MM/LD/WG/10/7.