

HIGHLIGHTS

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Madrid Highlights is a quarterly publication of the World Intellectual Property Organization (WIPO) for the users of the Madrid System for the International Registration of Marks (Madrid System). Comments, suggestions, questions and inquiries regarding subscriptions may be sent to: madrid.highlights@wipo.int.

MADRID SYSTEM

PENDENCY RATES NOW AVAILABLE ONLINE

WIPO's Madrid System pendency rates, covering the six key examination requests, are now available on the [Madrid System Website](#). This information will enable you to easily monitor current processing times and track improvements to WIPO's operations.

On a monthly basis, you can access the latest figures on the average waiting time for the following transactions to be processed:

- International applications
- Renewals
- Subsequent designations
- Decisions
- Modifications
- Corrections

Rolling monthly average pendency rates for the preceding six months are provided in easy-to-read graphs, along with historical averages. In addition, graphs covering the last six years are provided for each transaction, to enable you to compare current pendency rates with those of previous years.

New graphs will be published each month in the ["Consult" section of the Madrid homepage](#).

MADRID SYSTEM WEBSITE UPDATED

The [Madrid System website](#) was updated recently as part of a longer term project to ensure the site meets the information and transactional requirements of users. The first phase of the project concentrated on refining top-level navigation and messaging. The key changes include:

- Navigation – Clearer paths to information and E-Services are now available for new and regular users. [For regular users](#), tools and resources are grouped according to the lifecycle of a mark – Search, File, Monitor and Manage.
- New and Revised Pages – For prospective users, a number of new pages are available at the top of the homepage, including [Benefits](#), [How the system works](#), [FAQs](#) and [What Users Say](#). [For new users](#), pages have been created on [Searching before filing](#) and the [Filing an application](#) section has been updated.
- Different Language Versions of the Site – The new pages are available in the six official languages of the United Nations (Arabic, Chinese, English, French, Russian and Spanish).

The updated website also includes the [Special Edition of Madrid Highlights](#) featuring the United States Patent and Trademark Office (USPTO) in its role as Office of the designated Contracting Party under the Madrid Protocol. This Special Edition is also available in all six official UN languages.

The improvements above represent only the initial stage of our work on the website. An immediate next task will be the creation of a new database of Member Procedures. We will keep you up-to-date with information on further improvements to the website in future editions of Madrid Highlights.

Snapshot of the Resources and E-Services Available on the Madrid System Website

<p>SEARCH</p> <p>ROMARIN: search detailed information on international registrations http://www.wipo.int/romarin</p> <p>Member Procedures: browse member practices as an Office of origin and a designated Contracting Party (dCP) http://www.wipo.int/madrid/en/members/ipoffices_info.html</p> <p>Global Brand Database: perform a trademark search by text or image in brand data from multiple national and international sources, including trademarks, appellations of origin and official emblems (over 17,880,000 records) http://www.wipo.int/branddb/en/</p>	<p>FILE</p> <p>Forms and E-Forms: access forms required for international registration of a mark http://www.wipo.int/madrid/en/forms/</p> <p>Madrid Goods & Services Manager: use descriptions accepted by WIPO, check acceptance in dCPs, and get validated translations in many languages. http://www.wipo.int/mgs/index.jsp?lang=en</p> <p>International Application Simulator: http://www.wipo.int/madrid/en/madrid_simulator</p> <p>Fee Calculator: http://www.wipo.int/madrid/en/fees/calculator.jsp</p> <p>E-Payment: online payment system by credit card/WIPO current account https://webaccess.wipo.int/epayment</p>
<p>MONITOR</p> <p>Madrid Real-Time Status: track status of international applications and progress of requests being processed by WIPO http://www.wipo.int/mrs</p> <p>Madrid Electronic Alert: subscribe to a watch service to monitor changes to international registrations (third-party tool) https://www3.wipo.int/login/en/mea/index.jsp</p>	<p>MANAGE</p> <p>Madrid Portfolio Manager: access documents related to registrations and view their status, upload new requests for recording, make payments. https://www3.wipo.int/login/index.jsp?dApp=/mpm</p> <p>Forms and E-Forms: E-Subsequent Designation and E-Renewal: https://www3.wipo.int/osd/?lang=en https://webaccess.wipo.int/trademarks_ren/?lang=EN</p> <p>Translation Request: into official Madrid languages http://www.wipo.int/madrid/en/services/translation_form.jsp</p> <p>Extracts from the International Register http://www.wipo.int/madrid/en/extracts/</p>

