

WORKING GROUP ON THE LEGAL DEVELOPMENT OF THE MADRID SYSTEM FOR THE INTERNATIONAL REGISTRATION OF MARKS

**Eighth Session
Geneva, July 5 to 9, 2010**

STATISTICAL INFORMATION RELATED TO THE OPERATIONS OF THE INTERNATIONAL BUREAU

Document prepared by the International Bureau

1. The Working Group on the Legal Development of the Madrid System for the International Registration of Marks (hereinafter referred to as “the Working Group”) concluded its sixth session with a request that the Secretariat prepare a document assessing, in the absence of the requirement of a basic mark, the tasks that would be required to be performed with respect to the filing of an international application, and by whom. Furthermore, the Working Group requested that, in order to establish a context for discussions, the document would contain, where available, statistical data relating to operational aspects of the work carried out by the International Bureau .
2. The purpose of this document is to present to the Working Group such statistical data. In order to facilitate the analysis of the data, it is being presented to the Working Group in this separate document, which has been prepared as a complement to the document assessing the tasks that would be required to be performed in the absence of the requirement of a basic mark (document MM/LD/WG/8/2), which is also now before the Working Group.

3. The data is contained in the Annex to this document in the form of a statistical summary concerning the operations undertaken by the International Bureau in the framework of the Madrid system for the year 2009. Nevertheless, in order to provide a wider perspective, information concerning previous years, where available, has also been provided.
4. The Annex comprises three sections. The first section presents information concerning the filing of international applications before the International Bureau. The following section introduces data relating to the processing of international applications undertaken by the International Bureau. Finally, the third section provides information concerning the management of international registrations by the International Bureau, while also providing some logistical data.
5. *The Working Group is invited to consider the above and to note the contents of the Annex to this document.*

[Annex follows]

STATISTICAL SUMMARY CONCERNING THE OPERATIONS UNDERTAKEN BY THE INTERNATIONAL BUREAU IN THE FRAMEWORK OF THE MADRID SYSTEM

Section I

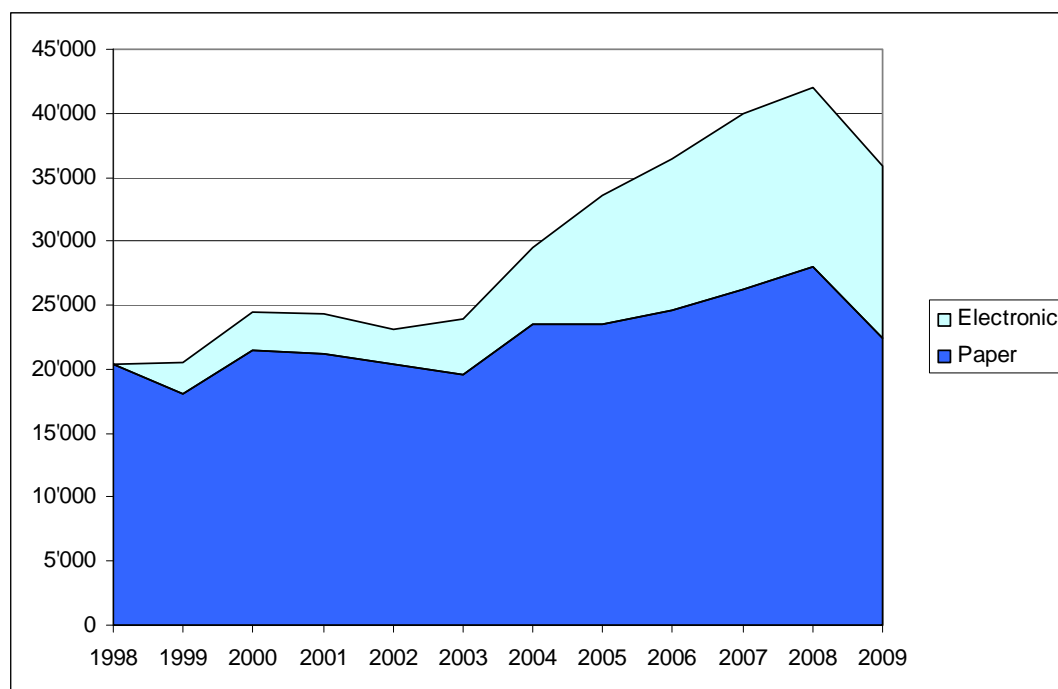
Statistical data concerning the filing of international applications

