



WORLD INTELLECTUAL PROPERTY ORGANIZATION

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MADRID AGREEMENT AND PROTOCOL CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS

Open Discussion Forum on Replacement

1. At its third session, which took place in Geneva from January 29 to February 2, 2007, the *ad hoc* Working Group on the Legal Development of the Madrid System for the International Registration of Marks agreed with the establishment of an open Internet discussion forum to foster the exchange of views on the issue of replacement under Article 4*bis*(1) of the Madrid Agreement Concerning the International Registration of Marks and of the Protocol Relating to that Agreement.
2. It is recalled that Article 4*bis*(1) of the Agreement and of the Protocol provide that a mark that is the subject of a national or regional registration in the Office of a Contracting Party is, under certain conditions, deemed to be replaced by an international registration of the same mark. Article 4*bis*(2) of the Agreement and of the Protocol provides that the Office in whose register the mark is recorded, is required, upon request, to take note in its register of the international registration. Rule 21(1) of the Common Regulations under the Agreement and the Protocol notably provides that where, following a request by the holder, an Office has taken such a note in its register, that Office is required to notify the International Bureau accordingly.
3. As from November 1, 2007, the open discussion forum on replacement is accessible through the WIPO website: http://www.wipo.int/madrid/en/services/open_forum.html. More information, including a background paper on the objectives of replacement, is also available on that website.
4. The participation in the forum is open to all interested parties. In particular, the Offices, users and user groups of the Madrid system, legal professionals and intellectual property specialists are encouraged to participate.

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