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USPTO advances Madrid System modernization at WIPO Working Group meeting

At the annual meeting of the World Intellectual Property Organization's Madrid Working Group, changes are proposed to improve the international registration of trademarks

The Madrid Protocol is an international trademark filing treaty that allows a trademark owner to file a single international application, based on its home country application or registration, and request trademark registration in any number of Protocol countries. The centralized filing and management function and translation capability of the Protocol provides efficiencies and cost savings to trademark owners. The original Madrid Agreement dates back to the late 1800s, and its updated Protocol was adopted in 1989. The United States became a member of the Protocol in 2003. Currently, there are 116 members covering 132 countries and representing more than 80% of global trade. In December 2025, Grenada became the most recent country to join the Madrid System.

In the fall of 2025, the United States Patent and Trademark Office (USPTO) represented the United States at the 23rd session of the Working Group on the Legal Development of the Madrid System for the International Registration of Marks. The meeting was held at the headquarters of the World Intellectual Property Organization (WIPO) in Geneva, Switzerland. The decisions taken at the meeting will be considered by

the Madrid Union Assembly, which will convene in July 2026. The Summary of the Chair for the meeting can be accessed at [MM/LD/WG/23/14](https://www.wipo.int/ip/un/assembly/summary_of_the_chair_for_the_meeting_of_the_madrid_working_group_2025).

Dependency rule proposals

While the Madrid Protocol certainly provides benefits to trademark owners—including systems for helping ensure that key deadlines are met and that information associated with the registration can be easily updated—the risks that flow from the dependency rule lessen the attractiveness of the Protocol for many would-be filers.

In view of this, the United States co-sponsored a proposal that would allow individual members to adjust their national laws to either modify or entirely eliminate the dependency rule, with respect to their respective national filers. In particular, the proposal would allow those members to change their laws to do one of the following:

- Eliminate (1) the requirement that states, before requesting an international registration, the trademark holder must first seek or obtain a national registration (the basic mark requirement) **and** (2) the dependency rule.
- Retain the basic mark requirement, but eliminate the dependency rule.
- Retain the basic mark requirement, but temporarily suspend dependency.

- Retain the basic mark requirement and retain the dependency period, but reduce that period from five years to three years.
- Retain the basic mark requirement, but limit the grounds for canceling the international registration.
- Retain the basic mark requirement, but eliminate the automatic effect of dependency.

The revised proposal was discussed at the recent Working Group meeting. Further information can be found at [MM/LD/WG/23/13](#), including an annexed chart (see page 4) that sets out each option as it affects the office of origin, the designated office, the applicant, and interested third parties.

Proposed amendments

The Madrid Working Group develops proposals, improvements, and policies for the Madrid System, for consideration by the Madrid Union Assembly at its annual meeting. The International Bureau, or IB, is the central administrative arm of the Madrid System for the International Registration of Marks.

At its fall meeting, the Working Group agreed to recommend that the Madrid Union Assembly adopt various amendments to the regulations that govern the Protocol, (the *Regulations Under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks*). These include:

- **Rule 3, Representations before the IB:** An amendment that would require that a request to cancel the recording of the appointment of a representative be presented on the relevant official form.
- **Rule 18, Irregular notifications of provisional refusal:** An amendment that would provide that the record in opposition proceedings not include the opposing party’s address. The Working Group recommended this amendment to comply with privacy laws, enacted by various member states, that prohibit the publication of postal addresses.
- **Rules 25(1)(a)(iv), (vi), and (2)(a)(vii), request for recording:** Amendments to these rules would provide that changes to the owner’s email address, as well as that of their representative, must be submitted via “requests for recording” under Rule 25, and not through informal communications.

Madrid terminology

Ceasing of effect: Refers to when the basic mark triggers the cancellation, in whole or in part, of the international registration and protection in all designated countries.

Designated contracting party: A national IP office or other body that is a member of the Madrid System and in which the applicant seeks trademark protection.

IA (International Application): An application for international registration filed under the Protocol.