1. Filing medium and languages

In the year 2009, the International Bureau received 35,848 international applications*. Of these, roughly 37 per cent (13,423) were received electronically, which continued an increasing trend in the number of applications filed through that medium since its introduction to the Madrid system in 1998 (see Graph A). Approximately, 72 per cent of those applications were filed in English (25,833), 25 per cent in French (9,005) and almost 3 per cent in Spanish (1,010) (see Graph B). This means that a total of 71,696 translations were undertaken by the International Bureau in respect of international applications filed in 2009 (see Table I).

Graph A

International Trademark Applications
- Filing Medium -



* This number is slightly higher than the one reported in the 2009 Annual Report, which considers information available on December 31, 2009. This statistical summary was prepared based on information available on March, 2010. Therefore, it considers international applications filed before a national Office prior to December 31, 2009 and received by the International Bureau within the time limit to preserve said filing date.

Graph B

International Trademark Applications
- Filing Language -

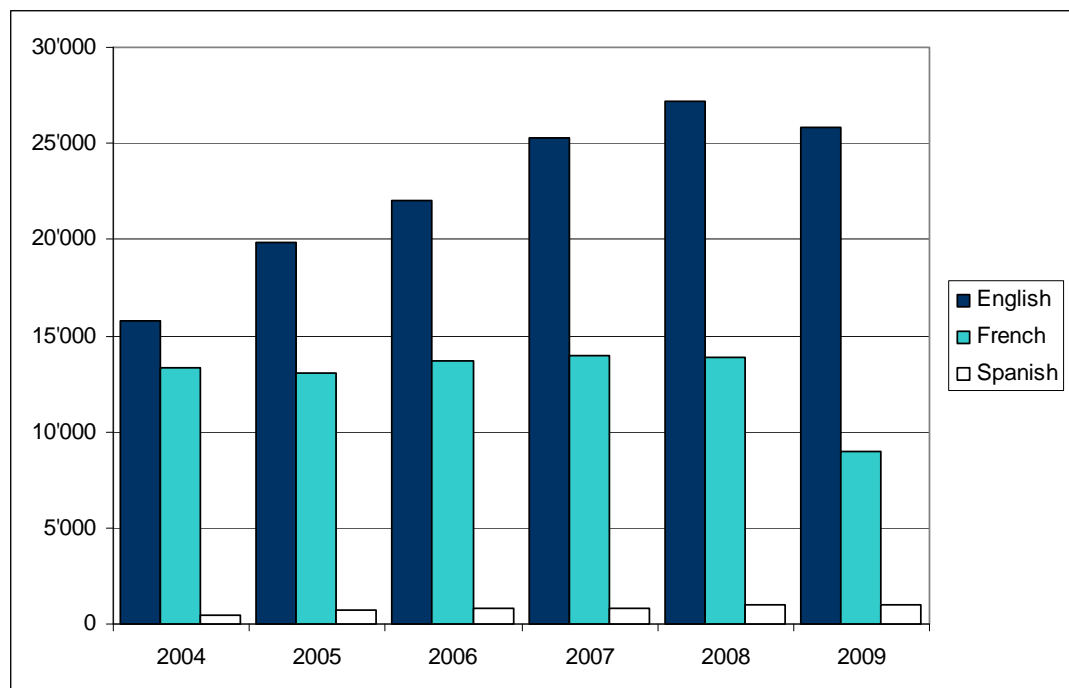


Table I

Translation of International Trademark Applications

	2004	2005	2006	2007	2008	2009
Into English	13,722	13,759	14,495	14,716	14,886	10,015
Into French	16,176	20,526	22,834	26,024	28,208	26,843
Into Spanish	29,048	32,877	35,663	39,190	41,046	34,838
Total	58,946	67,162	72,992	79,930	84,140	71,696

2. Representation

In 2009, a representative had been appointed in connection with the filing of almost 82 per cent of all the applications received by the International Bureau. This percentage has shown no significant variation since 2005 (see Table II).

