



WIPO | MADRID

The International
Trademark System

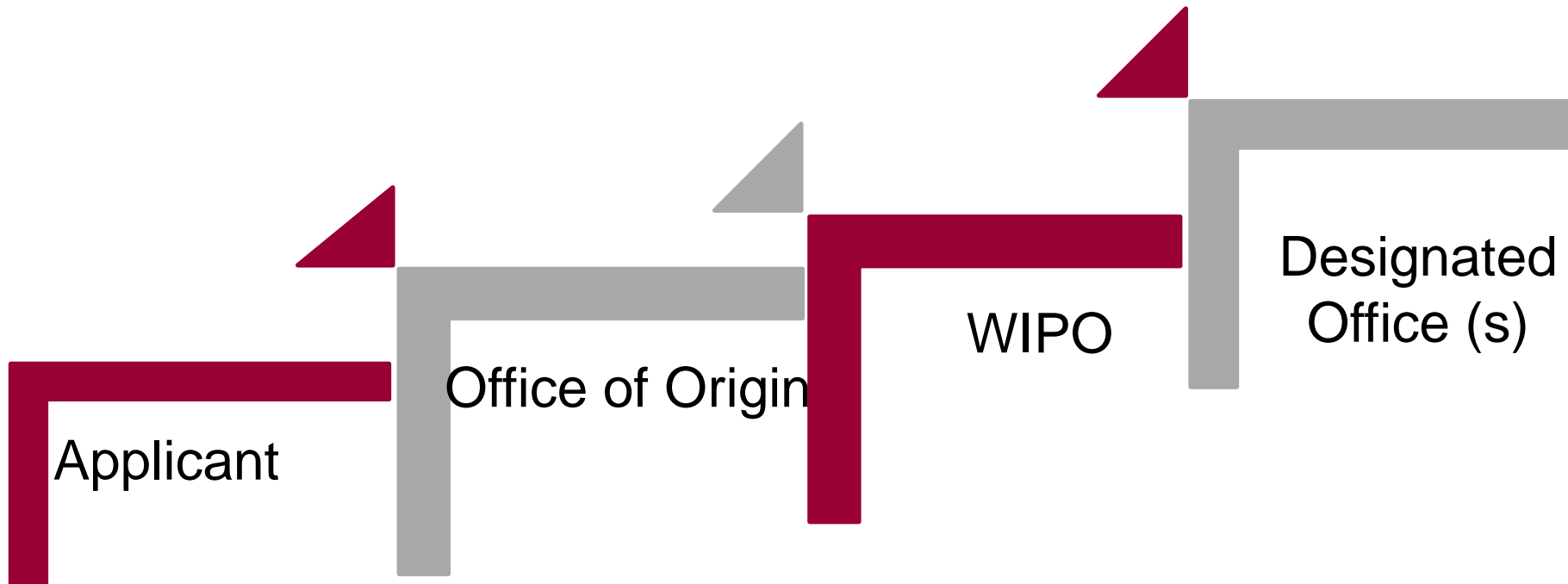


Preparing your International Application

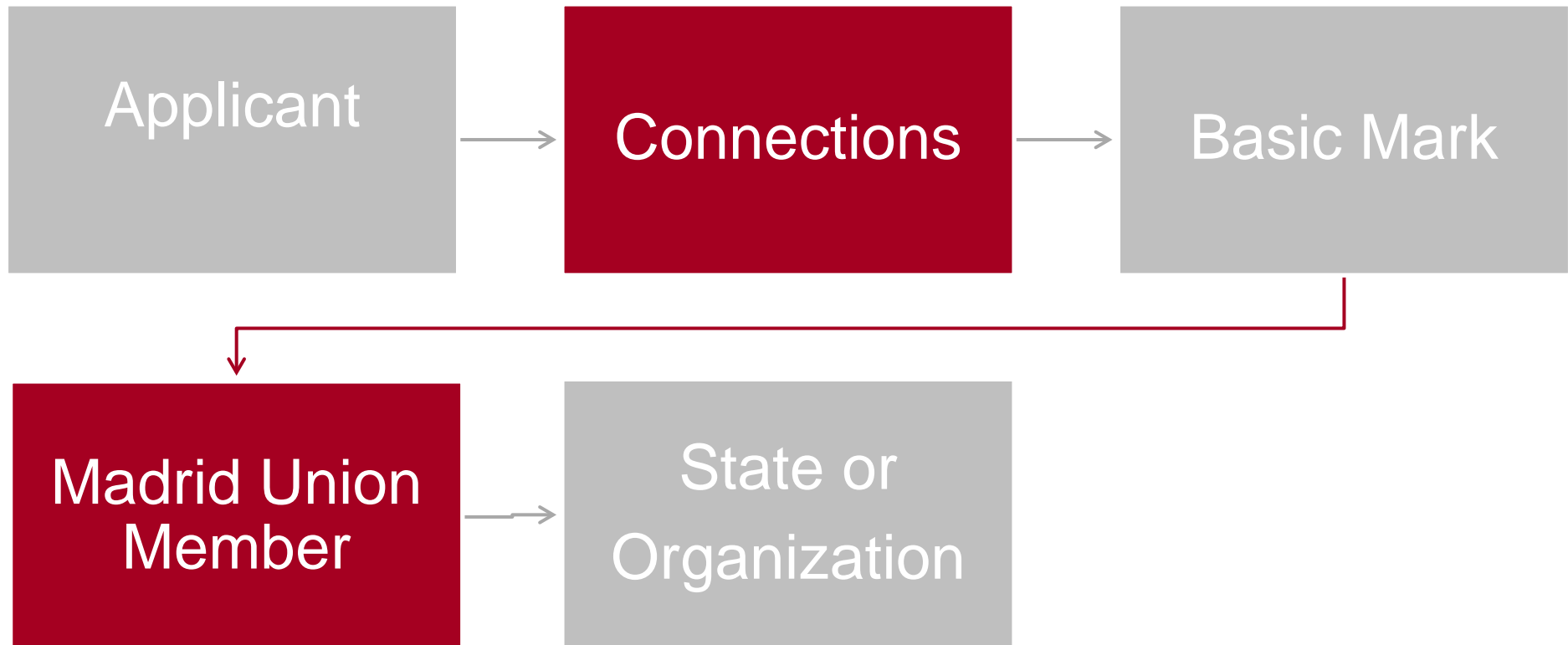
Geneva
June 27, 2017

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Information and Promotion Division
Madrid Registry

Overview of the International Procedure



Basic Requirements (1)



Basic Requirements (2)

- MM2 Form
- Basic Application or Registration
 - Same Applicant (s), Mark, Office, Goods and/or Services (Scope)
- Designation(s)
- English, French or Spanish
- Fees

MM2 Form - Mandatory Contents

■ **MM18 (US)**

- Applicant
- Entitlement to File
- Basic Application/Basic Registration
- The Mark
- Goods and Services
- Designated Contracting Parties
- Certification by Office of Origin
- Fees

Four Substantive Elements

- Applicant
- Reproduction
- Goods and Services
- Designations

Rule 15

Roles

- Applicant/Representative
- Office of Origin
- WIPO

Applicant

- Learn about the Madrid System
- Seek Advice
- Constant Follow-up
- Read all Communications Carefully
- Indicate all References
- Act Swiftly to Resolve Pending Issues

Office of Origin (1)

- Member of the Madrid System
- Responsible for Registering Marks
- Connection: Domicile, Establishment, Nationality

Article 2(2) - Protocol

Office of Origin (2)

- Compare Basic and International Files
- Validate
- Certify
- Dispatch

WIPO: General Procedure

- Examination: MM2 Form + Fees
- Irregularities
- Number / Date / Registration
- Notification / Information / Certificate
- Publication: e-Gazette → Madrid Monitor

Irregularities

- 3 Kinds
- 3 Main Actors
- WIPO's Notification
- Response – 2 Main Actors
- Deadline
 - Consequences

