

## Committee on WIPO Standards (CWS)

**Thirteenth Session**  
**Geneva, November 10 to 14, 2025**

### PROPOSAL FOR THE REVISION OF WIPO STANDARD ST.60

*Document prepared by the International Bureau*

#### SUMMARY

1. Following amendments to the Madrid Regulations, the International Bureau is proposing a revision to WIPO Standard ST.60 to ensure that publications under the Madrid System provide clear and consistent bibliographic data. In addition, the International Bureau is proposing other amendments to improve access to trademark-related information and bibliographic content.

#### BACKGROUND

2. WIPO Standard ST.60 provides a list of Internationally agreed Numbers for the Identification of Data (INID) codes identifying trademark bibliographic data. The Standard was last updated at the seventh session of the Committee on WIPO Standards (CWS) (see paragraphs 168 and 170 of [CWS/7/29](#)).

3. The Madrid Union Assembly, at its fifty-fifth session, adopted amendments to, among others, Rule 9 of the Regulations. These amendments, which entered into force in February 2023, eliminated the narrow requirement to include in the international application a reproduction of the trademark fitting in the box provided in the official form. This requirement was replaced with a broader requirement to include a representation of the trademark furnished in accordance with the administrative instructions. Under these instructions, a trademark can now be represented by a graphic or photographic reproduction, a digital reproduction, or a sound, motion, or multimedia digital recording.

4. The amendments were prompted by inputs received from several Madrid System members and user organizations. In several members, the representation of the trademark is no longer restricted to a graphic or photographic reproduction that must be included or affixed to the application. Most members now accept the applications that are accompanied by a digital

graphical representation of the trademark. Moreover, some of them accept other means of representing trademarks, such as sound, motion, or multimedia digital recordings. This evolution has been reflected in the terminology used in the applicable laws of several Madrid System members, which now refer to "representation" of the trademark to encompass both graphical and non-graphical means of representation.

5. In addition, where applicable, references to the recording of notifications of provisional refusal under Rule 17 of the Regulations are included on the renewal certificate using the descriptions corresponding to INID codes 861 and 862. However, since it is not clearly stated in these definitions that the refusal is provisional, holders often complain that the current definitions are misleading as they may mean that the refusal is the final decision in the designated Contracting Parties.

6. Finally, in the course of reviewing WIPO Standard ST.60, the International Bureau has identified that the insertion of two new subheadings under series 500 could improve understanding of the information covered therein by further grouping this information.

## OUTSTANDING ISSUES

7. In an ongoing effort to improve access to information relating to trademarks published in the *WIPO Gazette of International Marks*<sup>1</sup> (hereinafter referred to as the "WIPO Gazette") and in the Madrid Monitor database<sup>2</sup>, the International Bureau has identified the following outstanding issues:

(a) The term "reproduction of the mark" should be replaced with "representation of the mark" to modernize the terminology and align it with that used in the laws of several WIPO Members and in the Regulations. The proposed amendment to WIPO ST.60 to replace the word "reproduction" with the broader term "representation" would simply reflect the fact that trademarks can be represented by several means, as provided for in the applicable laws in each member, and without prejudice to those members where a graphical or photographic representation of the trademark continues to be required.

(b) Series 800 in WIPO Standard ST.60 cover various INID codes for certain data relating to the international registration of trademarks under the Madrid Agreement concerning the International Registration of Marks and the Protocol Relating to that Agreement. For clarity of the definitions for INID codes 861 and 862, "total refusal of protection" and "partial refusal of protection" respectively, the International Bureau proposes to amend the definitions by inserting the word "provisional" before the word "refusal". INID codes 861 and 862 are used to publish notifications of provisional refusal sent by the Offices of designated Contracting Parties under the Madrid System. These notifications are sent under Rule 17 of the Regulations, entitled "Provisional Refusal," and may be either total or partial, depending on whether the refusal affects all or only some of the goods and services for which the Contracting Party was designated. These notifications correspond to what is known as a "First Office Action," a first communication in which the Office informs the right holder that it cannot grant protection to the trademark based on either grounds specified in the applicable law or on an opposition filed by a third party. The refusal is provisional because the right-holder must be afforded the opportunity to respond, request a review, or file an appeal within a period of no less than two months.

