

Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs

Tenth Session
Geneva, December 13 to 15, 2021

UPDATE ON CRITERIA FOR THE SELECTION OF ADDITIONAL LANGUAGES FOR INTRODUCTION INTO THE HAGUE SYSTEM

Document prepared by the International Bureau

I. EXPLANATORY NOTE

1. Document H/LD/WG/9/5, which is entitled “Criteria for the Selection of Additional Languages for Introduction into the Hague System”, was prepared for consideration by the Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs (hereinafter referred to as the “Working Group” and the “Hague System”) at its ninth session held on December 14 and 15, 2020. However, given the views of the members that the hybrid meeting format would not be conducive for the in-depth discussion on the topic “Possible Introduction of New Languages into the Hague System”, the said topic was removed from the agenda of the ninth session¹. The present document is an updated version of the aforementioned document.

II. INTRODUCTION

2. At its eighth session, held from October 30 to November 1, 2019, the Working Group discussed document H/LD/WG/8/5, which is entitled “Possible Options for the Introduction of New Languages into the Hague System”.

¹ Refer to documents H/LD/WG/9/1 Prov.3 and H/LD/WG/9/8 Prov., paragraph 9.

3. During that session, the Delegation of the Republic of Korea proposed to include Korean as a filing language into the Hague System. The Delegation emphasized that the introduction of new languages as filing languages would be a reasonable way forward in view of the current financial situation of the Hague System and the inclusion of Korean would benefit the Hague System, as it would increase the number of applications from that region, in light of the statistics since the Republic of Korea has joined the Hague System in 2014. Accordingly, the Working Group requested the International Bureau to prepare, for discussion at the next session, a paper on criteria for the selection of additional languages for introduction into the Hague System².

4. Following the proposal by the Delegation of the Republic of Korea and the instruction given by the Working Group, document H/LD/WG/9/5 had been prepared. It presented possible criteria for the introduction of new languages into the Hague System as “filing languages”. The figures presented in document H/LD/WG/9/5 have been updated in the present document, where possible.

5. As to the filing language option, it bears recalling that document H/LD/WG/10/4³ describes the filing language option referred to as option “A” in that document which was slightly modified from the filing language option presented in document H/LD/WG/8/5 considered at the eighth session. For detailed features of the language implementation options, refer to document H/LD/WG/10/4. The implementing details of any option therein remains subject to further discussion by the Working Group.

III. POSSIBLE CRITERIA FOR INTRODUCING NEW LANGUAGES

6. In the past, similar papers on possible criteria for introducing new languages into the Madrid and PCT Systems were discussed by their respective Unions’ Assemblies⁴. Moreover, document H/LD/WG/8/5 already outlined some possible criteria for the introduction of new languages into the Hague System. Thus, the present document provides some other criteria⁵ as well as an update on those criteria already presented in the aforementioned document⁶.

FILING ACTIVITY UNDER THE HAGUE SYSTEM

7. As a first criterion, the number of international applications and the number of designs contained therein filed under the Hague System may be taken into account.

Number of International Applications and Designs Contained Therein Under the Hague System

8. The Working Group could take into account the number of international applications filed by applicants from a Contracting Party or Contracting Parties, as well as the number of designs contained in such international applications, where a given language, other than English, French or Spanish, may be used to file domestic applications. These numbers could indicate the potential filings of international applications in that language under the Hague System.

² Refer to document H/LD/WG/8/8, paragraph 30.

³ This document is an updated version of document H/LD/WG/9/4.

⁴ Refer to documents MM/A/42/1 and 4, and PCT/A/38/4 and 6, Annex III.

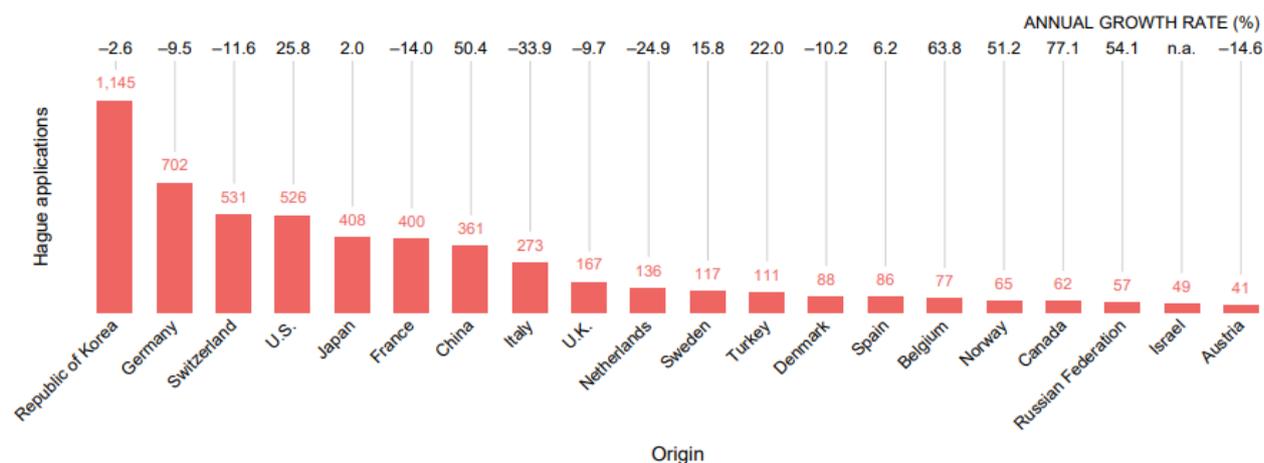
⁵ Those criteria include the number of speakers of a language (native and total) and the number of States per official language (total and member States).

