

Statement of the Delegation of Ukraine
on Agenda Item 12 “Madrid System”
at the 65th Series of Meetings Assemblies of the Member States of WIPO
(July 12, 2024)

Dear Madam Chair,

Ukraine aligns itself with the statement delivered by the Distinguished Delegation of Moldova on behalf of the CEBS Group, by the Distinguished Delegation of Lithuania and would like to thank the Secretariat and Member States for the comprehensive report and achieved progress within the work of the Madrid Working Group.

Ukrainian delegation strongly endorses the importance of further discussing the issue of dependency in the framework of the Madrid system. We share our support and appreciation to the distinguished delegations of Australia, Chile, the Republic of Korea, the United States of America, Ghana and the Philippines for their valuable work in preparing the proposal on this issue, which we consider possible solution to the long-standing issue of modifying the dependency principle.

With the support of WIPO and our partners, many programs and projects were developed, aimed at assisting national businesses to adapt and overcome the negative impacts of the Russian war of aggression against Ukraine. Some positive results of their implementation show us that international trademark applications of Ukrainian origin under WIPO’s Madrid System increased by approximately 21 per cent in 2023 compared to 2022 and almost reached the number of applications filed in the pre-war period.

We are grateful to the WIPO International Bureau for continuing access to the relief measure provided by Rule 5 of the Regulations Under the Madrid Protocol against missed time limits due to force majeure reasons by waiving the evidence requirement and by re-enabling online payment upon request.

Dear Madam Chair,

Ukraine would like to reiterate our strong objection to the introduction of the Russian language into the Madrid System.

Following the recent discussion within the Madrid Working Group, we recall that while we are not opposed to the idea of introducing new languages, we find insufficient justification for the introduction of the Russian language in the Madrid System.

Dear Madam Chair, Distinguished Delegates,

Today we have heard about another important issue that clearly needs the attention of WIPO Member States.

We had discussions during this GA's calling on the WIPO Secretariat and Member States to respect the internationally recognised borders of Ukraine and to comply with a number of UN Resolutions within the framework of WIPO's work.

Already this morning, the IP community learned of Russia's misappropriation of the geographical indication "Melitopol Cherry" (мелітопольська черешня), registered in Ukraine in 2020, with the defined geographical boundaries - the city of Melitopol and its surrounding settlements. Unfortunately, these areas became temporarily occupied by Russian troops after 24 February 2022.

During the most significant annual event for the IP sphere, Russian officials, in particular the Federal Service for Intellectual Property (Rospatent), decided to deliberately remind us all that **they do not care about** the principles of the UN Charter, the high Mission and the Vision of WIPO.

Rospatent has announced the issuance of a certificate of exclusive right to a regional brand in the so-called "new regions" of the Russian Federation.

We would like to quote a Russian official: *“The official registration of this brand will improve the integration of the regions into Russia, in the minds of both the residents of this region and the residents of the whole of Russia” (note to dear delegates - this word "integration" is used by Russians to refer to illegal occupation and oppression).*

They went on to say, of course, that *“the registration of this geographical indication from the temporarily occupied territories of Ukraine is just the beginning, and that it will be followed by many more”*.

Russia cynically during General Assemblies is registering IP from the temporarily occupied territories and disrespect the global IP community, once again demonstrating the world that they have no moral boundaries, and provisions of international agreements and Rules do not apply to them.

Dear delegates,

During last year at these Assemblies and on other WIPO platforms, we stated that IP has become both a hostage and a weapon in the hands of a terrorist state. If someone did not believe us then, today we see a direct and indisputable example of this statement.

In addition to oppression, occupation, deportation and concentration camps, Russia has inflicted even more harm on the population of the temporarily occupied territories of Ukraine by stealing their traditions and intellectual property.

Madam Chair, Dear Secretariat and Distinguished Delegates,

As stated in the Preamble to the WIPO Convention, the Contracting Parties agreed to establish this Organisation in order to contribute to better understanding and cooperation among States for their mutual benefit, **On The Basis Of Respect For Their Sovereignty And Equality.**

Such a blatant violation should be responded to within WIPO.

Ukraine reiterates our strong call to the WIPO Secretariat and all Member States for the only possible effective response to such actions:

- closing the WIPO External Office in Moscow;
- suspending funding for any WIPO projects for Russia;
- ceasing cooperation with Russian officials and pressuring them to immediately stop using intellectual property, WIPO platforms and resources to legitimise their illegal occupation of Ukraine's territories.
- and take all actions, including by a decision of these Assemblies if needed, to ensure that Russia will no longer conduct such and similar acts of disrespect towards Member States and WIPO itself.

I thank you, Madam Chair!