

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

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TECHNICAL ASSESSMENT OF THE POSSIBLE IMPLEMENTATION OF THE “INTERNATIONAL REGISTRATION LANGUAGE OPTION” CONTAINED IN DOCUMENT MM/LD/WG/22/13 REV.

Document prepared by the International Bureau

BACKGROUND

1. At its twenty-second session, held in Geneva from October 7 to 11, 2024, the Working Group on the Legal Development of the Madrid System for the International Registration of Marks (hereinafter referred to as “the Working Group” and “the Madrid System”) discussed document [MM/LD/WG/22/13 Rev.](#) “Proposal by the Delegations of Brazil, Cabo Verde, Germany, Japan, Mozambique, Portugal, the Republic of Korea and Sao Tome and Principe”.

2. The proposal concerned a possible implementation option for the introduction of new Madrid System languages, called the “international registration language option”. The Working Group requested “that the International Bureau prepare, for its twenty-third session, a technical assessment of the possible implementation of the ‘international registration language option’ contained in document MM/LD/WG/22/13 Rev. [...]”¹. The present document provides the requested technical assessment.

¹ See paragraph 18(v) of document [MM/LD/WG/22/15](#) “Summary by the Acting Chair”.

THE INTERNATIONAL REGISTRATION LANGUAGE OPTION

3. The proposed international registration language option outlined in document MM/LD/WG/22/13 Rev. envisages three distinct operational scenarios in the lifecycle of international registrations. The document addresses:

- (i) communication flows between the applicant or holder, the Office of origin, and the International Bureau;
- (ii) international registration and subsequent recordings in the International Register; and
- (iii) communications between the International Bureau and the designated Contracting Parties.

For each of these three scenarios, the document provides specific implementation proposals regarding the possible introduction of new languages².

4. In the first scenario, the proposal establishes a framework where communication between the applicant or holder and the Office of origin could occur in any Madrid System language, including any newly introduced languages, at the discretion of the Office of origin. This same principle would apply to communications between the Office of origin and the International Bureau. Additionally, the proposal specifies that communication between the applicant or holder and the International Bureau could take place in any Madrid System language, including any new languages, with the language choice determined by the applicant or holder.

5. In the second scenario, the proposal establishes that all registrations and recordings in the International Register, as well as publications in the *WIPO Gazette of International Marks* (WIPO Gazette), would be executed in all Madrid System languages, including any newly introduced languages.

6. In the final scenario, the proposal foresees that communication between the International Bureau and designated Contracting Parties would continue to take place exclusively in the current Madrid System languages, namely, English, French and Spanish. This approach maintains the established trilingual framework for exchanges between the International Bureau and Offices in designated Contracting Parties.

TECHNICAL IMPLICATIONS OF THE PROPOSED IMPLEMENTATION OPTION

7. From a technical perspective, the introduction of any new Madrid System language would require adjustments to the Information and Communication Technology (ICT) systems of the International Bureau, irrespective of the implementation modality chosen. These required ICT developments, which would enable the International Bureau to effectively communicate, process and publish information in any newly introduced language, were described in document [MM/LD/WG/18/5](#)³.

² See paragraphs 10 to 20 of document [MM/LD/WG/22/13 Rev.](#) "Proposal by the Delegations of Brazil, Cabo Verde, Germany, Japan, Mozambique, Portugal, the Republic of Korea and Sao Tome and Principe".

³ See paragraphs 29 and 30 of the Annex to document [MM/LD/WG/18/5](#) "Study of the Cost Implications and Technical Feasibility of the Gradual Introduction of the Arabic, Chinese and Russian Languages into the Madrid System".

8. The technical implementation of new Madrid System languages would require several system updates, including:

- modification of Madrid e-Filing and Madrid Electronic Communications (MECA) systems to accommodate filings in additional languages, depending on which Offices utilize these platforms;
- enhancement of all examination and enquiry systems to properly display content in the new languages;
- adaptation of internal classification tools to support multilingual requirements;
- translation of all irregularity letters for all transaction types into each new language followed by comprehensive testing;
- reconfiguration of translation workflows to incorporate new conversion pathways between the additional languages and the current languages;
- revision of publication systems to process and display content in new languages; and
- updating of web tools (particularly eMadrid) to handle the new languages and implement appropriate validation rules governing their usage.

9. According to current assessments and assuming that each new language would be introduced sequentially, one at a time, the technical updates required for introducing any new language would necessitate an investment of approximately 350,000 Swiss francs per new language. However, it should be noted that work undertaken for the introduction of one language may help reduce this amount for subsequent languages, as certain technical solutions and processes developed for one language could be leveraged for the next.