Common Regulations – Rules 11, 12 & 13



Standard Fees

■ Basic

- Black & White: CHF 653
- Color: CHF 903

Basic Fee: 90% reduction for applicants from LDCs

■ Complementary

- CHF 100 per Country

■ Supplementary

- CHF100 per Class of Goods & Services beyond 3

Individual Fees

■ Basic

- Black & White: CHF 653
- Color: CHF 903

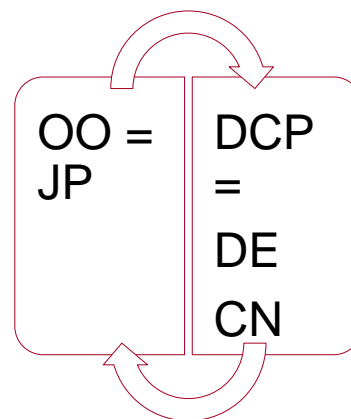
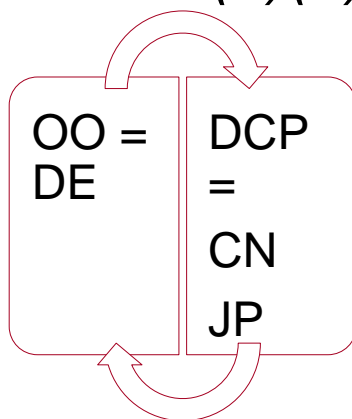
Basic Fee: 90% reduction for applicants from LDCs

■ Individual Fees

- Payable in 2 Parts: Cuba & Japan

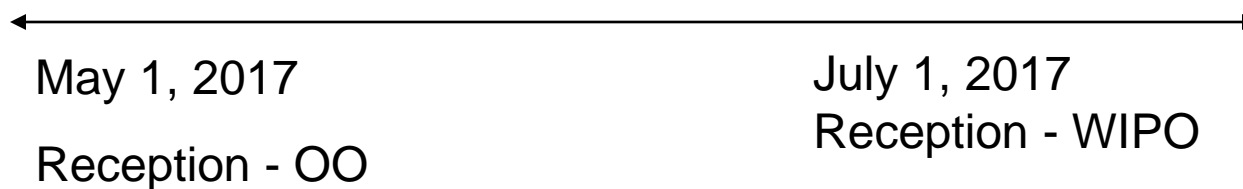
Individual Fees - Exception

■ Article 9sexies(1)(b)



International Registration Date (1)