Table II

International Trademark Applications
- Representation -

	2005	2006	2007	2008	2009
Applications received	33,581	36,496	39,965	42,070	35,848
Representative Appointed	27,656	30,152	33,086	35,492	29,292
%	82%	83%	83%	84%	82%

3. Top Offices of origin

As Offices of origin, the Offices filing the highest number of international applications in 2009 were the Offices of Germany, the European Union, France, the United States of America, Switzerland, Benelux, Italy, China, Japan, the Russian Federation, Austria, the United Kingdom and Australia (see Table III).

Table III

International Trademark Applications
- Office of Origin -

	2002	2003	2004	2005	2006	2007	2008	2009
DE	5,126	5,559	5,395	5,803	5,663	6,100	6,214	4,793
EM			354	1,852	2,445	3,384	3,600	4,367
FR	3,609	3,331	3,518	3,497	3,705	3,930	4,218	3,523
US		139	1,737	2,849	3,148	3,741	3,684	3,201
CH	2,531	2,189	2,133	2,235	2,468	2,656	2,885	2,671
BX	2,467	2,189	2,482	2,426	2,639	2,508	2,668	1,968
IT	1,800	1,915	2,499	2,340	2,958	2,664	2,763	1,876
CN	241	472	1,015	1,334	1,328	1,444	1,584	1,358
JP	242	394	692	893	847	985	1,278	1,312
RU	276	502	575	605	622	891	1,190	1,068
AT	982	861	1,181	1,191	1,117	1,135	1,245	1,050
GB	670	674	917	1,016	1,055	1,178	1,162	1,007
AU	222	340	683	852	1,100	1,169	1,092	1,000
OTHER	4,985	5,314	6,292	6,688	7,401	8,180	8,487	6,654
TOTAL	23,151	23,879	29,473	33,581	36,496	39,965	42,070	35,848

4. Designations

A total of 267,333 designations were included in new applications filed in 2009, which represents an average of 7.46 designations per international application. This would suggest that, while the number of international applications shows an increasing trend, this might be driven by applications and registrations with relatively fewer designations

(see Table IV). The Contracting Parties which were designated the most in 2009 were China, the Russian Federation, the United States of America, Switzerland, the European Union, Japan, Australia, Ukraine, Turkey, the Republic of Korea, Norway, Croatia and Singapore (see Table V).

Table IV

International Trademark Applications
- Average Number of Designations per Application -

	2002	2003	2004	2005	2006	2007	2008	2009
Designations	283,365	290,870	298,200	356,539	364,725	267,283	334,598	267,333
Applications	23,151	23,879	29,473	33,581	36,496	39,965	42,070	35,848
Average	12.24	12.18	10.12	10.62	9.99	6.69	7.95	7.46

Table V

International Trademark Applications
- Number of Designations per Contracting Party -

	2002	2003	2004	2005	2006	2007	2008	2009
CN	6,684	7,106	9,265	13,575	15,801	16,676	17,829	14,766
RU	8,312	9,006	9,940	12,813	14,432	15,455	16,768	14,150
US		238	7,109	11,863	13,994	14,618	15,715	13,406
CH	10,577	10,174	10,137	13,197	14,260	14,528	14,907	13,161
EM			114	6,309	10,640	12,744	14,502	12,564
JP	5,323	5,359	7,071	10,104	11,844	12,348	12,748	10,386
AU	3,905	4,683	5,917	7,989	9,115	9,848	10,529	8,575
UA	5,280	6,262	6,361	8,271	9,057	9,751	10,635	8,539
TR	5,458	5,878	6,272	8,602	8,958	9,377	3,844	7,942
KR		1,694	4,852	7,160	8,334	8,988	9,539	7,755
NO	6,967	6,582	6,821	8,443	9,102	9,346	9,787	7,627
HR	4,743	5,054	5,298	6,716	6,970	7,059	7,482	5,967
SG	3,547	3,708	4,451	6,127	6,717	7,005	7,607	5,957
OTHER	222,569	232,232	214,592	235,370	225,501	119,540	182,706	136,538
TOTAL	283,365	290,870	298,200	356,539	364,725	267,283	334,598	267,333