⁶ Those criteria include the number of international applications and designs contained therein, the number of designs contained in applications filed abroad, and the official languages of the United Nations.

9. Considering the top 10 origins of international applications⁷ for 2020 and focusing particularly on those where a domestic application may be filed in a language other than English, French or Spanish, it is noted that:

- Korean applicants filed 1,145 applications (containing 1,669 designs)⁸;
- German applicants filed 702 applications (containing 3,666 designs):
- Swiss applicants filed 531 applications (containing 1,944 designs) which may mean when breaking up the multilingual regime of Switzerland into equivalent language shares according to domestic filing statistics⁹, that 374 applications (containing 1,369 designs) could be attributed to German speakers and 28 applications (containing 103 designs) could be attributed to Italian speakers;
- Japanese applicants filed 408 applications (containing 942 designs):
- Chinese applicants filed 361 applications (containing 826 designs):
- Italian applicants filed 273 applications (containing 1,231 designs): and
- Dutch applicants filed 136 applications (containing 999 designs).

International Applications from the Top 20 Origins in 2020¹⁰



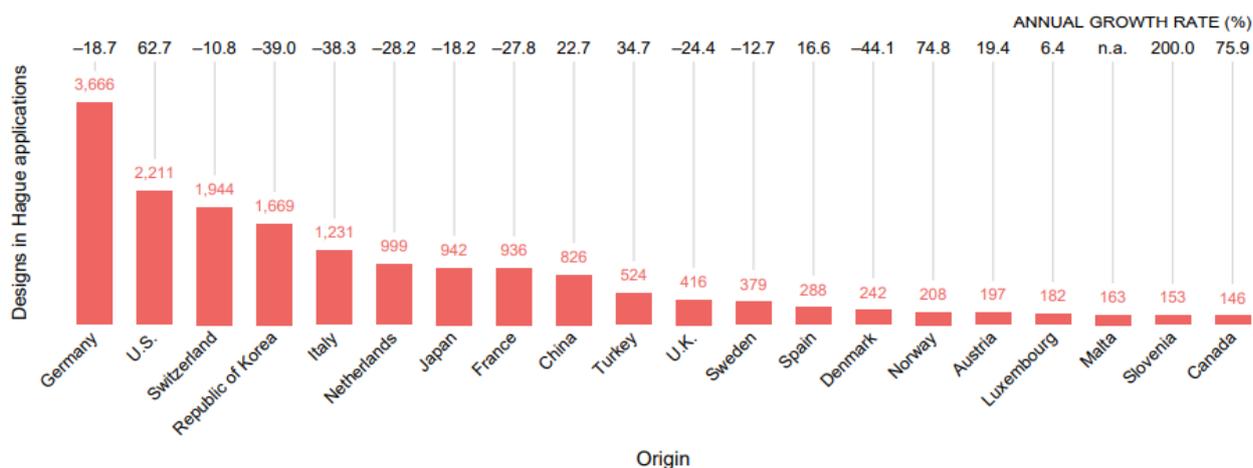
⁷ The origin of an application is defined as the country/territory of the address of the applicant. Applicants residing in a non-member country can file international applications if they have a real and effective industrial or commercial establishment within the jurisdiction of a Contracting Party of the Hague System.

⁸ The number of international applications from applicants from the Democratic People's Republic of Korea was zero in 2020 (refer to the *Hague Yearly Review 2021*).

⁹ Domestic design applications may be filed with the Swiss Federal Institute of Intellectual Property in French, German, Italian and Rhaeto-Romanic. According to the said Office, in 2020, around 70 per cent were filed in German, 24 per cent in French and five per cent in Italian.

¹⁰ Extracted from the *Hague Yearly Review 2021*.

Designs Contained in International Applications from the Top 20 Origins in 2020¹¹



10. If the languages of the top five origins of international applications were to be taken into account, Korean, German and Japanese could qualify for inclusion into the Hague System. If the languages of the top five origins of designs contained in international applications were to be taken into account, German, Korean and Italian could qualify for inclusion into the Hague System. If the languages of the top 10 origins of international applications were considered, Korean, German, Japanese, Chinese, Italian and Dutch could qualify for inclusion into the Hague System. If the languages of the top 10 origins of designs contained in international applications were to be taken into account, German, Korean, Italian, Dutch, Japanese, Chinese and Turkish could qualify for inclusion into the Hague System.

Threshold¹²

11. For considering filing activities under the Hague System, the Working Group may consider, as an additional criterion, the inclusion of an eligibility threshold, for example a share of at least five, 10 or 20 per cent of the total number of designs contained in international applications or total number of applications filed in a given year for a certain amount of time, such as at least three consecutive years.

