



WIPO | MADRID

The International
Trademark System

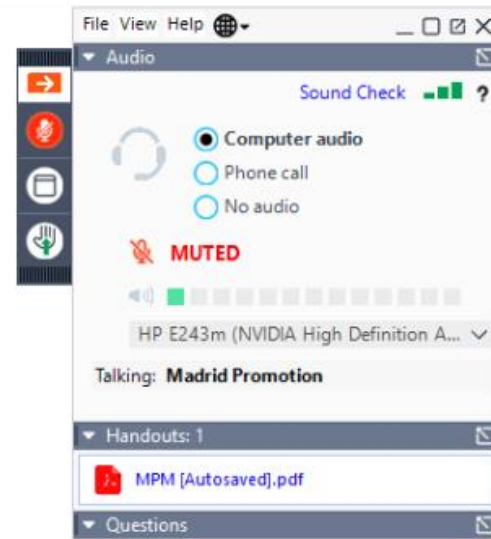
The International Application: Content and resources

Webinar of the Madrid System

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Associate Complaints Officer

**Geneva
September 11,
2019**

How to use GoToWebinar



Structure of the Webinar

- Presentation: The International Application
- Interactive questions during the webinar
- Questions and answers session at the end
- Presentation slides available for download
- Recording will be uploaded on the [Madrid Webinar page](#)
- Short survey to provide feedback

