



WORLD INTELLECTUAL PROPERTY ORGANIZATION

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MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS AND PROTOCOL RELATING THERETO

Declaration Made Under Rule 17(5)(d) of the Common Regulations under the Madrid Agreement and Protocol: Spain

1. In a notification addressed to the Director General of the World Intellectual Property Organization (WIPO), Spain has made the declaration provided for by Rule 17(5)(d) of the Common Regulations under the Madrid Agreement and Protocol, in accordance with which:

(i) any provisional refusal that has been notified to the International Bureau by the Spanish Patent and Trademark Office is subject to review by that Office (whether or not such review has been requested by the holder of the international registration), and

(ii) the decision taken on the said review may be the subject of a further review or appeal before that Office.

2. The effect of such a declaration is that the decision taken by the Spanish Patent and Trademark Office at the conclusion of its *ex officio* review (referred to at point (ii) above) shall be immediately sent to the International Bureau **as confirmation or withdrawal** of the provisional refusal under Rule 17(5)(a), notwithstanding the fact that all procedures before that Office relating to the protection of the mark may not have been completed.

3. It also follows from the declaration made by Spain that, subsequent to the decision referred to in paragraph 2 above, any further decision affecting the protection of the mark (whether such decision has been taken by the Spanish Patent and Trademark Office or by an external authority) shall be sent to the International Bureau, to the extent that the Office is aware of such decision, in accordance with Rule 17(5)(b), i.e., in the form of a further statement indicating the goods and services for which the mark is protected in that country.

4. This declaration entered into force on April 1, 2002.

August 6, 2002