12. Based on the statistics for 2020, 18,580 designs were contained in 5,792 international applications. If the threshold was set at 20 per cent (3,716 designs), currently only German would meet that threshold. If the threshold was set at 10 per cent (1,858 designs), again only German would meet that threshold. If the threshold was set at five per cent (929 designs), German, Korean, Italian, Dutch and Japanese would meet that threshold.

13. Similarly, based on the statistics for 2020, 5,792 international applications were filed in that year. If the threshold was set at 20 per cent (1,158 applications), no language would meet that threshold. If the threshold was set at 10 per cent (579 applications), only Korean and German would currently meet that threshold. If the threshold was set at five per cent (290 applications), Korean, German, Japanese, Chinese and Italian would currently meet that threshold.

14. The Working Group may also consider a dual eligibility threshold of both combinations, and propose that the threshold is met for a certain number of years, for example for three consecutive years, before a new language of filing could be considered for inclusion into the Hague System.

¹¹ Extracted from the *Hague Yearly Review 2021*.

¹² For instance, the 1999 Act had thresholds for its entry into force (Article 28(2)).

FILING ACTIVITIES ABROAD¹³

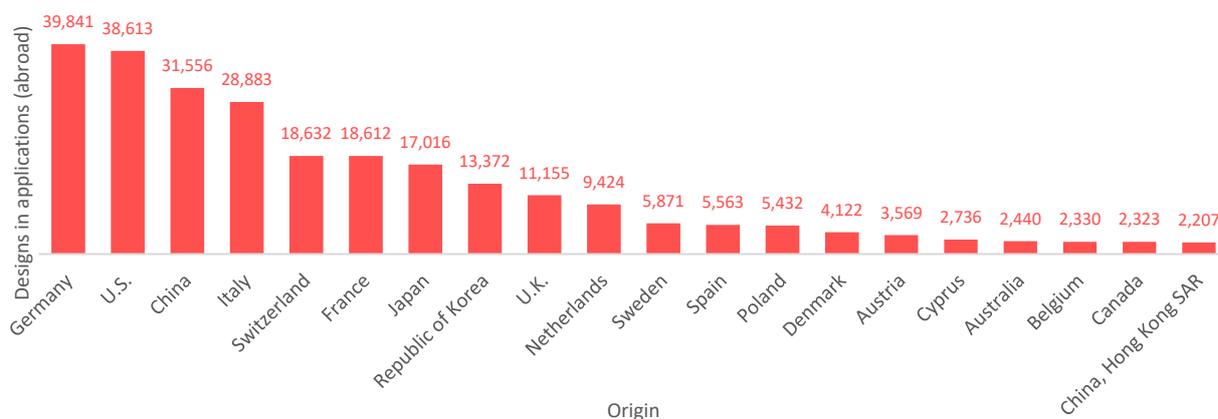
15. As a second criterion, the volume of applications filed abroad may be taken into account. This criterion could provide an indication of the potential use of the Hague System and, *in extenso*, of the relevance of specific languages for filing purposes.

Number of Designs Contained in Applications Filed Abroad

16. Applicants seeking design protection in foreign jurisdictions can either file applications directly with a national or regional Office or, where possible, through the Hague System. Thus, the Working Group could also consider the number of designs contained in applications filed abroad directly or through the Hague System by residents in countries where a given language, other than English, French or Spanish, may be used to file domestic applications.

17. In this regard, the top 20 origins for applicants seeking protection abroad for their designs are provided in the table below. In 2019¹⁴, 238,900 designs were contained in applications filed abroad (direct filing and through the Hague System) by those applicants. In that year, by order of the number of designs for the top 10 origins, applications filed abroad originating from Germany contained 39,841 designs, from the United States of America 38,613 designs, from China 31,556 designs, from Italy 28,883 designs, from Switzerland 18,632 designs, from France 18,612 designs, from Japan 17,016 designs, from the Republic of Korea 13,372 designs, from the United Kingdom 11,155 designs and from the Netherlands 9,424 designs.

Designs Contained in Applications Filed Abroad from the Top 20 Origins in 2019



18. If the top five origins for applicants seeking protection abroad were taken into account, German, Chinese and Italian could be considered for inclusion into the Hague System, in addition to the current three languages of the Hague System. If the top 10 origins for applicants seeking protection abroad were taken into account, German, Chinese, Italian, Japanese, Korean and Dutch could be considered for inclusion into the Hague System.

¹³ Some jurisdictions have a single design application system, while others have a multiple design application system. Thus, the number of designs is used as opposed to the number of applications for this comparison.

¹⁴ Refer to the WIPO IP Statistics Data Center. The data for applications filed directly with national or regional IP Offices are only available up to 2019, as of the date of this document.

Threshold

19. For considering filing activities abroad, the Working Group may, again, consider the inclusion of an eligibility threshold, for example a total number of designs contained in applications filed abroad in a given year for a certain amount of time, such as for three consecutive years. If the threshold was set at 30,000 designs contained in applications filed abroad, only German and Chinese would meet that threshold. If the threshold was set at 20,000 designs, German, Chinese and Italian would meet that threshold. If the threshold was set at 10,000 designs, German, Chinese, Italian, Japanese and Korean would meet that threshold.