10. The International Bureau is currently implementing Phase II of the Madrid Information Technology (IT) Platform project. This phase primarily focuses on developing core components of a new ICT back-office business solution that will gradually replace the existing system, while also introducing new standards for electronic data exchange with Offices. To avoid duplication of work and resources, any new Madrid System languages should be incorporated directly into this new ICT business solution. The new Madrid IT Platform will have the required flexibility to accommodate additional languages, a capability that will be further enhanced by the implementation of new data exchange standards with Offices.

OPERATIONAL IMPLICATIONS OF THE PROPOSED IMPLEMENTATION OPTION

PROCESSING INTERNATIONAL APPLICATIONS AND REQUESTS FOR RECORDING

11. Under the proposed implementation option, communication between the applicant or holder, the Office of origin and the International Bureau could occur in any Madrid System language, including any newly introduced language. This framework would enable applicants to file international applications and holders to submit requests for recording in any Madrid System language. The International Bureau would be required to process these applications and requests in the submitted language and conduct all communications with the applicant, holder or Office of origin in their chosen Madrid System language. This operational approach maintains the structure and principles of the current linguistic regime, with the only difference being the expanded range of available languages through which stakeholders could interact with the system.

12. For example, should a given new language be introduced as a Madrid System language under the proposed option, trademark owners in members that accept communications from applicants and holders in that language could file international applications and requests for recording in this language through their respective Offices. Additionally, holders could present requests for recording in the same language directly to the International Bureau. The international application or request would be processed in that language and any communication concerning this application or request between the International Bureau and the applicant, holder or Office would also be in that language.

13. As indicated in paragraph 25 in the Annex to document MM/LD/WG/18/5, the introduction of a new Madrid System language would not require additional human resources to process transactions in that language. The International Bureau, specifically the Madrid Registry, already has staff members proficient in the proposed new languages. The International Bureau would maintain its current practice of allocating workload based on the linguistic proficiency of its existing staff, thereby utilizing the present language capabilities of the workforce to accommodate an expanded linguistic regime. Furthermore, as positions become vacant through natural attrition, the International Bureau would seek to acquire further staff proficient in these languages to strengthen and sustain its linguistic capacity over time.

REGISTRATIONS AND RECORDINGS IN THE INTERNATIONAL REGISTER AND PUBLICATIONS IN THE WIPO GAZETTE

14. Regarding registrations and recordings in the International Register and publications in the WIPO Gazette, the proposed implementation option foresees performing these actions in all Madrid System languages, including any newly introduced languages. This approach maintains consistency with the principles of the current linguistic regime by ensuring that registrations, recordings, and publications continue to be produced in all Madrid System languages.

15. As explained in document [MM/LD/WG/17/7 Rev.](#)⁴, the most efficient and cost-effective approach for introducing any new Madrid System language would involve implementing an indirect translation practice, using English as the relay language. Relay translation would leverage the current workflows while minimizing additional complexity and resource requirements.

16. Under this methodology, transactions submitted in any new language would first be translated and post-edited into English, and subsequently translated from English into French, Spanish, and into any other newly added languages using the existing translation processes and practices. Translations from English into any new language would undergo post-editing only when the translated text needs to be communicated to the holder. It is important to note that, in accordance with the current differentiated translation practice, translations that are neither notified to designated Contracting Parties nor communicated to the holder are not subject to post-editing.

17. Following the same example above, international registrations and recordings in the given new language would be translated and post-edited to English. Once in English, they would be translated into French and Spanish and any other accepted new language through the existing process. These registrations and recordings would then be inscribed in the International Register and published in the WIPO Gazette in all existing and newly introduced Madrid System languages.

⁴ See document [MM/LD/WG/17/7 Rev.](#) "Possible Options for the Introduction of New Languages Into the Madrid System".

COMMUNICATIONS BETWEEN THE INTERNATIONAL BUREAU AND DESIGNATED CONTRACTING PARTIES

18. The proposed implementation option would maintain the current trilingual regime for communications exchanged between the International Bureau and the designated Contracting Parties. The International Bureau would continue transmitting notifications of international registrations and recordings in the International Register to the designated Contracting Parties in one of the current Madrid System languages (English, French or Spanish), according to their preference.

19. Similarly, designated Offices would continue sending communications under the Madrid System to the International Bureau, such as notifications of provisional refusal or statements regarding the status of protection of marks, exclusively in one of these three current Madrid System languages. This trilingual approach would also apply to subsequent communications concerning those initial exchanges, such as correspondence regarding irregular refusals.

20. Continuing with the example above, communications between the International Bureau and designated Contracting Parties would continue to be exchanged in English, French or Spanish, including those concerning international registrations and recordings in the given new language. Communications from Contracting Parties would be made available in English, French and Spanish through the current translation process and then be translated from English to the given new language under a relay translation practice. The recording of these communications in the International Register and their publication in the WIPO Gazette would be in the given new language, English, French, Spanish and any other newly accepted language. In line with the current differentiated translation practice, communications that must be transmitted to a holder who has opted to receive such communications in the given new language would be post-edited to ensure their quality.