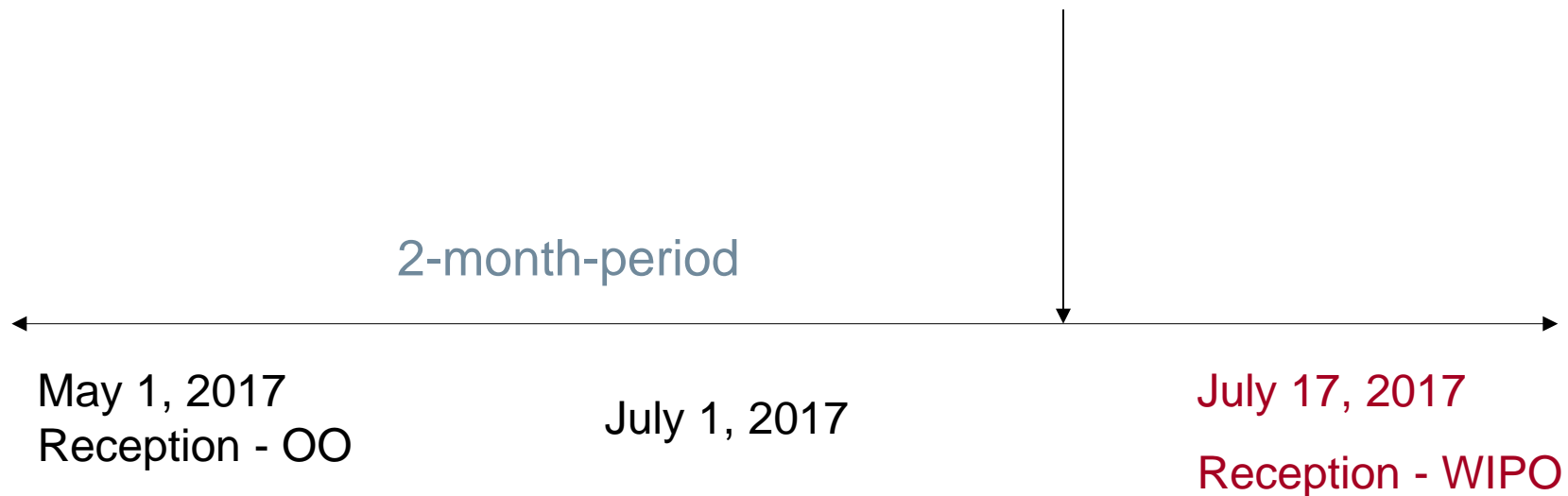
2-month period



Date of Receipt by the OO:

- 1) Correctly Filed
- 2) Received by WIPO within 2 Months

IR Date (2)



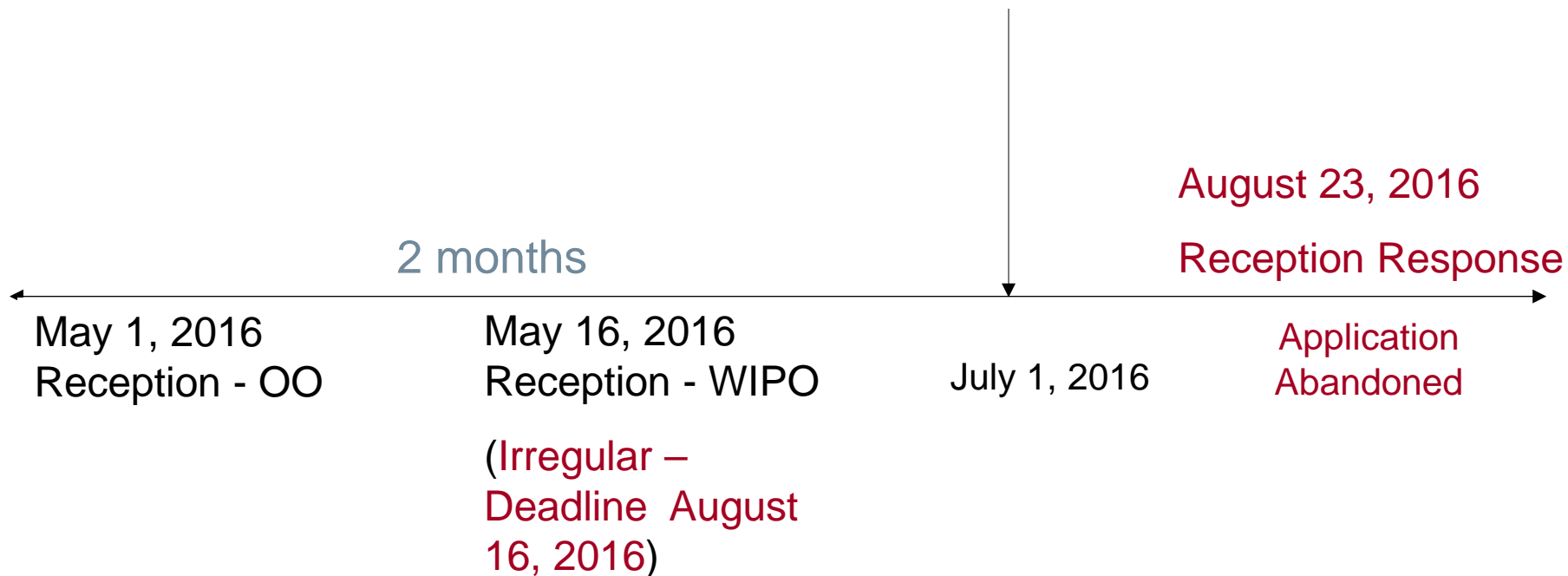
Date of Receipt by WIPO:
Received from OO after 2-Month Period