OFFICIAL LANGUAGES OF THE UNITED NATIONS AND LANGUAGE POLICY AT WIPO

20. The Working Group may take into account the official languages of the United Nations.

21. The six official languages of the United Nations are English, Arabic, Chinese, French, Russian and Spanish.

22. Language coverage for documentation for meetings of the WIPO Main Bodies, Committees and Working Groups, as well as for core and new publications, extends to the six official languages of the United Nations, in accordance with the “Policy on Languages at WIPO” adopted by the General Assembly of WIPO in September 2010¹⁵. Nevertheless, that policy does not currently apply to services provided under WIPO-administered Treaties, such as international registration services provided under the Madrid and Hague Systems.

23. A “Revised Policy on Language at WIPO” was submitted to the sixty-second session of the Assemblies of WIPO, held in October 2021¹⁶. As outlined in that document, “While language regimes and translation policies that are established under WIPO administered Treaties and related regulations are excluded from the scope of this proposal, Member States discussions regarding those regimes that are ongoing in other competent WIPO bodies could be guided by the principles proposed in [that same] document”¹⁷. In that respect, two principles outlined in the revised language policy appear relevant to the Working Group’s discussions on the possible criteria for the introduction of additional languages into the Hague System, namely:

(i) Multilingualism: “WIPO recognizes the importance of multilingualism both as a core value of the Organization, and as a means to reach out worldwide to explain the potential for IP to improve the lives of everyone, everywhere and for supporting governments, enterprises, communities and individuals to use IP as a tool for growth and sustainable development. Multilingualism is furthermore important to ensure inclusive access to WIPO information and services”¹⁸.

(ii) Impact-based approach: “Under an impact-based approach, WIPO’s future translation strategies would be guided by three main considerations: (1) the audience for whom the translation is intended; (2) the degree of precision required for the translation; and (3) available translation technology”¹⁹.

¹⁵ Refer to documents A/48/26, paragraph 250 and A/49/18, paragraphs 173 to 184.

¹⁶ Refer to documents A/62/7, WO/PBC/32/6, and WO/PBC/32/7, agenda item 9.

¹⁷ Refer to document WO/PBC/32/6, paragraph 7.

¹⁸ Refer to document WO/PBC/32/6, paragraph 5. Note that paragraph 7 also emphasizes the need to balance the further promotion of multilingualism with the financial sustainability.

¹⁹ Refer to document WO/PBC/32/6, paragraph 9.

SPEAKERS OF A LANGUAGE (TOTAL AND NATIVE)

24. The Working Group may take into account the total number of speakers of a language in the world. This may give an indication as to how many applicants could potentially file applications in their language if a given language was included into the Hague System.

25. According to Internet resources (refer to the table entitled “Distribution of Languages in the World” provided in Annex I to this document), in terms of the total number of “speakers”, English, Chinese, Hindi, Spanish, French, Arabic, Bengali, Russian, Portuguese and Indonesian ranked as the top 10 languages in the world in early 2020²⁰. If the top 10 spoken languages were taken into account, Chinese, Hindi, Arabic, Bengali, Russian, Portuguese and Indonesian could be considered for inclusion into the Hague System, in addition to the current three languages of the Hague System.

26. In terms of the total number of “native speakers”, Chinese, Spanish, English, Hindi, Bengali, Portuguese, Russian, Japanese, Western Punjabi and Marathi ranked as the top 10 languages in the world in early 2020²¹. If the top 10 languages were taken into account, Chinese, Hindi, Bengali, Portuguese, Russian, Japanese, Western Punjabi and Marathi could be considered for inclusion, in addition to the current three languages of the Hague System.

OFFICIAL LANGUAGES OF STATES

27. The Working Group may take into account official languages of States. An official language is a language used for official purposes, especially as a medium of a national government²².

28. If the Working Group considered official languages according to the number of States, amongst the top 25 languages spoken in the world (other than English, French or Spanish), Arabic, Portuguese, German, Swahili, Italian, Russian, Tamil, Chinese, Hindi, Bengali, Urdu, Japanese, Turkish and Korean are official languages in more than one State (refer to the table entitled “Distribution of Languages in the World” provided in Annex I to this document)²³.

OFFICIAL LANGUAGES OF MEMBER STATES

29. The Working Group may also take into account the official languages of States on a member State basis²⁴, noting that this parameter would change with each new accession.

30. In this regard, amongst the top 25 languages spoken in the world (other than English, French or Spanish), Arabic, German, Italian, Korean, Turkish and Russian are official languages in more than one member State, according to the current membership (refer to the table entitled “Distribution of Languages in the World” provided in Annex I to this document)²⁵.

²⁰ In this regard, the International Bureau relied on the information contained in the Visual Capitalist at www.visualcapitalist.com/100-most-spoken-languages/, published on February 15, 2020.

²¹ In this regard, the International Bureau relied on the information contained in the Visual Capitalist at www.visualcapitalist.com/100-most-spoken-languages/, published on February 15, 2020.

²² Refer to the Concise Oxford Companion to the English Language, Ed. Tom McArthur, Oxford University Press, 2003.

²³ In this regard, the International Bureau relied on the information contained in Wikipedia at Wikipedia.org and the Encyclopedia Britannica at www.britannica.com.

²⁴ For the analysis of this criterion, the membership of the European Union and the African Intellectual Property Organization (OAPI) has been disregarded.