CONSULT**E-Services overview and tutorials**

<http://www.wipo.int/madrid/en/services/>

Legal texts: Agreement/Protocol, Regulations, Administrative Instructions

http://www.wipo.int/madrid/en/legal_texts/

Declarations made under the Madrid Agreement/Protocol

<http://www.wipo.int/madrid/en/madridgazette/remarks/declarations.html>

Guide to the International Registration of Marks

<http://www.wipo.int/madrid/en/guide/>

Office Practices on Replacement

<http://www.wipo.int/madrid/en/members/replacement.html>

WIPO Gazette of International Marks

<http://www.wipo.int/madrid/en/madridgazette/>

Madrid Highlights: quarterly newsletter for System users

<http://www.wipo.int/madrid/en/highlights/>

Information Notices

<http://www.wipo.int/madrid/en/notices/>

Statistics

<http://www.wipo.int/madrid/en/statistics/index.jsp?type=2>

Making the Most of the Madrid System

Web publication

http://www.wipo.int/export/sites/www/madrid/en/forms/docs/making_the_most_of_the_madrid_system_mm_for_ms.pdf

Warning – Misleading invoices

<http://www.wipo.int/madrid/en/fees/warning.html>

E-SERVICES**MADRID E-FILING**

WIPO has developed the Madrid E-Filing system to enable users to file international applications electronically. The system is available to all interested national or regional Offices (IP Offices) and is currently operational through [IP Australia](#) and the [Benelux Office](#). It comprises two distinct modules: the applicant module and the Office of origin module. Users are able to file international applications electronically, through the applicant module, just as they would when using the MM2 forms. The user experience is clear, linear and simple to use. For IP Offices, the Office of origin module allows them to review, verify, and certify international applications before transmitting them to WIPO.

Benefits for Applicants and Offices

For applicants, this service is presented as an extension of an IP Office's other electronic services. In fact, it is a natural complement to an IP Office's domestic E-Filing service (where one exists). An applicant logs on to his/her IP Office's website using the Office's credentials, initiates an international application and sends it to that Office for certification once complete. Alternatively, an applicant can fill out an application partially, save it and complete it later. A great advantage to an applicant using the Madrid E-Filing service is that the information provided in his/her national application is automatically imported into the international application when starting the E-Filing process.

IP Offices currently using the Madrid E-Filing service have reported a reduction in the number of filing irregularities to be resolved and a marked decrease in the pendency time between the reception of an international application and transmission to WIPO.

Integration Support

Interested IP Offices should contact WIPO to discuss the technical requirements. Nominal technical integration in the form of the construction of a handful of standard web services is required by IP Offices. These integration and implementation efforts will be supported by a dedicated WIPO team throughout the process.

CONTRACTING PARTIES

SURVEY ON DEPENDENCY ISSUES

In the last meeting of the Working Group on the Legal Development of the Madrid System for the International Registration of Marks, the Secretariat was asked to undertake a user survey on the dependency principle and related issues. The survey was available for completion from May 18 to June 7, 2015, and more than 1,800 Madrid users responded. The findings of the survey will be presented in the next Working Group meeting, which will take place November 2 to 6, 2015. Further information on the outcomes of the survey will be presented in a future Madrid Highlights.

DECLARATION MADE UNDER ARTICLE 5(2)(b) AND (c) OF THE MADRID PROTOCOL

Cambodia

Cambodia has made a declaration under Article 5(2)(b) and (c) of the Madrid Protocol, extending the time limit of one year to notify a provisional refusal of protection to 18 months, with the possibility to notify a provisional refusal resulting from an opposition after the expiry of the 18-month time limit.

For more information, see Information Notice [No. 6/2015](#).

NOTIFICATION MADE UNDER RULE 20bis(6)(b) OF THE COMMON REGULATIONS

African Intellectual Property Organization (OAPI) and Cambodia

Both OAPI and Cambodia have made the notification under Rule 20bis(6)(b) of the Common Regulations, where a recording of a license in the International Register will have no effect in their respective territories.

For more information, see Information Notices [No. 7/2015](#) and [No. 11/2015](#)

CHANGES IN THE AMOUNTS OF THE INDIVIDUAL FEES

With effect from July 4, 2015, there are several changes in the amounts of the individual fees payable for the designation of specific Contracting Parties.