IR Date: Special Case (1)

- IR date may be affected if any of the following important elements is missing → Irregularities
 - Identity of the Applicant
 - Designation(s)
 - Reproduction of the Mark
 - Indications of Goods and Services

Rule 15

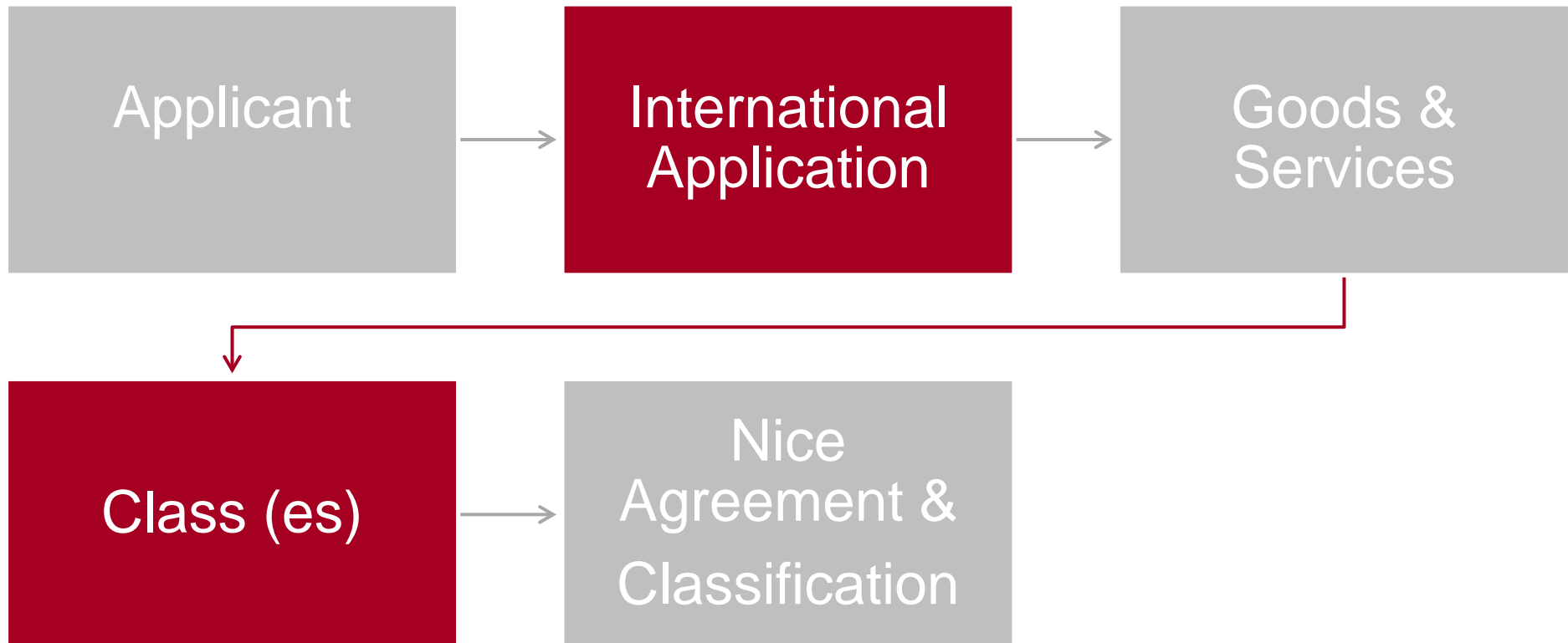
Special Case (2)