²⁵ In this regard, the International Bureau relied on the information contained in Wikipedia at Wikipedia.org and the Encyclopedia Britannica at www.britannica.com.

FURTHER FACTORS

31. Further factors that might be of relevance for consideration by the Working Group are presented in Annex II to this document. Those are the languages used amongst different WIPO services (Section I), the use of the resources of the WIPO website in different languages (Section II), and the changes in filing activities after the addition of languages in the Hague and PCT Systems (Section III).

IV. SUMMARY OF FINDINGS

32. The languages to be considered for a possible introduction as filing languages under the Hague System vary largely from one criterion to another, with some languages appearing more frequently than others. Notably, and using, where applicable, the most lenient of the suggested thresholds, it appears that:

- if the Working Group were to take into account filings under the Hague System, in terms of the number of designs contained in international applications, German, Korean, Italian, Dutch and Japanese could be considered, while in terms of the number of international applications, Korean, German, Japanese, Chinese and Italian could be considered;
- if the Working Group were to take into account non-resident filings, by design count, German, Chinese, Italian, Japanese and Korean could be considered;
- if the Working Group were to take into account the official languages of the United Nations, Chinese, Arabic and Russian could be considered;
- if the Working Group were to take into account the total number of “speakers” of a given language in the world, a large list of languages, starting with Chinese, Hindi, Arabic, Bengali, Russian and Portuguese, could be considered;
- if the Working Group were to take into account the total number of “native speakers” of a given language in the world, a large list of languages, starting with Chinese, Hindi, Bengali, Portuguese, Russian and Japanese, could be considered;
- if the Working Group were to take into account the number of States for which a given language is an official language, amongst the top 25 most-spoken languages of the world, a large list of languages, starting with Arabic, Portuguese, German, Swahili, Italian and Russian, could be considered; or
- if the Working Group were to take into account the number of member States for which a given language is an official language, then, amongst the top 25 most-spoken languages of the world and according to the current Hague membership, Arabic, German, Italian, Korean, Turkish and Russian could be considered, these being official languages in more than one member State.

33. *The Working Group is invited to:*

(i) discuss and comment on the contents presented in this document; and

(ii) provide guidance to the International Bureau on a possible way forward.

[Annexes follow]

DISTRIBUTION OF LANGUAGES IN THE WORLD

Language	Rank (total)	Total (millions)	Native Speakers (millions)	States with that official language	Member States with that official language
<i>English</i>	1	1132	379	60	10
<i>(Mandarin) Chinese</i>	2	1117	918	2	1
<i>Hindi</i>	3	615	341	2	0
<i>Spanish</i>	4	534	460	20	2
<i>French</i>	5	280	77	29	13
<i>Standard Arabic</i>	6	274	NA	23	5
<i>Bengali</i>	7	265	228	2	0
<i>Russian</i>	8	258	154	4 ¹	3
<i>Portuguese</i>	9	234	221	9	1
<i>Indonesian</i>	10	199	43	1	0
<i>Urdu</i>	11	170	69	2	0
<i>Standard German</i>	12	132	76	6	5
<i>Japanese</i>	13	128	128	2	1
<i>Swahili</i>	14	98	16	6	1
<i>Marathi</i>	15	95	83	1	0
<i>Telugu</i>	16	93	82	1	0
<i>Western Punjabi</i>	17	93	93	1	0
<i>Wu Chinese</i>	18	82	81	1	0
<i>Tamil</i>	19	81	75	3	1
<i>Turkish</i>	20	80	69	2	2
<i>Korean</i>	21	77	77	2	2
<i>Vietnamese</i>	22	77	76	1	1
<i>Yue Chinese</i>	23	74	73	1	0
<i>Javanese</i>	24	68	68	1	0
<i>Italian</i>	25	68	65	4	3

(Sources: visualcapitalist.com referencing Ethnologue Languages of the World, Encyclopedia Britannica, available at: www.visualcapitalist.com/100-most-spoken-languages/, and published on February 15, 2020; Wikipedia, September 2021)

[Annex II follows]

¹ According to document H/LD/WG/7/5, Russian is a State language in three countries and an official language of one country.

