JAPAN INTELLECTUAL PROPERTY ASSOCIATION

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Mr. Daren Tang
Director General
World Intellectual Property Organization
34, chemin des Colombettes
CH-1211 Geneva 20, Switzerland

Re: POSITION PAPER ON TWENTY-FOURTH SESSION OF THE MADRID WORKING GROUP, Geneva, October 5 to 9, 2026 (MM/LD/WG/24)

Dear Mr. Tang,

The Japan Intellectual Property Association ("JIPA") is a non-profit, non-governmental organization with 1,419 members as of July 14, 2026. JIPA represents industries and users of the intellectual property (IP) system and provides timely and appropriate recommendations on the improvement and utilization of IP systems to relevant organizations around the world. Further information about JIPA is available at http://www.jipa.or.jp/.

At the Twenty-Fourth Session of the Madrid Working Group, JIPA would like to make the following comments under the relevant agenda items.

Agenda item 4. Amendments to the Regulations (ii) Proposed Amendments to the Regulations Under the Protocol Relating to the Madrid Agreement Introducing Requirements to Issue a National or Regional Certificate and to Indicate Certain Relevant Dates in Statements Granting Protection, MM/LD/WG/24/3.

JIPA welcomes the amendments proposed by the International Bureau (IB).

97% of JIPA members support the requirement to issue a national or regional certificate. In addition, 91% of JIPA members support clearly indicating the date on which protection was granted in a national or regional certificate, or a statement of grant of protection. Furthermore, 76% of JIPA members support indicating, where possible, the date by which use of the mark is required in the designated Contracting Party.

As JIPA noted last year, holders may be required to obtain a national or regional certificate in a variety of circumstances, including enforcing trademark rights against counterfeit goods, recording trademark rights with customs authorities for enforcement purposes, initiating trademark infringement litigation, submitting infringement notices on e-commerce platforms, and creating official accounts on social networking services.

Under the current system, holders must incur additional costs and wait for the Offices of the designated Contracting Parties to issue such certificates. JIPA believes that the proposed amendments would help address these practical challenges.

Agenda item 5. Further Elaboration of the Proposal by the Delegation of the United Kingdom, MM/LD/WG/23/4 and MM/LD/WG/24/4.

1) Partial Renewal

JIPA welcomes the practical solution newly proposed through the eMadrid platform. Under this proposal, when submitting an online renewal request, holders or recorded representatives would be able to choose either to cancel entire classes from the international registration for all designated Contracting Parties or to limit entire classes for one or more designated Contracting Parties.

91% of JIPA members support the proposal. The proposal is expected to enable the removal of unwanted classes while reducing holders' management costs and renewal fees (including attorney fees).

2) Centralized Replacement

JIPA supports continued discussion of a hybrid system under which requests for the recording of replacement would be filed with WIPO and subsequently examined by the Offices of the designated Contracting Parties. As noted in JIPA's position paper last year, only a very small number of JIPA members have filed requests for the recording of replacement with the Offices of the designated Contracting Parties. Nevertheless, JIPA supports the proposal because the quality and consistency of examination also affect third-party users.

3) Subsequent Designation for Pending International Applications

JIPA welcomes the proposal to use the unique reference numbers assigned by the International Bureau prior to the assignment of an international registration number for the purpose of filing subsequent designations.

91% of JIPA members support the proposal. JIPA considers that the proposal would enable holders to file subsequent designations without waiting for the assignment of an international registration number, thereby reducing the risk of third-party filings of identical or similar trademarks in the relevant Contracting Parties during that period.

Agenda item 6. Dependency (MM/LD/WG/20/5, MM/LD/WG/21/8 Rev.2, MM/LD/WG/22/5 Rev., MM/LD/WG/22/14, MM/LD/WG/23/6 and MM/LD/WG/23/13)

JIPA has stated in previous sessions of the Working Group that reducing the dependency period from five years to three years would be acceptable. At the same time, JIPA has emphasized that any such reduction should be accompanied by adequate countermeasures against bad-faith trademark applications, as dependency serves as a safeguard against such applications.

In light of the views expressed by user groups, including JIPA, JIPA appreciates that an ADR mechanism modeled on the UDRP is being considered as one of the countermeasures against bad-faith trademark applications. JIPA also welcomes further discussion on mechanisms that would enable genuine users to address bad-faith trademark applications across multiple jurisdictions more efficiently.