The Madrid and Nice Treaties

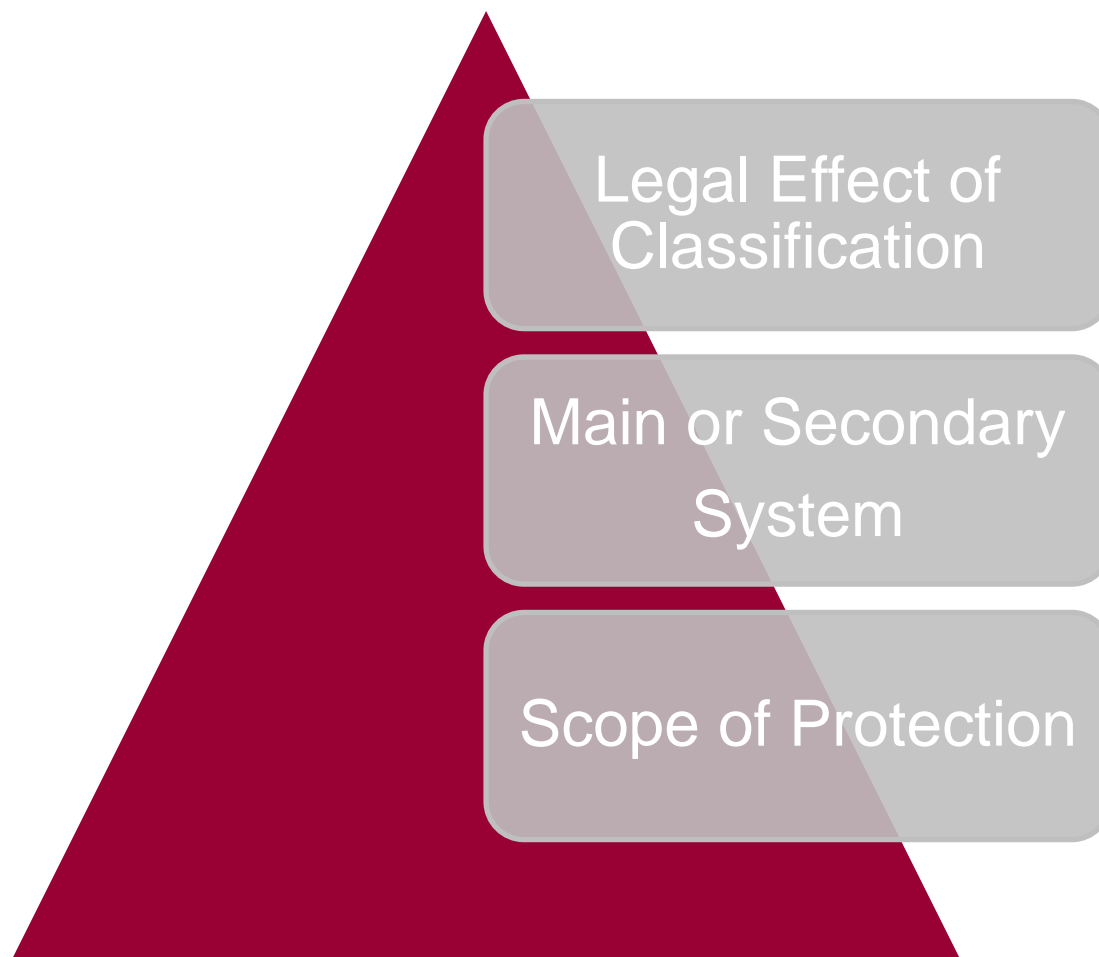
Making the Link

Madrid Protocol



Protocole (Article 3(2))

Nice Agreement



Nice Agreement (Article 2)

Resources

■ Madrid System Website

■ Member Profiles: <http://www.wipo.int/madrid/memberprofiles/#/>

■ Madrid Monitor: <http://www.wipo.int/madrid/monitor/en/index.jsp>

■ Fee Calculator: www.wipo.int/madrid/en/fees/calculator.jsp

■ Payment of Fees: <http://www.wipo.int/about-wipo/en/finance/madrid.html>

■ Classification

■ [Guidelines Concerning the Classification of Goods and Services](#)

■ **Madrid Goods and Services Manager:**
<https://webaccess.wipo.int/mgs/index.jsp?lang=en>

Contact us: madrid.promotion@wipo.int

Resources

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- Madrid Monitor: <http://www.wipo.int/madrid/monitor/en/index.jsp>