FURTHER FACTORS

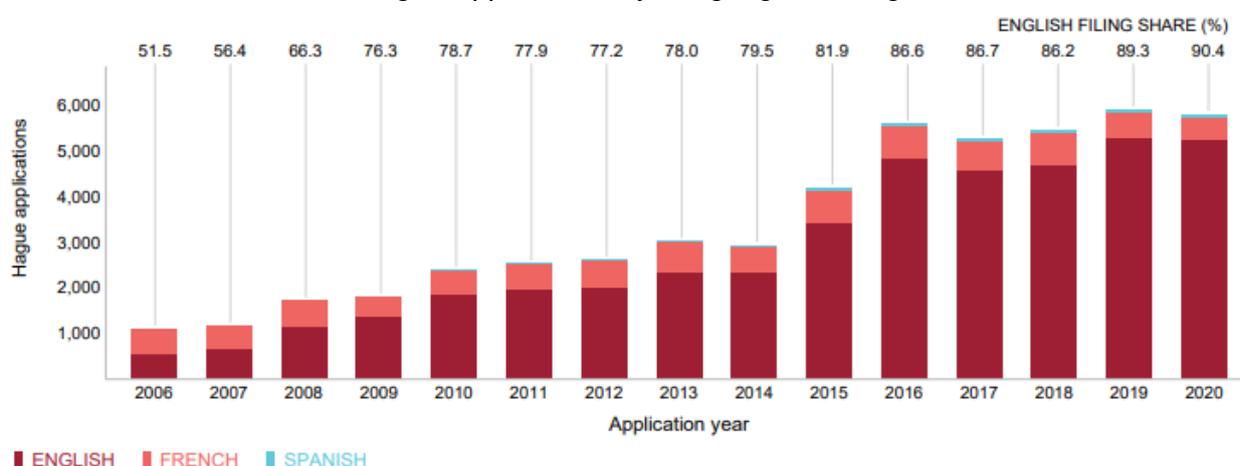
I. LANGUAGE USE AMONGST DIFFERENT WIPO SERVICES

1. The filing activities under the Hague and PCT Systems are presented as below. The filing activities under the Madrid System are not included as the Madrid System has the same language regime as the Hague System. The languages used to provide the services of the WIPO Arbitration and Mediation Center (AMC) are also outlined.

THE HAGUE SYSTEM

2. Under the Hague System, in 2020, 90.4 per cent of Hague applications were filed in English, whereas French accounted for 8.6 per cent and Spanish for one per cent.

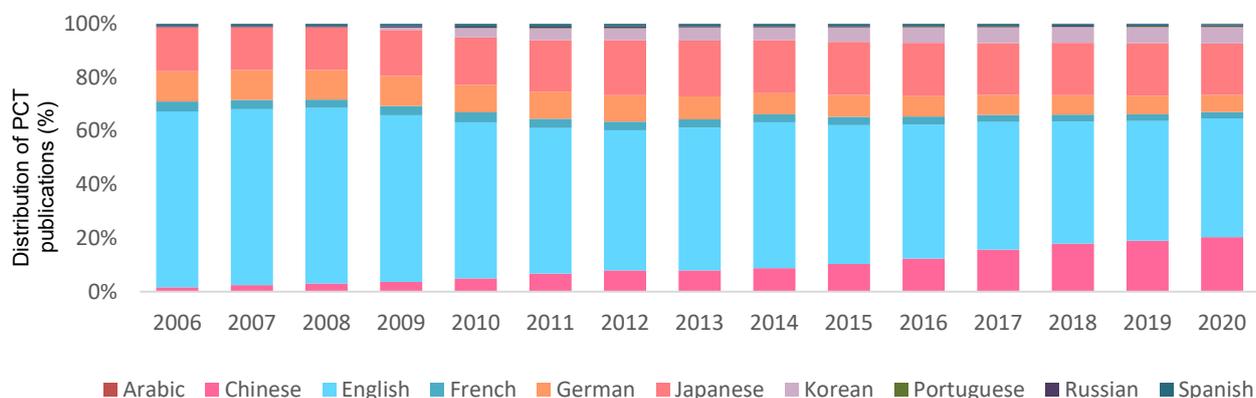
Distribution of Hague Applications by Language of Filing, 2006 to 2020



THE PCT SYSTEM

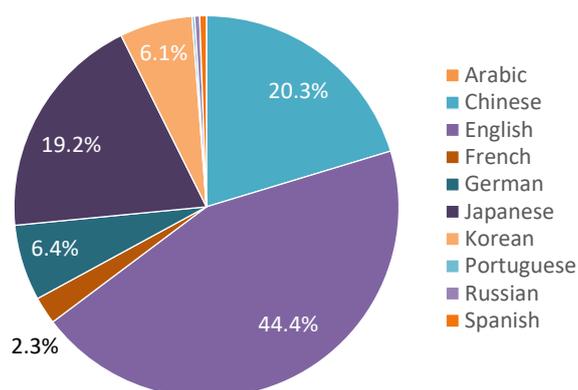
3. The PCT System has 10 publication languages. The vast majority of PCT applications are published in the language in which they were filed¹. In 2020, 44.4 per cent were published in English, 20.3 per cent in Chinese, 19.2 per cent in Japanese, 6.4 per cent in German, 6.1 per cent in Korean, 2.3 per cent in French, 0.6 per cent in Spanish, 0.4 per cent in Russian, 0.2 per cent in Portuguese and 0.01 per cent in Arabic.

Distribution of PCT Applications by Language of Publication, 2006 to 2020



¹ Refer to the *Patent Cooperation Treaty Yearly Review 2020*, page 71.

Distribution of PCT Applications by Language of Publication, 2020



THE WIPO ARBITRATION AND MEDIATION CENTER (AMC)

4. The WIPO Arbitration and Mediation Center (AMC) administers mediation, arbitration and expert determination cases. The language of these proceedings is subject to the agreement between the parties or is determined by the arbitrator/mediator². In practice, these proceedings have been conducted in several languages including Chinese, English, French, German, Italian, Korean, Portuguese and Spanish³.