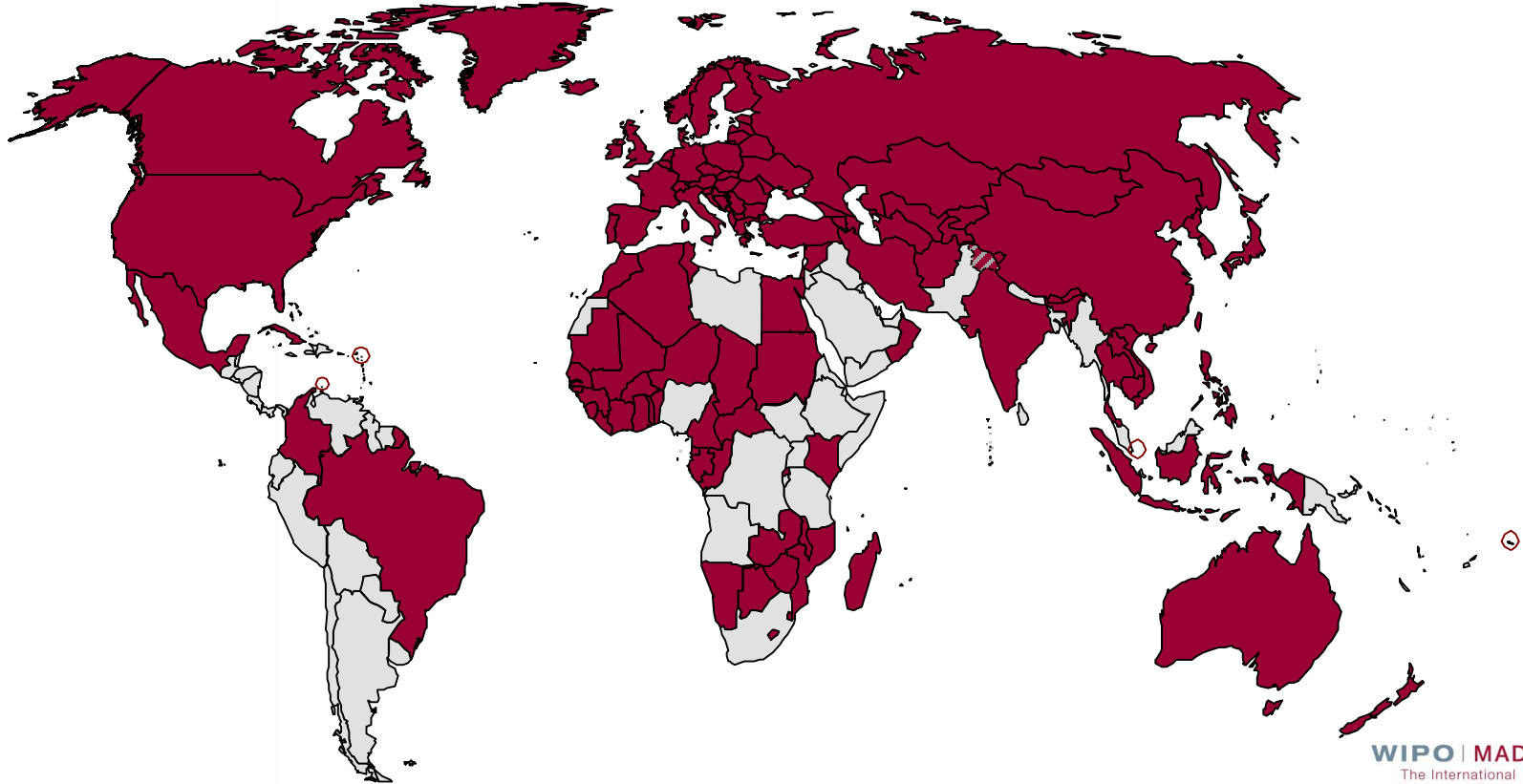
The International Application

- Overview
- Basic requirements
- How to file
- Fees
- Track your application
- Available WIPO tools and e-services

The Madrid System

- Centralized filing and management procedure
- File one application, in one language and pay one set of fees for protection in multiple markets
- Expand protection to new markets as your business strategy evolves

Members of the Madrid System



Question

- Which countries have recently joined the Madrid System?
 - Samoa, Canada and Brazil
 - Canada, Brazil and Malaysia
 - Samoa, Canada and Malaysia

Basic requirements

- To be **entitled** to use the Madrid System, the applicant must:
 - Be a national of, or
 - Be domiciled in, or
 - Have a real and effective industrial or commercial establishment in a Contracting Party of the Madrid System
- The applicant needs to have registered or filed an application (**basic mark**) in the IP Office of the applicant's entitlement (Office of origin)
- The international application must be sent through the Office of origin

How the Madrid System works

The International Trademark Registration Process



How to file an international application?

- Through the applicant's Office of origin
- MM2 or E-filing

For more information see the [webinar: How to Make the Most of the Madrid Member Profiles Database](#)

Contents of the International Application

Application for international registration

- The applicant's and/or Office reference
- Contracting Party whose Office is the Office of origin

Details of the applicant: Name and address

Name: World Intellectual Property Organization

Address: 34, Chemin de Colombettes

1211 Genève

Suisse

The details of applicants: Address for correspondence

Name: World Intellectual Property Organization

Address: 34, Chemin de Colombettes

1211 Genève

Suisse

Address for correspondence: WIPO Brazil Office

Avenida Atlântica No 1130 5th Floor - Part B

Copacabana, Rio de Janeiro, Brazil Zip code: 22021-000

Details of the applicant: Telephone and e-mail address

Telephone : +41 22 338 86 86

Fax:

E-mail address: wipo@wipo.int

By providing an e-mail address, any further correspondence from the International Bureau related to this international application and its resulting international registration will be sent only electronically and, **therefore, you will no longer receive any paper correspondence.** Likewise, any further correspondence from the International Bureau related to other international applications or international registrations for which the same e-mail address has been, or will be, provided will also be sent only electronically. Please note that, for the purpose of electronic communication, there can be only one e-mail address recorded per each international registration.

Details of the applicant: Preferred language of correspondence

Preferred language for correspondence: English French Spanish

Details of the applicant: Preferred language of correspondence

Other indications (as may be required by certain designated Contracting Parties, such as, for example, the United States of America; **only** provide indications in **either** item (i) **or** in item (ii) but **not in both** items):

(i) if the applicant is a **natural person**, nationality of the applicant: Spanish

(ii) if the applicant is a **legal entity** (please, provide **both** the following indications):

– legal nature of the legal entity:

– State (country) and, where applicable, territorial unit within that State (canton, province, state, etc.), under the law of which the said legal entity has been organized:

Details of the applicant: Preferred language of correspondence

Other indications (as may be required by certain designated Contracting Parties, such as, for example, the United States of America; **only** provide indications in **either** item (i) **or** in item (ii) but **not in both** items):