There are exceptionally many changes to the individual fees in this Madrid Highlights. Most of these are due to significant changes in the official exchange rate of the United Nations between the Swiss franc and other currencies in which individual fees have been indicated by certain Contracting Parties. Where the change is higher or lower by at least 10 per cent, WIPO will, in line with the procedure set out in Rule 35(d) of the Common Regulations, establish a new amount of the individual fee in Swiss francs.

These new amounts will be applicable as from one month from the date of their publication in the *WIPO Gazette of International Marks*.

African Intellectual Property Organization (OAPI)

For OAPI, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for three classes of goods or services	639
	– for each additional class	131
Renewal	– for one class of goods or services	799
	– for each additional class	160
	<i>Where payment is received within the period of grace:</i> – additional amount, independent of the number classes	208

For more information, see Information Notice [No. 26/2015](#).

Australia

For Australia, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for each class of goods or services	320
Renewal	– for each class of goods or services	228

For more information, see Information Notice [No. 20/2015](#).

Benelux

For Benelux, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for three classes of goods or services	167
	– for each additional class	17
	<i>Where the mark is a collective mark:</i> – for three classes of goods or services	238
	– for each additional class	17
Renewal	– for three classes of goods or services	273
	– for each additional class	48
	<i>Where the mark is a collective mark:</i> – for three classes of goods or services	497
	– for each additional class	48

For more information, see Information Notice [No. 16/2015](#).

Bulgaria

For Bulgaria, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for three classes of goods or services	327
	– for each additional class	21
	<i>Where the mark is a collective or certification mark:</i>	
	– for three classes of goods or services	595
Renewal	– for each additional class	54
	– for three classes of goods or services	161
	– for each additional class	32
	<i>Where the mark is a collective or certification mark:</i>	
Renewal	– for three classes of goods or services	322
	– for each additional class	64

For more information, see Information Notice [No. 21/2015](#).

Colombia

For Colombia, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for one class of goods or services	314
	– for each additional class	157
	<i>Where the mark is a collective or certification mark:</i>	
	– for one class of goods or services	419
Renewal	– for each additional class	209
	– for one class of goods or services	172
	– for each additional class	84
	<i>Where payment is received within the period of grace:</i>	
Renewal	– for each class of goods and services	235

For more information, see Information Notice [No. 25/2015](#).

Denmark

For Denmark, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for three classes of goods or services	330
	– for each additional class	84
Renewal	– for three classes of goods or services	330
	– for each additional class	84

For more information, see Information Notice [No. 13/2015](#).

Estonia

For Estonia, the following amounts entered into force on May 11, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for one class of goods or services	151
	– for each additional class	47
	<i>Where the mark is a collective mark:</i>	
	– for one class of goods or services	203
Renewal	– for each additional class	47
	– independent of the number of classes	188
	<i>Where the mark is a collective mark:</i>	
	– independent of the number of classes	235

For more information, see Information Notice [No. 9/2015](#).

European Union

For European Union, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for three classes of goods or services	912
	– for each additional class	157
	<i>Where the mark is a collective mark:</i>	
	– for three classes of goods or services	1,699
Renewal	– for each additional class	315
	– for three classes of goods or services	1,258
	– for each additional class	419
	<i>Where the mark is a collective mark:</i>	
Renewal	– for three classes of goods or services	2,831
	– for each additional class	839

For more information, see Information Notice [No. 23/2015](#).

Finland

For Finland, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for one class of goods or services	225
	– for each additional class	84
	<i>Where the mark is a collective mark:</i>	
	– for one class of goods or services	304
Renewal	– for each additional class	84
	– for one class of goods or services	262
	– for each additional class	131
	<i>Where the mark is a collective mark:</i>	
Renewal	– for one class of goods or services	341
	– for each additional class	131

For more information, see Information Notice [No. 14/2015](#).

Greece

For Greece, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation*	– for one class of goods or services	115
	– for each additional class until the tenth class	21
	<i>Where the mark is a collective mark:</i>	
	– for one class of goods or services	577
Renewal*	– for each additional class until the tenth class	105
	– for one class of goods or services	94
	– for each additional class until the tenth class	21
	<i>Where the mark is a collective mark:</i>	
Renewal*	– for one class of goods or services	472
	– for each additional class until the tenth class	105

For more information, see Information Notice [No. 19/2015](#).