21. Under the proposed implementation option, when international registrations and requests for recording are filed in a new language, designated Contracting Parties could request to receive the relevant data in this language. This option would benefit Offices of designated Contracting Parties that operate in the filing language. Nevertheless, the official communication between the International Bureau and the designated Contracting Parties would continue to be conducted in English, French and Spanish.

QUALITY CONTROL OF POST-EDITING SERVICES

22. The volume of post-editing work required under the proposed option would be low relative to other options the Working Group has discussed in previous session. Consequently, the International Bureau would leverage its existing internal expertise in the proposed new languages to maintain quality control over the translation services provided, ensuring accuracy and consistency across all linguistic versions.

COST IMPLICATIONS OF THE PROPOSED IMPLEMENTATION OPTION

23. In addition to the one-time investment required for ICT developments described above, the proposed implementation option would result in ongoing operating costs stemming from the services required for post-editing international applications and recordings from any new language into English, as well as for post-editing other recordings from English into any new language when such communications need to be sent to the holder in their preferred language.

24. For the purpose of estimating the aforementioned operating costs, the International Bureau has established several working assumptions. One assumption involves the availability of an enhanced Terminology Database that could yield no less than 60 per cent automatic

translation in any new language by identifying perfect matches in this database and applying the corresponding pre-approved translations. The updated cost estimate for enhancing this Terminology Database is addressed in document [MM/LD/WG/22/7](#)⁵, which discusses this enhancement as a potential technical measure that would benefit trademark owners regardless of whether an expansion of the Madrid System language regime is implemented.

25. A second assumption is the availability of machine-translation capabilities, either internally developed or through third-party providers, of sufficiently good quality to translate the remaining 40 per cent of content that cannot be processed through the Terminology Database. Where applicable, these machine-translation resources would be supplemented by human post-editing services to ensure accuracy and quality of the final translations.

26. A third assumption is that, when presented with the choice, applicants and holders from members where one of the proposed new languages is spoken would opt to file international applications and requests for recording in that new language. For multilingual jurisdictions where one of the proposed languages is spoken alongside other languages, the International Bureau assumes that the proportion of applications and requests submitted in the newly added language would roughly correspond to the percentage of the population speaking that language within the territory. This demographic-based usage projection helps estimate the potential volume of transactions requiring translation services in each newly introduced language.

27. A fourth assumption is that applicants and holders who have filed applications and requests for recording in any of the proposed new languages would opt to receive subsequent communications from the International Bureau in that same new language. This consistency between filing language and communication preference is based on the preferences expressed by users of the Madrid System under the current linguistic regime.

28. Finally, to estimate the possible cost of required post-editing services, the International Bureau conducted a Request for Information (RFI) process in April 2025, the details of which are available in document [MM/LD/WG/23/8](#)⁶. Ten translation service providers participated in the RFI process by providing, *inter alia*, non-binding quotes for both translation with subsequent revision and for post-editing with subsequent revision from English to the proposed new languages and from these languages to English.

29. It is recalled that revision requires a senior translator working for the service provider to undertake a manual review of either direct translation or post-editing output before delivery to ensure the highest possible quality of service.

30. The non-binding quotes reflected potential ongoing work, based on estimated volumes for each possible new language. They were presented as fee ranges per translated or post-edited word, expressed in Swiss francs, with service providers indicating both their lowest and highest possible rates.

31. The International Bureau reviewed all non-binding quotes and identified the minimum and maximum values across submissions. As explained in document [MM/LD/WG/23/8](#), this method remains the most prudent and reliable approach for estimating the potential operating costs associated with expanded language capabilities in the Madrid System. A table with all non-binding quotes is presented in the Annex to this document.

⁵ See document [MM/LD/WG/22/7](#) "Detailed Draft Implementation Plan for the Enhancement of the Terminology Database".

⁶ See document [MM/LD/WG/23/8](#) "Updated Cost Estimates for the Possible Enhancement of the Terminology Database".

32. To estimate the financial impact of the proposed implementation option, the International Bureau conducted a simulation covering the period between the years 2020 and 2024 to determine the likely additional resources that would have been required had this option been in place during that timeframe, operating under the assumptions described above.

33. The table below shows the estimated range of additional financial resources that would have been required in the period between 2020 and 2024 to introduce each of the proposed new Madrid System languages under the international registration language implementation option.