(i) if the applicant is a **natural person**, nationality of the applicant: _____

(ii) if the applicant is a **legal entity** (please, provide **both** the following indications):

– legal nature of the legal entity: limited liability company

– State (country) and, where applicable, territorial unit within that State (canton, province, state, etc.), under the law of which the said legal entity has been organized:

Switzerland, Geneva

Entitlement to file with the Office of origin

- Be a national of, or
- Be domiciled in, or
- Have a real and effective industrial or commercial establishment in a Contracting Party of the Madrid System

(a) Check the appropriate box:

- (i) where the Contracting Party mentioned in item 1 is a State, the applicant is a national of that State; or
- (ii) where the Contracting Party mentioned in item 1 is an organization, the name of the State of which the applicant is a national:; or
- (iii) the applicant is domiciled in the territory of the Contracting Party mentioned in item 1; or
- (iv) the applicant has a real and effective industrial or commercial establishment in the territory of the Contracting Party mentioned in item 1.

(b) Where the address of the applicant, given in item 2(b), is not in the territory of the Contracting Party mentioned in item 1, indicate in the space provided below:

- (i) if the box in paragraph (a)(iii) of the present item has been checked, the domicile of the applicant in the territory of that Contracting Party, or,
- (ii) if the box in paragraph (a)(iv) of the present item has been checked, the address of the applicant's industrial or commercial establishment in the territory of that Contracting Party.

2306-887 Hamilton Street Vancouver BC V6B 6B7, Canada
.....

Appointment of a representative before WIPO

- No special formalities or requirements
- Only one representative per international application
- Communications sent exclusively to the representative, not to the applicant

Basic mark and priority

- Basic application or basic registration
- Priority claimed

Question

- Which is the period to claim priority?
- 3 months
- 6 months
- 12 months

The reproduction of the mark



The mark - standard characters

- The applicant declares that he wishes the mark to be considered as a mark in standard characters

ROMARIN

The mark – color(s) as such

- The mark consists exclusively of a color or a combination of colors as such, without any figurative element



Question

■ Is this mark?



■ A mark in color

■ A color mark *per se*

The mark - color(s) claimed



The applicant claims color as a distinctive feature of the mark.

Color or combination of colors claimed: blue and red

Indication, for each color, of the principal parts of the mark that are in that color (as may be required by certain designated Contracting Parties):

Miscellaneous indications - Transliteration of the mark

麗子

Transliteration of the mark (this information is compulsory where the mark consists of or contains matter in characters other than Latin characters, or numerals other than Arabic or Roman numerals):

REIKO

Miscellaneous indications

- Translation of the mark into English, French and/or Spanish
- The words contained in the mark have no meaning
- Description of the mark (contained in the basic application or basic registration and/or voluntary description)

Miscellaneous indications

- Types of marks:
 - Three-dimensional mark
 - Sound mark
 - Collective mark, certification mark, or guarantee mark

Miscellaneous indications - Verbal elements of the mark (where applicable):



Verbal elements of the mark (where applicable):

Tablier Blanc

Miscellaneous indications - disclaimer



The applicant wishes to disclaim protection for the following element(s) of the mark:

BILLARDS Depuis 1860

Question

- A disclaimer is for..
- One or more designated Contracting Parties
- All designated Contracting Parties

Goods and services

- Goods and services for which the international registration is sought

For more information see [Webinar: Understanding the International Classification of Goods and Services Level: Beginner/Intermediate](#)