IR (International Registration): The registration of a mark effected under the Protocol.

IB (International Bureau): The centralized administrative arm of the Madrid System for the International Registration of Marks.

Madrid Working Group: The WIPO body responsible for developing proposals, improvements, and policies for the Madrid System, for consideration by the Madrid Union Assembly at its annual meeting.

WIPO ADR: An alternative dispute resolution (ADR) option offered by the WIPO Arbitration and Mediation Center to settle third party disputes.

- **Rule 27(1)(a), Recording and notification with respect to Rule 25:** This amendment clarifies that, for recordings relating to changes to the email address of the owner or a representative, the IB will only notify the owner.

The full text of the proposed amendments may be found in the annex to the Summary of the Chair at [MM/LD/WG/23/14](#).

Ongoing discussions

Other proposed changes the Working Group agreed to discuss at its next meeting in October 2026 include:

Joint-applicant proposal: Currently, joint applicants cannot utilize the Madrid System if any one of them cannot utilize the system on their own because they do not meet the requirement of being nationals of, domiciled in, or having real and effective industrial or commercial establishment in such a member state. The Working Group discussed a proposal to allow joint applicants to utilize the system in instances in which one—but not all—of the joint applicants meet those requirements. The proposal can be found at [MM/LD/WG/22/4](#).

Centralized replacement procedure: One significant improvement was to create a centralized replacement procedure for filing requests for replacement at the IB instead of the designated Protocol members. The Protocol replacement provision allows a trademark owner to request replacement of their existing national registration with a later international registration and retain the benefit of the earlier national registration date. The proposal can be found at [MM/LD/WG/23/4](#).

New language options: Protocol applicants must file international trademark applications and any communications with the IB in one of the Protocol's three working languages: English, French, and Spanish. The IB translates transaction details into the other working languages. The Working Group has been considering proposals to add new language options since 2018, specifically Chinese (2018), Russian (2018), Arabic (2019), German (2024), Japanese (2024), and Portuguese (2024). There are significant costs associated with adding any working languages or other language capabilities, and advances in technology may soon allow for machine translation rather than human translation.

During the meeting, the WIPO secretariat provided data on various proposed criteria for determining which language, if any, should be considered for additional language capabilities beyond the existing three; updated cost estimates for various projects for enhancement of databases containing translations of goods and services into many languages; reported on the introduction of a differentiated translation practice; and presented a technical assessment of the possible implementation of an international registration language option.

Roundtable on recent administrative and legal developments

At a roundtable held on the margins of the Working Group meeting, the International Bureau provided information about the latest developments in the Madrid System, including: digital data exchange and the standardization of data; the classification of goods and services; and the release of WIPO's new eMadrid online services for filing international applications and managing registrations.

Madrid Protocol statistics

International applications for the top 20 offices of origin, 2024

Office of origin	Madrid applications	Annual Growth Rate (%)
United States	11,439	2.6
EUIPO	10,214	-0.8
China	5,604	5
United Kingdom	3,846	-2.9
France	3,544	-3.1
Switzerland	3,304	6.6
Germany	3,299	-6.2
Japan	2,992	5.4
Republic of Korea	2,312	12.2
Australia	2,036	0.6
Italy	1,859	7.1
Türkiye	1,648	-4.6
Russian Federation	1,621	-4.5
BOIP	1,471	-11.4
Singapore	891	1.1
Canada	770	2.9
Spain	554	11.7
Ukraine	451	-4.9
Austria	440	-12.4
India	420	-6.5

Note: EUIPO is the European Union Intellectual Property Office. BOIP is the Benelux Office for Intellectual Property.

Source: WIPO Statistics Database, March 2025.