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<sup>1</sup> The WIPO Gazette is the periodical gazette referred to in Article 3(4) of the Madrid Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks.

<sup>2</sup> Madrid Monitor is the electronic database of information both recorded in the International Register and published in the WIPO Gazette, maintained by the International Bureau in accordance with Rule 33(1) of the Regulations.

The proposal to introduce the word "provisional" is to clarify that these concern notifications under the above-mentioned rule and to avoid possible confusion with the communication following the final decision made by the Office, sent under Rule 18ter of the Regulations and published under the 890 series.

(c) Two subheadings should be added to the 500 series. A new subheading "Mark Representation" should cover INID codes 540 to 546. A new subheading "Indications of Mark Type and Other Mark-Related Information" should cover INID codes 550 to 594. Series 500 in WIPO ST.60 covers various INID codes concerning trademark-related information. These codes are organized under subheadings that provide general information about the type of data contained in each code group. INID codes 540 to 546 specifically cover mark representation. Meanwhile, INID codes 550 to 594 cover trademark type information and other important trademark-related details, such as translations of word elements, detailed descriptions of the mark, color claims and various other indications. Given the distinct purposes served by these two code ranges, one focusing on how the trademark is visually or otherwise represented, and the other addressing descriptive and other related information, two new subheadings should be added to provide clearer information.

#### PROPOSAL FOR REVISION

8. Consequently, the International Bureau has prepared a proposal for the revision of WIPO Standard ST.60 for consideration by the CWS. The proposed changes are indicated with tracked changes below where strikethrough text indicates deletion and underlined text indicates insertion. The following revisions are proposed:

(a) The new definition for INID codes (540), (541) and (546) would read:

(540) "~~Reproduction~~Representation of the mark."

(541) "~~Reproduction~~Representation of the mark where the mark is represented in standard characters"

(546) "~~Reproduction~~Representation of the mark where the mark is represented in non-standard characters"

(b) The new definition for INID codes (861) and (862) would read:

(861) "Total provisional refusal of protection."

(862) "Partial provisional refusal of protection."

(c) The new subheadings under the series 500 would read

- Mark representation (covering INID codes 540 to 546)
- Indications of Mark Type and Other Mark-Related Information (covering INID codes 550 to 594)

(d) A new footnote will be added clarifying the use of INID codes (861), (862) and (866), the description of which reads:

These codes identify recorded notifications of provisional refusal, which are generally subject to requests for review or appeal to the Office that issued the notifications. However, these notifications are deemed to have the effect of a final

decision when the Office concerned has notified the International Bureau that ex officio refusals are not open to review before that Office.

9. In addition, WIPO Standard ST.60, Appendix 2 should be updated to include the following two new rows:

INID Code	Previous definition(s) of code	Pertinent previous note(s)	Date of deletion or amendment	Kind of change
(540), (541) & (546)	"Reproduction of the mark..."	"Representation of the mark..."	November, 2025 by CWS/13	Description updated
(861), (862)	"Total refusal..."	"Total provisional refusal..."	November, 2025 by CWS/13	Description updated
<u>(861), (862), (866)</u>	=	<u>"These codes identify recorded notifications of provisional refusal, which are generally subject to requests for review or appeal to the Office that issued the notifications. However, these notifications are deemed to have the effect of a final decision when the Office concerned has notified the International Bureau that ex officio refusals are not open to review before that Office."</u>	<u>November, 2025 by CWS/13</u>	<u>Inclusion of new footnote</u>

10. *The CWS is invited to:*

*(a) note the content of the present document; and*

*(b) consider and approve the proposal for the revision of WIPO Standard ST.60, as indicated in paragraphs 8 and 9 above.*

[End of document]