However, the criteria for determining bad faith under the Madrid System remain an important issue. Previous discussions have confirmed that some jurisdictions do not have clear standards for determining bad faith. In addition, even where bad-faith trademark applications are involved, applications may be refused or registrations cancelled on other grounds, such as conflict with an earlier trademark, without an explicit determination of bad faith. In these circumstances, JIPA believes that clear

criteria for determining bad faith are necessary if ADR is to function as an effective mechanism.

Another important issue is the cost of an ADR mechanism for genuine users. Under the existing UDRP system, some JIPA member companies have incurred costs of approximately JPY 1 million (approximately CHF 5,000) in connection with proceedings, and some right holders hesitate to use the system because of the financial burden involved. JIPA therefore hopes that any ADR mechanism introduced will not impose an excessive financial burden on genuine users and will be affordable, practical, and easy to use.

JIPA has consistently taken the view that the Madrid System should remain simple, well-balanced, and user-friendly for all users. In this context, "users" include not only applicants and holders who directly use the Madrid System, but also companies, individuals and attorneys involved in trademark clearance and the handling of third-party trademark issues.

JIPA recognizes that the proposal contained in document MM/LD/WG/23/13, which would allow Contracting Parties to adopt different approaches to dependency, may provide benefits to applicants and holders. On the other hand, from the perspective of users who search for, monitor and take action against third-party trademarks where necessary, differing dependency regimes among Contracting Parties may result in different remedies being available against an international registration. This may make it more difficult for such users to determine the most appropriate course of action. JIPA therefore believes that the impact on these users should also be taken into account.

JIPA hopes that the Madrid System will remain simple, well-balanced, and user-friendly for all genuine users.

Agenda item 7. Languages (MM/LD/WG/16/7, MM/LD/WG/16/9 Revised, MM/LD/WG/17/10, MM/LD/WG/21/7, MM/LD/WG/22/6 Revised, MM/LD/WG/22/10, MM/LD/WG/22/11, MM/LD/WG/22/12, MM/LD/WG/24/5, MM/LD/WG/24/6 and MM/LD/WG/24/7)

JIPA supports the introduction of the International Registration Language Option as a practical means of enhancing accessibility to the Madrid System.

However, implementation should proceed only after translation quality, operational rules and the Madrid IT Platform have reached a level that ensures legal certainty and operational stability for users.

1) Translation Quality

Regarding document MM/LD/WG/24/5, JIPA welcomes the progress made in translation practices and quality assessment.

However, even a limited number of translation errors may affect the scope, examination, or enforcement of trademark rights. Therefore, JIPA believes that continued improvement of translation databases and AI-assisted translation tools remains essential.

The JIPA member survey showed that 87.5% of respondents supported translation approaches involving post-editing when terms were not found in the

translation database. This confirms that users continue to place considerable importance on translation accuracy, reliability, and appropriate human involvement.

2) Non-Latin Characters and Non-Arabic Numerals

Regarding document MM/LD/WG/24/6, JIPA generally supports the approach based on experience under the PCT System. However, trademarks differ from patents in that wording, pronunciation and meaning may directly affect examination and the scope of protection.

Survey results indicate that users place significant importance on applicant involvement in the transliteration and translation of marks, names, and addresses. JIPA therefore believes that applicants should, in principle, provide the necessary transliterations and translations, and that any corrections should be confirmed with the applicant.

3) Madrid IT Platform Project

Regarding document MM/LD/WG/24/7, JIPA welcomes the progress of the Madrid IT Platform Project.

Most survey respondents supported the introduction of new languages only after the new system has demonstrated stability and reliability, preferably following a trial period. JIPA therefore considers that implementation of the International Registration Language Option should be linked to the successful completion and stabilization of the Madrid IT Platform Project.

JIPA supports continued discussions on new Madrid System languages, including Japanese, while emphasizing translation quality, clear operational rules, applicant involvement and phased implementation based on a stable Madrid IT Platform.

JIPA looks forward to contributing to the discussions at the Twenty-Fourth Session of the Madrid Working Group.

Yours sincerely,

Toshihiko KOBAYASHI
President of JIPA