5. Irregularities

Over 34 per cent of the international applications received during the year 2008 (14,414) and over 30 per cent of the international applications received in 2009 (10,981) presented one or more irregularity. This represents a slight decrease, in relative terms, with respect to the previous years (see Table VI).

Table VI

International Trademark Applications
- Irregularities -

Year	Applications Received	Error Free	With Errors	%
2008	42,070	27,656	14,414	34.26
2009	35,848	24,867	10,981	30.63

6. In 2008, the International Bureau sent 16,070 letters of irregularity, of which 30 per cent (4,808) concerned irregularities only with respect to fees, 26 per cent (4,098) concerned irregularities only with respect to the indication of goods and/or services (Rule 13), 25 per cent (3,972) concerned multiple irregularities, 10 per cent (1,678) concerned irregularities only with respect to the classification of goods and/or services (Rule 12) and 9 per cent (1,514) concerned only one other type of irregularity (see Table VII). Furthermore, the International Bureau had to reclassify the goods and/or services in over 22 per cent (9,376) of the total number of international applications received (see Table VIII and Graph C).
7. In 2009, the International Bureau sent 11,415 letters of irregularity, of which 35 per cent (3,966) concerned irregularities only with respect to fees, 24 per cent (2,704) concerned irregularities only with respect to the indication of goods and/or services (Rule 13), 21 per cent (2,424) concerned more than one irregularity, almost 11 per cent (1,210) concerned only one other type of irregularity and slightly less than 10 per cent (1,111) concerned irregularities only with respect to the classification of goods and/or services (Rule 12) (see Table VII). In addition, the International Bureau had to reclassify the goods and/or services in over 16 per cent (5,969) of the total number of international applications received (see Table VIII and Graph D).

Table VII

Letters of Irregularities
- Type of Irregularity -

Year	Letters	Rule 12 only	Rule 13 only	Fees only	Other only	Multiple
2008	16,070	1,678	4,098	4,808	1,514	3,972
2009	11,415	1,111	2,704	3,966	1,210	2,424

