

# JAPAN INTELLECTUAL PROPERTY ASSOCIATION

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April 30, 2025

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

Re: Invitation to submit comments on the International Registration Language Option  
(MM/LD/WG/22/13 Rev)

Dear Mr. Tang,

We, the Japan Intellectual Property Association or “JIPA”, is a non-profit, non-governmental organization, which has 1,395 members (as of April 1, 2025). It represents industries and users of the intellectual property (IP) system and provides related institutions all around the world with well-timed, suitable opinions on the improvement of their IP systems and their utilization. For further information regarding JIPA is available at <http://www.jipa.or.jp/>.

Regarding the " Invitation to submit comments on the International Registration Language Option (MM/LD/WG/22/13 Rev) " received in the letter dated January 20, 2025, we would like to submit the following statements.

JIPA supports the documents proposed by the Delegations of Brazil, Cabo Verde, Germany, Japan, Mozambique, the Republic of Korea, Portugal and Sao Tome and Principe contained in document MM/LD/WG/22/13 Rev.

We support the introduction of Japanese language as an official language of the Madrid System could benefit Japanese users to have language options.

We support the matters to consider from (a) to (d) in paragraph 22 of document MM/LD/WG/22/13 Rev. Especially, regarding “(b) Questions on the transliteration of the mark”, we support the proposal to always have non-Latin characters transliterated into Latin characters, and not the other way around, and we also support to change Rule 9(4)(a)(xii) in order to require applicants to provide the transliteration of Latin characters in MM2. In addition, regarding “(d) Questions on the translation of the mark”, we support the proposal to always have non-Latin characters translated into English, French and Spanish, and not the other way around, as the current Rule 9(4)(b)(xii), and we propose to change Rule 9(4)(b)(xii) in order to require applicants to provide “no meaning” in MM2 if the mark is a coined word.

In preparation for the introduction of new languages, we request to find solutions to the following issues.

### **Matters to Consider 1 ; Translation**

Even under the current three languages, we confirm that mistranslations have occurred, and if the mistranslation leads to disputes over rights, users will bear the costs of trials and litigation.

For example, a trial for one trademark happens in a country, a user will bear at least 6,000 CHF. If it escalates to litigation, we cost much more than trials. Such costs are a significant burden for users. We believe that introducing new languages will make us the burden of the massive cost for check for translation accuracy and correction of mistranslation.

In addition, there is the mention in paragraphs 21 and 22 of document MM/LD/WG/22/13 Rev, although Latin characters and Arabic numerals are used the current trilingual regime (English, French and Spanish), neither Latin characters and Arabic numerals are used in some other languages. Before introducing new languages, the Working Group should find the solution and overcome the issue about translation accuracy by the use of non-Latin characters and non-Arabic numerals as we proposed “Proposal for Translation Trials” referred to MM/LD/WG/22/JIPA\_POSITION\_PAPER in Twenty-Second Session.

### **Matters to Consider 2; Bad faith application**

As JIPA has mentioned for a long time, introducing new languages offers users more options and might motivate them to select the Madrid System for international applications. However, it also gives bad faith applicants the same motivation and opportunity to file through this system. In addition, bad faith applications include those filed with the purpose of unfair use (for the purpose of reselling registered trademarks or for the purpose of free riding on or disrupting the business of legitimate trademark users).

We would like to alert all member states to the potential for bad faith application issues to become more prominent in the Madrid System due to the introduction of new languages. This should be considered carefully before any rule changes.

Bad faith applications are not limited to specific countries. According to a 2023 survey conducted by JIPA with its members, such applications have been experienced in over 40 countries. Before introducing new languages, the Working Group should comprehend the current situation and overcome the issue about the impact and damage of bad faith applications to users as we proposed “WIPO surveys” referred to MM/LD/WG/22/JIPA\_POSITION\_PAPER in Twenty-Second Session.

### **Matters to Consider 3; Capacity in WIPO**

JIPA has a keen understanding that the Working Group has been updating statistics concerning document MM/LD/WG/22/6 Rev, but we are concerned whether WIPO and designated Contracting Parties has enough capacity such as human resources in accordance with meeting time limits to the regulations under the Madrid Protocol exclude the cost estimate.

For example, if German, Chinese, Japanese and Russian 110,608 applications in Table I referred to MM/LD/WG/22/6 Rev apply to their Office of origins in their own languages, can WIPO and designated Contracting Parties accept and proceed these applications as usual? In an attempt to answer this question, we request that the Working Group estimates the capacity at the same time as updating statistics.

JIPA believes that the Madrid System should be a well-balanced system for genuine users.

JIPA looks forward to participating in the next Madrid Working Group meeting.

Yours sincerely,



Akitoshi YAMANAKA  
President of JIPA