* Concerning the international applications, subsequent designations, renewal of international registrations, the Office of Greece does not require payment of any additional amount for each class beyond the tenth class.

India

For India, the following amounts entered into force on February 6, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for each class of goods or services	62
	<i>Where the mark is a collective or certification mark:</i> – for each class of goods or services	156
Renewal	– for each class of goods or services	78
	<i>Where the mark is a collective or certification mark:</i> – for each class of goods or services	156

For more information, see Information Notice [No. 2/2015](#).

Ireland

For Ireland, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for one class of goods or services	257
	– for each additional class	73
Renewal	– for one class of goods or services	262
	– for each additional class	131

For more information, see Information Notice [No. 18/2015](#).

Israel

For Israel, the following amounts entered into force on March 29, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for one class of goods or services	404
	– for each additional class	304
Renewal	– for one class of goods or services	721
	– for each additional class	608

For more information, see Information Notice [No. 4/2015](#).

Italy

For Italy, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for one class of goods or services	95
	– for each additional class	32
	<i>Where the mark is a collective mark:</i> – independent of the number classes	318
Renewal	– for one class of goods or services	63
	– for each additional class	32
	<i>Where the mark is a collective mark:</i> – independent of the number of classes	191

For more information, see Information Notice [No. 17/2015](#).

Norway

For Norway, the following amounts entered into force on June 6, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for three classes of goods or services	278
	– for each additional class	78
	<i>Where the mark is a collective mark:</i> – for three classes of goods or services	278
	– for each additional class	78
Renewal	– for three classes of goods or services	314
	– for each additional class	121
	<i>Where the mark is a collective mark:</i> – for three classes of goods or services	314
	– for each additional class	121

For more information, see Information Notice [No. 12/2015](#).

Republic of Moldova

For Republic of Moldova, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for one class of goods or services	252
	– for each additional class	52
	<i>Where the mark is a collective mark:</i>	
	– for one class of goods or services	304
Renewal	– for each additional class	52
	– for one class of goods or services	262
	– for each additional class	52
	<i>Where the mark is a collective mark:</i>	
– for one class of goods or services	419	
– for each additional class	52	

For more information, see Information Notice [No. 22/2015](#).

Sweden

For Sweden, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for one class of goods or services	260
	– for each additional class	102
Renewal	– for one class of goods or services	260
	– for each additional class	102

For more information, see Information Notice [No. 15/2015](#).

Syrian Arab Republic

For Syrian Arab Republic, the following amounts will enter into force on July 4, 2015:

ITEMS		Amounts (in Swiss francs)
Application or Subsequent Designation	– for each class of goods or services	83
Renewal	– for each class of goods or services	83

For more information, see Information Notice [No. 24/2015](#).

MADRID TIPS

FREQUENTLY ASKED QUESTIONS: LICENSES

The following Contracting Parties have declared that the recording of licenses in the International Register has no effect in their territories:

- Australia, Germany and New Zealand have made a declaration under Rule 20*bis*(6)(a) of the Common Regulations, stating that their respective laws do not provide for the recording of trademark licenses, so a recording in the International Register of a license relating to an international registration of a mark has therefore no effect in their territories; and
- OAPI, China, Cambodia, Colombia, Georgia, Greece, India, Japan, Kyrgyzstan, Mexico, Republic of Korea, Republic of Moldova, Russian Federation and Singapore have made the declaration under Rule 20*bis*(6)(b) of the Common Regulations. This declaration means that even though the laws of these Contracting Parties acknowledge the recording of licenses in their national/regional register, the recording of licenses in the International Register has no effect in their territories.

Official Forms

Question: What form should I use for the recording of a license?

Answer: You need to use the [MM13](#) form.

Question: Can I send a copy of the license agreement, instead of MM13?

Answer: No, you need to use the [MM13](#) form.

Question: Can I change the duration of the license?

Answer: Yes, you need to use the [MM14](#) form.

Question: How can I delete the licensee from ROMARIN?

Answer: You need to use the [MM15](#) form.

Licensee

Question: Can the licensee present MM13 directly to WIPO?

Answer: Yes, if the form has been signed by the holder (licensor).

Question: Can a Brazilian company be a licensee for an international registration?

Answer: Yes, you can record the international registration as a licensee. There is no entitlement requirement to be a licensee.

Question: Can the licensee record a sub-license in the International Register?

Answer: No, there is no mechanism in the Common Regulations for such recording.