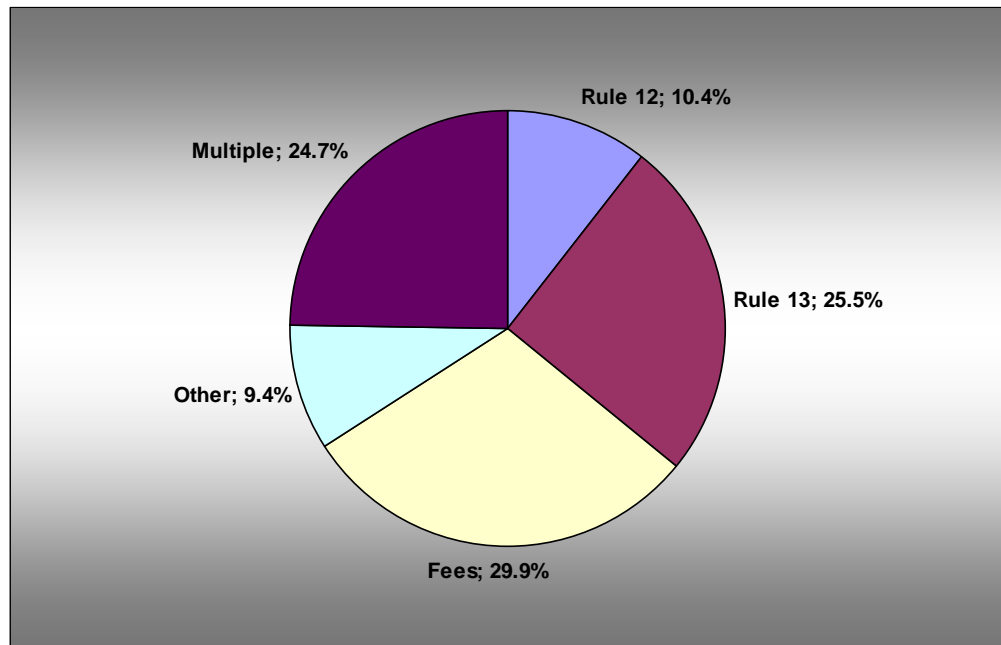
Table VIII

International Trademark Applications
- Reclassification of Goods and/or Services by the International Bureau -

Year	Requests received	Requests Reclassified	%
2008	42,070	9,376	22.28
2009	35,848	5,969	16.65

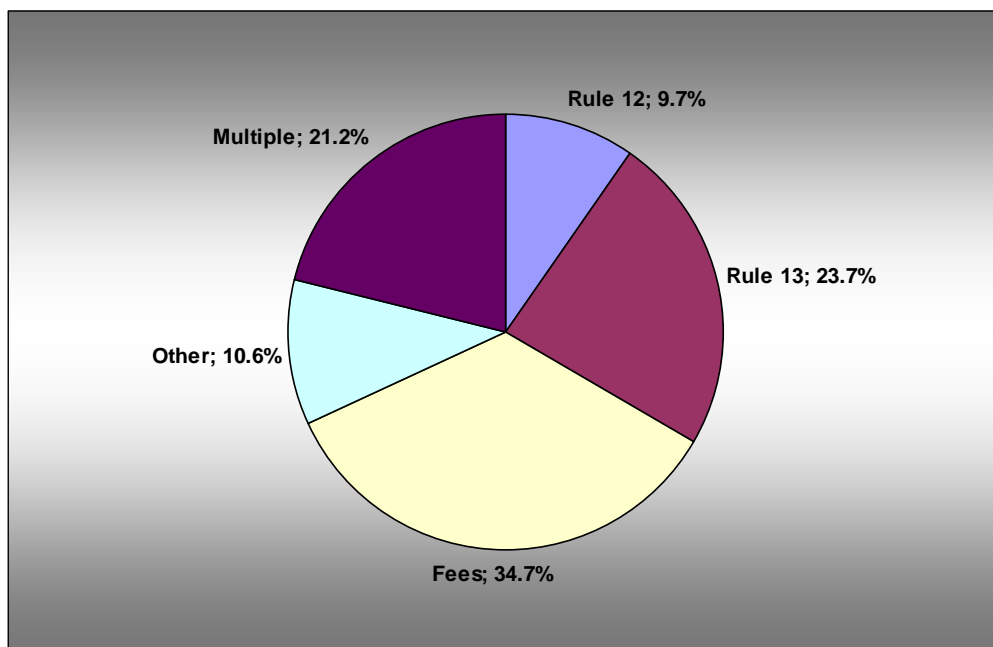
Graph C

Letters of Irregularities 2008
- Type of Irregularity -



Graph D

Letters of Irregularities 2009
- Type of Irregularity -



Section II

Statistical data concerning the processing of international applications

8. As previously noted, the International Bureau received 35,848 international trademark applications in 2009. Over 98 per cent of those filings have arrived at a conclusion, in the sense that an application has resulted either in an international registration or it has been declared abandoned (see Table IX).

Table IX

International Bureau
- International Applications Processed -

Year	Total	Resolved	%
2006	36,496	36,496	100%
2007	39,965	39,965	100%
2008	42,070	42,051	99.9%
2009	35,848	35,253	98.3%

9. Of the total number of international trademark applications handled by the International Bureau in 2009, almost 70 per cent (24,867) resulted in a registration without the notification of any irregularity. This indicates a slightly improving trend compared to previous years (see Table X). Almost 25 per cent of those international applications (8,805) resulted in a registration even after an irregularity had been notified (see Table XI), while over 4 per cent (1,581) were considered abandoned (see Table XII).