5. The AMC also administers domain name case disputes. In general, unless otherwise agreed by the parties or specified otherwise in the Registration Agreement (the agreement between a Registrar and a domain-name holder), the language of the administrative proceeding is the language of the Registration Agreement⁴. In practice, these proceedings have been conducted in several languages, while around 88 per cent were conducted in English⁵.

II. USE OF RESOURCES OF THE WIPO WEBSITE IN DIFFERENT LANGUAGES

6. The International Bureau has compiled some information and data in relation to the use of WIPO free online resources in the different available languages. While the use of the online resources in the different languages does not provide a direct indication of the value of adding another language to the Hague System, it may provide an indication on the interest by users in certain IP matters in certain languages.

WIPO AND HAGUE WEBSITE

7. The Hague landing website is available in the six official languages of the United Nations⁶. In 2020, visitors accessed the above web page in the following language versions: English around 78 per cent, French 7.5 per cent, Spanish around 6.0 per cent, Chinese 3.5 per cent, Russian 3.2 per cent and Arabic 1.1 per cent.

² Refer to Article 39 of the WIPO Arbitration Rules, Article 33 of the WIPO Expedited Arbitration Rules, and Article 10 of the WIPO Mediation Rules at <https://www.wipo.int/amc/en/rules/>.

³ Refer to <https://www.wipo.int/amc/en/center/caseload.html>.

⁴ Refer to Article 11 of the Rules for Uniform Domain Name Dispute Resolution Policy at <https://www.icann.org/resources/pages/udrp-rules-2015-03-11-en>; refer also to <https://www.wipo.int/amc/en/domains/search/overview3.0/#item45>.

⁵ Refer to https://www.wipo.int/amc/en/domains/statistics/languages_yr.jsp?year.

⁶ Refer to <https://www.wipo.int/hague/en/>.

8. WIPO also provides the legal texts concerning the Hague System in those six languages. In 2020, visitors accessed the web page containing the Hague legal texts⁷ in the following language versions: English around 70 per cent, Spanish 12 per cent, Arabic 5.7 per cent, French 5.5 per cent, Russian 4.2 per cent and Chinese 2.0 per cent.

9. The Hague System provides a publication on the main features and advantages of the Hague System on the website in those six languages⁸. In 2020, visitors accessed this publication in the following language versions: English around 58 per cent, French 9.0 per cent, Chinese 10 per cent, Spanish 10.3 per cent, Russian 9.0 per cent and Arabic 3.2 per cent.

10. The WIPO IP Portal is visited by users of IP Services around the world⁹. The table below shows the percentage of unique users by browser language used to access the IP Portal in a period of three months (May to July 2021). The “browser language” is independent of the language actually used in the IP services, and is an indicator of the user’s preferred working language.

Rank	Browser Language	Percent
1	English	76.8
2	Chinese	10.2
3	Spanish	2.6
4	French	1.8
5	German	1.7
6	Japanese	1.5
7	Russian	1.3
8	Korean	0.7
9	Italian	0.6
10	Other	2.7

⁷ Refer to https://www.wipo.int/hague/en/legal_texts.

⁸ WIPO Publication No. 911E/19. Refer to <https://www.wipo.int/publications/en/details.jsp?id=4397>.

⁹ Refer to the WIPO IP Portal at <https://ipportal.wipo.int/>.

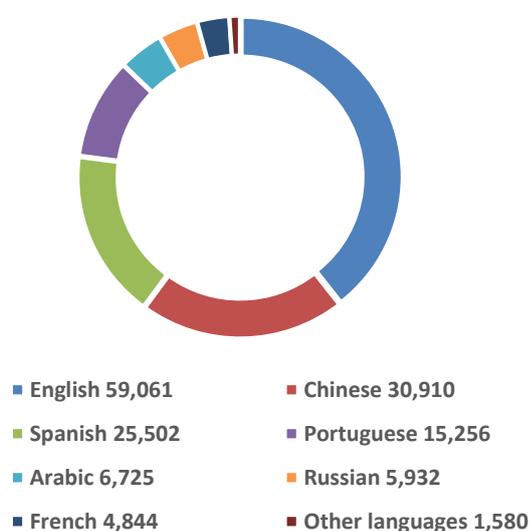
WIPO ACADEMY COURSE

11. The WIPO Academy offers distance-learning courses, covering all aspects of intellectual property, to both professionals and those new to the field, in a wide range of languages.

12. The WIPO Academy is unique in terms of its multilingual diversity of IP courses. The WIPO Academy offers courses in the six United Nations languages and Portuguese. Some UPOV and PCT courses are also offered in German, Japanese and Korean. In collaboration with member States, the WIPO Academy further offers additional courses in other languages¹⁰.

13. In 2020, the online courses of the WIPO Academy were accessed by participants from over 190 member States in several languages, while English remained the most popular course language.

DL participation by language



14. The online course DL-101 “General Course on Intellectual Property” is free of charge and has a module about the Hague System. The course is available in the six United Nations languages (English, Arabic, Chinese, French, Russian and Spanish) as well as in Croatian, Georgian, Portuguese and Thai¹¹. In terms of users in 2020, the course was taken by 32 per cent in English, 20.6 per cent in Chinese, 20.1 per cent in Spanish, 14 per cent in Portuguese, 6.1 per cent in Arabic, 3.5 per cent in Russian, 1.7 per cent in French, 1.2 per cent in Georgian and less than one per cent in the other remaining languages.