Question: I have an exclusive license, but ROMARIN indicates it as non-exclusive. Why is that?

Answer: If the form does not indicate the license as exclusive or a sole license, the license is considered to be non-exclusive.

USEFUL INFORMATION

MALTA AND THE MADRID PROTOCOL

Entitlement to File and Change in Ownership

The International Bureau frequently receives questions about Malta and the Madrid System, concerning entitlement to file an international application and recording a change in ownership. Below you will find information on the situation of Malta and the Madrid Protocol.

1. Malta as a Member State of the European Union (EU)

Malta is not a Contracting Party of the Madrid Protocol, but it is a Member State of the EU, which is a Contracting Organization of the Madrid Protocol. A Community trade mark registration (CTM) has therefore effect in Malta. Protection of Malta through the Madrid System can only be obtained by designating the EU under the Madrid Protocol.

2. Entitlement to file an international application (Article 2(1)(ii) of the Protocol)

Where the basic application has been filed with the Office of the European Union (OHIM) or the basic registration has been made by the OHIM, the person in whose name that application or registration has been made, when filing an international application, may claim as entitlement:

- nationality of Malta; or
- domicile in the territory of the EU, providing an address in Malta; or
- a real and effective industrial or commercial establishment in the territory of the EU, providing an address in Malta.

3. Where international applications originate from Malta, the applicant must:

- use form MM2;
- indicate European Union in item 1;
- check item 3(a)(ii) and indicate Malta where the entitlement is nationality;
- check item 3(a)(iii) and indicate Malta where the entitlement is domicile;
- check item 3(a)(iv) and indicated Malta where the entitlement is establishment;
- indicate an address in Malta in item 3(b)(ii) where the address in item 2(b) is not in the EU and item 3(a)(iii) or (iv) has been checked;
- be certified and presented by the OHIM.

4. Entitlement to be the new holder (transferee) (Article 9 of the Protocol)

Where the new holder claims entitlement with Malta, this change in ownership can be recorded in the International Register, provided that:

- he or she is a national of Malta; or
- is domiciled in the EU, with an address in Malta; or
- is a legal entity which has a real and effective industrial or commercial establishment in the EU, with an address in Malta.

➤ OHIM is then the Office of the Contracting Party of this new holder.

In the case of a change in ownership, where the new holder claims entitlement in respect of Malta, he or she must:

- use the form MM5;
- indicate Malta in item 4(a)(ii) where the entitlement is a nationality;

- indicate Malta in item 4(a)(iii) where the entitlement is domicile;
- indicate Malta in item 4(a)(iv) where the entitlement is establishment;
- indicate an address in Malta in item 4(b)(ii) where the address in item 3(b) is not in the EU;
- be signed by the holder (transferor) or his representative as recorded in the International Register, if the request is presented directly to the International Bureau.