Table X

International Bureau
- Regular Registrations -

Year	Total	Regular Registration	%
2006	36,496	22,748	62.3%
2007	39,965	25,565	64.0%
2008	42,070	27,656	65.7%
2009	35,848	24,867	69.4%

Table XI

International Bureau
- Registration after Irregularity -

Year	Total	Registration after Irregularity	%
2006	36,496	12,537	34.3%
2007	39,965	13,041	32.6%
2008	42,070	13,190	31.3%
2009	35,848	8,805	24.6%

Table XII

International Bureau
- International Applications Abandoned -

Year	Total	Abandoned	%
2006	36,496	1,214	3.33%
2007	39,965	1,361	3.41%
2008	42,070	1,205	2.86%
2009	35,848	1,581	4.41%

10. As of March 2010, 595 applications filed in 2009, 1.7 per cent of the total number of applications filed, are still awaiting resolution. These correspond to 27 international applications still pending examination by an examiner, 221 international applications for which a letter of irregularity has been sent but no reply has yet been received, and 347 international applications for which a reply to a letter of irregularity has already been received but the application is still awaiting final resolution (see Table XIII).

Table XIII

International Bureau
- International Applications Awaiting Resolution -

Year	Total	Examination Pending	Irregular Awaiting Reply	Irregular Reply Received	%
2006	36,496				0.0%
2007	39,965				0.0%
2008	42,070	1		18	0.1%
2009	35,848	27	221	347	1.7%

11. The average processing time for a regular international application, that is, an application which presents no irregularity, was 45 days in 2009. On the other hand, if the application was considered irregular, the International Bureau issued a letter of irregularity within approximately 32 days. On average, in 2009 the International Bureau waited 48 days to receive a response to a letter of irregularity, while it took 65 additional days to finalize processing, after the receipt of such letter, for an overall average processing time of almost 113 days for irregular applications. This represents a significant advancement, compared to previous years, while also suggesting an improving trend (see Table XIV).

Table XIV

International Bureau
- Average Processing Time -

Year	Regular Applications Average Processing Time	Irregular Applications Average Time for Sending first Letter	Irregular Applications Average Wait Time for Reply	Irregular Applications Average Processing Time after Reply Received	Irregular Applications Average Total Processing Time
2006	53.37	52.84	57.00	97.33	154.33
2007	41.11	40.54	55.44	79.79	135.24
2008	40.35	34.73	53.84	71.66	125.50
2009	44.76	31.80	47.70	65.22	112.92

Section III**Statistical data concerning the management of international registrations**

12. In 2009, the International Bureau recorded 82,582 statements of grant of protection, 266,535 notifications of provisional refusal and 10,797 subsequent designations (see Table XV).

Table XV

International Bureau
- Recordings Following the Recording of an International Registration (I) -

Year	Statements of Grant of Protection	Provisional Refusals	Subsequent Designations
2007	66,732	255,822	12,605
2008	66,934	268,105	12,070
2009	82,582	266,535	10,797

13. In 2009, the International Bureau recorded 19,234 renewals of international registrations, 31,566 modifications and 7,940 corrections, while issuing 2,443 extracts from the International Register (see Table XVI)

Table XVI

International Bureau
- Recordings Following the Recording of an International Registration (II) -

Year	Renewals Registered	Modifications Registered	Corrections	Extracts Issued
2007	17,411	35,456	2,916	2,368
2008	19,473	28,261	9,736	2,983
2009	19,234	31,566	7,940	2,443

14. Finally, from a logistical standpoint, in 2009 the International Bureau received and processed 324,018 official communications relating to international trademark applications or registrations and 13,967 pieces of other official correspondence. In addition, the International Bureau sent 270,094 notifications to holders of international registrations, while providing responses to approximately 28,000 electronic queries (see Table XVII).

Table XVII

International Bureau
- Correspondence Managed by the International Bureau -

Year	Communications Received by the IB of WIPO	Notifications Sent to Holders	Other Correspondence Received	E-queries received through INTREG
2007	326,765	224,466	18,660	--
2008	329,078	239,617	17,580	31,000
2009	324,018	270,094	13,967	28,000

[End of Annex and of document]