¹⁰ Croatian, Georgian and Thai in 2019.

¹¹ In collaboration with member States, the WIPO Academy offers additional courses in those additional languages. In relation to Korean: the course has been translated into Korean, and there has not been any information received during 2019. A correction has been made to the nomenclature DL-101K which was interpreted as Korean. The DL-101K is a course offered in English but with Korean tutors and experts.

15. The online course DL-302 “Trademarks, Industrial Designs and Geographical Indications” is an advanced course and available in the six United Nations languages (English, Arabic, Chinese, French, Russian and Spanish) as well as in Portuguese. In terms of users in 2020, the course was taken by 29.7 per cent Chinese, 20.0 per cent in English, 19.9 per cent in Spanish, 11.5 per cent in Russian, 6.8 per cent in French, 6.0 per cent in Arabic and 5.8 per cent in Portuguese.

III. THE CHANGE OF THE FILING ACTIVITIES AFTER THE ADDITION OF LANGUAGES IN THE HAGUE AND PCT SYSTEMS

16. New languages have been introduced into the WIPO services gradually, which may affect the filing activities among the different available languages. The language shares under the Hague and PCT Systems during the past 10 years are provided as below. The language shares under the Madrid System are not included as the Madrid System has the same language regime as the Hague System.

THE HAGUE SYSTEM

17. The Hague System was initially operated in French only. English was introduced in 1984¹² and Spanish in 2010. Since then, the only Contracting Party that joined the Hague System and whose official language is Spanish was Mexico¹³.

18. The number of international applications filed in Spanish in the period from 2010 to 2020 consistently made up around one per cent of all international applications filed, since the introduction of Spanish into the Hague System.

Hague language shares:

Year	English	French	Spanish
2010	78.7%	20.6%	0.7%
2011	77.9%	21.4%	0.7%
2012	77.2%	22.1%	0.7%
2013	78.0%	21.4%	0.6%
2014	79.5%	19.7%	0.8%
2015	81.9%	16.7%	1.4%
2016	86.6%	12.6%	0.7%
2017	86.7%	12.5%	0.8%
2018	86.2%	12.6%	1.2%
2019	89.3%	9.7%	1.0%
2020	90.4%	8.6%	1.0%

¹² At the same time as the 1960 Act entered into force.

¹³ Mexico joined the Hague System on June 6, 2020. Spain has been a Contracting Party to the 1999 Act since December 23, 2003.

THE PCT SYSTEM

19. The PCT System started in 1970 with five publication languages, namely, English, French, German, Japanese and Russian. Subsequently, Spanish (in 1985), Chinese (in 1994), Arabic (in 2006), Korean and Portuguese (both in 2009) were added.

20. The vast majority of PCT applications are published in the language in which they were filed. In 2020, 44.4 per cent of all PCT applications were published in English, followed by Chinese (20.3 per cent) and Japanese (19.2 per cent). The seven remaining languages of publication, combined, accounted for 16.1 per cent of the total. Whereas the combined share of the top three languages has remained relatively stable for the past several years, their respective contributions have changed. Notably, the share of Chinese has been increasing.

21. Over the last 10 years, the shares in Spanish, Russian, Portuguese and Arabic remained stable under one per cent. The shares in German and French slightly decreased over the last 10 years to six and two per cent, respectively. The shares in Korean slightly increased to six per cent since the introduction of Korean into the PCT System in 2009, while the share in Chinese increased from three per cent to 20 per cent over the last 10 years. The shares in Japanese remained stable around 20 per cent over the last 10 years. Unlike in the Madrid and the Hague System, the shares in English decreased from around 54 per cent to around 44 per cent. The decrease of the shares in English largely reflects from the increase of the shares in Chinese. That is to say that the actual number of international applications filed and published in English did not decrease, however the ratio changed due to the increase of other languages, in particular Chinese¹⁴.

PCT language shares:

Year	Arabic	Chinese	English	French	German	Japanese	Korean	Portuguese	Russian	Spanish
2011	-	6.8	54.3	3.4	10.2	19.2	4.4	0.2	0.5	1.0
2012	-	8.0	52.3	3.2	9.9	20.5	4.5	0.2	0.5	0.9
2013	-	8.0	53.3	3.0	8.6	20.9	4.7	0.3	0.5	0.8
2014	0.0	8.7	54.5	2.9	7.9	19.8	4.6	0.2	0.5	0.8
2015	0.0	10.3	51.8	3.1	8.2	19.8	5.3	0.2	0.5	0.8
2016	0.0	12.4	50.1	2.9	7.7	19.9	5.7	0.2	0.4	0.7
2017	0.0	15.7	47.6	2.7	7.4	19.4	5.8	0.2	0.4	0.7
2018	0.0	17.9	45.6	2.5	7.3	19.6	5.8	0.2	0.4	0.6
2019	0.0	19.0	44.7	2.4	7.0	19.7	5.9	0.2	0.5	0.6
2020	0.0	20.3	44.4	2.3	6.4	19.2	6.1	0.2	0.4	0.6

[End of Annex II and of document]

¹⁴ Refer to table “Distribution of PCT applications by language of publication, 2006–2020”, above.