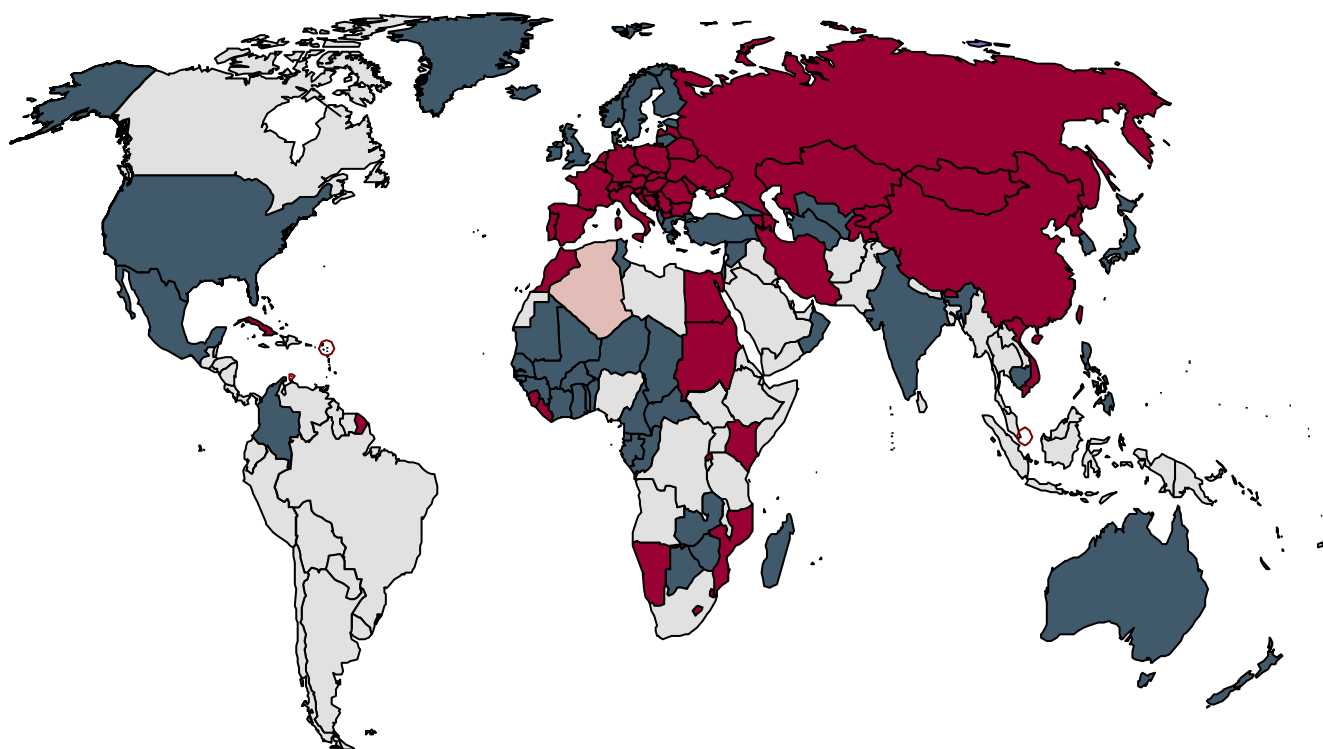
NEW TERMS AND CONDITIONS FOR ELECTRONIC COMMUNICATIONS

Applicants and Holders of International Registrations

As of May 2015, new terms and conditions for electronic communications apply to applicants and holders of international registrations who have opted to receive communications from WIPO by electronic means.

For new terms and conditions, see Information Notice [No. 28/2015](#), which will replace those published as part of Information Notice [No. 36/2011](#).

MADRID UNION MAP



1	Agreement only
40	Protocol only (including EU and OAPI)
54	Agreement and Protocol
95	Members covering 111 countries

HOW TO CONTACT US:

MADRID OPERATIONS TEAMS:

Responsibility for Processing Requests from Contracting Parties Reallocated

Responsibility for addressing requests from Contracting Parties has been reallocated among Madrid Operations Teams to ensure more efficient processing and a balanced workload within the Madrid Registry.

Since May 2011, the Madrid Registry Operations Division has been organized into teams, dedicated to processing international applications, requests for recording and other communications from specific Contracting Parties, and to provide information on the status of these processes. Periodically, the relative responsibilities of these teams are assessed and work is reallocated accordingly.

The new teams for the 95 Contracting Parties are listed below and are also available on our website under [Contacts/Requests being processed/Madrid Operations Teams](#). To reach any of those teams, simply select the Contracting Party from the dropdown menu to discover the assigned Madrid Operations Team and its contact details.

Each processing team has a dedicated phone line and a dedicated electronic mail account.

*Telephone Opening hours: 9:00 a.m. to 6:00 p.m. Central European time
(3.00 a.m. to 11.00 a.m. US Eastern time zone).*

General Queries: Madrid Customer Service, +41 22 338 8686, intreg.mail@wipo.int

Extracts Queries: Madrid Clients Records Unit, +41 22 338 8484, madrid.records@wipo.int

Specific Queries: Madrid Processing Teams, specialized by your Office of Origin/residence, as indicated on the following page.

Madrid Team 1:
madrid.team1@wipo.int
 +41 22 338 75 01

AG [Antigua and Barbuda](#)
 AM [Armenia](#)
 BQ [Bonaire, Saint Eustatius and Saba](#)
 BX [Benelux](#)
 CH [Switzerland](#)
 CO [Colombia](#)
 CU [Cuba](#)
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 EM [European Union](#)
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 MA [Morocco](#)
 MC [Monaco](#)
 MD [Republic of Moldova](#)
 MG [Madagascar](#)
 MK [The former Yugoslav Republic of Macedonia](#)
 MN [Mongolia](#)
 MX [Mexico](#)
 MZ [Mozambique](#)
 OA [African Intellectual Property Organization \(OAPI\)](#)
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 JP [Japan](#)
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 KZ [Kazakhstan](#)
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