Table I: Estimated Range of Additional Financial Resources Required to Introduce Each Proposed New Madrid System Language Under the Proposed Option, in Swiss Francs

Language	ICT Investment per Language	2020	2021	2022	2023	2024
Arabic	CHF350,000 per language	Between CHF278 and CHF1,341	Between CHF169 and CHF792	Between CHF930 and CHF4,550	Between CHF644 and CHF3,124	Between CHF1,113 and CHF5,433
Chinese		Between CHF7,787 and CHF 27,130	Between CHF7,861 and CHF 27,265	Between CHF7,506 and CHF 26,037	Between CHF8,421 and CHF 29,032	Between CHF8,996 and CHF 30,992
German		Between CHF 42,418 and CHF 188,191	Between CHF 55,542 and CHF 233,129	Between CHF 56,106 and CHF 248,654	Between CHF 50,175 and CHF 222,344	Between CHF 43,790 and CHF 194,067
Japanese		Between CHF 14,158 and CHF 112,287	Between CHF 16,534 and CHF 131,134	Between CHF 16,366 and CHF 129,799	Between CHF 15,298 and CHF 121,329	Between CHF 17,817 and CHF 141,305
Portuguese		Between CHF913 and CHF 28,646	Between CHF1,183 and CHF 37,255	Between CHF1,124 and CHF 35,386	Between CHF1,117 and CHF 33,813	Between CHF1,267 and CHF 38,526
Russian		Between CHF 18,673 and CHF 92,756	Between CHF 28,418 and CHF 139,779	Between CHF 25,892 and CHF 127,342	Between CHF 26,743 and CHF 131,396	Between CHF 32,103 and CHF 157,781

34. The estimates shown in the table above vary depending on several factors, namely, the estimated word count in applications and recordings that would have been filed in each of the proposed new languages; the word count of communications from designated members that would have required post-editing before transmission to holders; and the range of rates obtained for each language through the previously mentioned RFI process. These variables collectively determine the projected translation costs associated with implementing each new language within the Madrid System framework.

35. *The Working Group is invited to:*

(i) consider the information presented in this document; and,

(ii) provide guidance to the International Bureau regarding the possible introduction of the international registration language option.

[Annex follows]

ANNEX: RANGE OF POSSIBLE POST-EDITING RATES OF TRADEMARK RELATED INDICATIONS

RANGE OF POST-EDITING WITH REVISION OF TRADEMARK RELATED INDICATIONS FROM ENGLISH

	To Arabic		To Chinese		To German		To Japanese		To Portuguese		To Russian	
	More Than	Less Than	More Than	Less Than	More Than	Less Than	More Than	Less Than	More Than	Less Than	More Than	Less Than
PROVIDER A	0.029	0.041	0.029	0.041	0.029	0.041	0.029	0.041	0.029	0.041	0.029	0.041
PROVIDER B							0.170	0.230				
PROVIDER C	0.110	0.130	0.078	0.090	0.090	0.100	0.080	0.100	0.090	0.100	0.080	0.100
PROVIDER D			0.030	0.038								
PROVIDER E	0.092	0.103	0.070	0.079	0.106	0.119	0.120	0.135	0.070	0.079	0.099	0.111
PROVIDER F	0.045	0.050										
PROVIDER G	0.080	0.090	0.060	0.065	0.100	0.120	0.120	0.135	0.055	0.065	0.110	0.120
PROVIDER H	0.664		0.064		0.090		0.134		0.067		0.107	
PROVIDER I	0.030	0.050										
PROVIDER J							0.130	0.150				
Possible Range (Extremes)	0.029	0.130	0.029	0.090	0.029	0.120	0.029	0.230	0.029	0.100	0.029	0.120

RANGE OF POST-EDITING WITH REVISION OF TRADEMARK RELATED INDICATIONS TO ENGLISH

	From Arabic		From Chinese		From German		From Japanese		From Portuguese		From Russian	
	More Than	Less Than	More Than	Less Than	More Than	Less Than	More Than	Less Than	More Than	Less Than	More Than	Less Than
PROVIDER A	0.029	0.041	0.029	0.041	0.029	0.041	0.029	0.041	0.029	0.041	0.029	0.041
PROVIDER B							0.170	0.230				
PROVIDER C	0.100	0.120	0.060	0.070	0.090	0.100	0.080	0.100	0.090	0.100	0.100	0.110
PROVIDER D			0.030	0.038								
PROVIDER E	0.127	0.143	0.092	0.103	0.113	0.129	0.191	0.215	0.127	0.143	0.127	0.143
PROVIDER F	0.050	0.060										
PROVIDER G	0.120	0.140	0.085	0.095	0.100	0.110	0.110	0.120	0.900	1.000	0.065	0.080
PROVIDER H												
PROVIDER I	0.030	0.050										
PROVIDER J							0.150	0.170				
Possible Range (Extremes)	0.029	0.143	0.029	0.103	0.029	0.129	0.029	0.230	0.029	1.000	0.029	0.143

[End of Annex and of document]