Designations in international applications for the top 20 designated Madrid members, 2024

Madrid member	Designation in applications	Annual Growth Rate (%)
United Kingdom	28,877	0.3
European Union	28,809	3.1
United States	25,093	1.0
Canada	19,882	-0.3
China	18,560	-2.0
Australia	15,650	0.2
Japan	15,492	0.1
Switzerland	14,065	-5.0
Republic of Korea	12,307	2.7
India	12,210	3.4
Mexico	11,804	4.7
Brazil	10,753	5.9
Singapore	10,546	1.0
Vietnam	8,949	11.2
Thailand	8,717	11.0
Indonesia	8,678	10.3
Russian Federation	8,579	-5.7
Türkiye	8,485	-1.4
Malaysia	8,413	9.3
Norway	8,104	-5.2

Note: Data for 2024 are WIPO estimates. The number of designations in international applications for all Madrid members are reported in statistical table A32.

Source: WIPO Statistics Database, March 2025.

Proposal to modernize the Madrid Protocol—options comparison

Option	Benefit to office of origin	Benefit to designated office	Benefit to trademark owner	Remedy for interested party
1. No basic/no dependency	<ul style="list-style-type: none"> No certification No ceasings No corrections No irregularities Simplify national law Help/charge fee for IA Require self-designation* 	<ul style="list-style-type: none"> No cancellations due to ceasings No transformations to process No corrections to process 	<ul style="list-style-type: none"> Designations not canceled due to cancellation of basic/ no transformation Free to use different language for export market No restrictions on identification and classification of goods or services 	<ul style="list-style-type: none"> WIPO's ADR option for canceling the IR and its designations, including on the grounds of bad faith
2. Basic mark, but no dependency	<ul style="list-style-type: none"> Fees for basic mark No ceasings 	<ul style="list-style-type: none"> No cancellations due to ceasings No transformations to process 	<ul style="list-style-type: none"> Designations not canceled due to cancellation of basic/ no transformation No restrictions on identification and classification of goods or services 	<ul style="list-style-type: none"> WIPO's ADR option for canceling the IR and its designations, including on the grounds of bad faith
3. Basic mark, but temporarily suspend (freeze) dependency	<ul style="list-style-type: none"> No ceasings 	<ul style="list-style-type: none"> Fewer cancellations due to ceasings 	<ul style="list-style-type: none"> Designations not canceled due to cancellation of basic/ no transformation No restrictions on identification and classification of goods or services 	<ul style="list-style-type: none"> WIPO's ADR option for canceling the IR and its designations, including on the grounds of bad faith
4. Basic mark, but dependency down to 3 years	<ul style="list-style-type: none"> Fees for basic mark Possibly fewer ceasings 	<ul style="list-style-type: none"> Possibly fewer cancellations due to ceasings 	<ul style="list-style-type: none"> Reduces time that basic mark can be canceled 	<ul style="list-style-type: none"> CA or WIPO's ADR option for canceling the IR and its designations
5. Basic mark, but limit the grounds for central attack	<ul style="list-style-type: none"> Fewer ceasings but office may need to develop a system for tracking grounds 	<ul style="list-style-type: none"> Fewer cancellations due to ceasings 	<ul style="list-style-type: none"> Fewer designations canceled due to cancellation of basic 	<ul style="list-style-type: none"> CA or WIPO's ADR upon request of objector
6. Basic mark, but no automatic effect of dependency	<ul style="list-style-type: none"> Fewer ceasings; send only upon request of 3rd party 	<ul style="list-style-type: none"> Fewer cancellations due to ceasings 	<ul style="list-style-type: none"> Designations not canceled due to cancellation of basic 	<ul style="list-style-type: none"> CA or WIPO's ADR option but must request to cancel IR

Source: WIPO

For further information

Further details on the Working Group's recent meeting are available on the [WIPO website](#). The next meeting of the Working Group will take place October 5–9, 2026.

This report was prepared by the USPTO's Office of Policy and International Affairs. All information was accurate as of the date of publication, February 2026. For information on the USPTO's engagement with current international developments that deal with intellectual property (IP) and IP policy, including international trademark policy, visit the USPTO's [IP policy webpage](#). To keep informed about the latest development in IP policy at the USPTO, subscribe to receive [IP Policy and International Affairs Alerts](#) by email.