Designations

<input type="checkbox"/> AF Afghanistan	<input type="checkbox"/> EE Estonia	<input type="checkbox"/> LA Lao People's Democratic Republic	<input type="checkbox"/> RS Serbia
<input type="checkbox"/> AG Antigua and Barbuda	<input type="checkbox"/> EG Egypt	<input type="checkbox"/> LI Liechtenstein	<input type="checkbox"/> RU Russian Federation
<input type="checkbox"/> AL Albania	<input type="checkbox"/> EM European Union ¹	<input type="checkbox"/> LR Liberia	<input type="checkbox"/> RW Rwanda
<input type="checkbox"/> AM Armenia	<input type="checkbox"/> ES Spain	<input type="checkbox"/> LS Lesotho ²	<input type="checkbox"/> SD Sudan
<input type="checkbox"/> AT Austria	<input type="checkbox"/> FI Finland	<input type="checkbox"/> LT Lithuania	<input type="checkbox"/> SE Sweden
<input type="checkbox"/> AU Australia	<input type="checkbox"/> FR France	<input type="checkbox"/> LV Latvia	<input type="checkbox"/> SG Singapore ²
<input type="checkbox"/> AZ Azerbaijan	<input type="checkbox"/> GB United Kingdom ²	<input type="checkbox"/> MA Morocco	<input type="checkbox"/> SI Slovenia
<input type="checkbox"/> BA Bosnia and Herzegovina	<input type="checkbox"/> GE Georgia	<input type="checkbox"/> MC Monaco	<input type="checkbox"/> SK Slovakia
<input type="checkbox"/> BG Bulgaria	<input type="checkbox"/> GH Ghana	<input type="checkbox"/> MD Republic of Moldova	<input type="checkbox"/> SL Sierra Leone
<input type="checkbox"/> BH Bahrain	<input type="checkbox"/> GM Gambia	<input type="checkbox"/> ME Montenegro	<input type="checkbox"/> SM San Marino
<input type="checkbox"/> BN Brunei Darussalam ²	<input type="checkbox"/> GR Greece	<input type="checkbox"/> MG Madagascar	<input type="checkbox"/> ST Sao Tome and Principe
<input type="checkbox"/> BQ Bonaire, Saint Eustatius and Saba ^{6,7}	<input type="checkbox"/> HR Croatia	<input type="checkbox"/> MK North Macedonia	<input type="checkbox"/> SX Sint Maarten (Dutch part) ⁶
<input type="checkbox"/> BT Bhutan	<input type="checkbox"/> HU Hungary	<input type="checkbox"/> MN Mongolia	<input type="checkbox"/> SY Syrian Arab Republic
<input type="checkbox"/> BW Botswana	<input type="checkbox"/> ID Indonesia	<input type="checkbox"/> MW Malawi ²	<input type="checkbox"/> SZ Eswatini
<input type="checkbox"/> BX Benelux	<input type="checkbox"/> IE Ireland ²	<input type="checkbox"/> MX Mexico	<input type="checkbox"/> TH Thailand
<input type="checkbox"/> BY Belarus	<input type="checkbox"/> IL Israel	<input type="checkbox"/> MZ Mozambique ²	<input type="checkbox"/> TJ Tajikistan
<input type="checkbox"/> CA Canada	<input type="checkbox"/> IN India ²	<input type="checkbox"/> NA Namibia	<input type="checkbox"/> TM Turkmenistan
<input type="checkbox"/> CH Switzerland	<input type="checkbox"/> IR Iran (Islamic Republic of)	<input type="checkbox"/> NO Norway	<input type="checkbox"/> TN Tunisia
<input type="checkbox"/> CN China	<input type="checkbox"/> IS Iceland	<input type="checkbox"/> NZ New Zealand ²	<input type="checkbox"/> TR Turkey
<input type="checkbox"/> CO Colombia	<input type="checkbox"/> IT Italy	<input type="checkbox"/> OA African Intellectual Property Organization (OAPI) ³	<input type="checkbox"/> UA Ukraine
<input type="checkbox"/> CU Cuba ⁵	<input type="checkbox"/> JP Japan ⁵	<input type="checkbox"/> OM Oman	<input type="checkbox"/> US United States of America ⁴
<input type="checkbox"/> CW Curacao ⁶	<input type="checkbox"/> KE Kenya	<input type="checkbox"/> PH Philippines	<input type="checkbox"/> UZ Uzbekistan
<input type="checkbox"/> CY Cyprus	<input type="checkbox"/> KG Kyrgyzstan	<input type="checkbox"/> PL Poland	<input type="checkbox"/> VN Viet Nam
<input type="checkbox"/> CZ Czech Republic	<input type="checkbox"/> KH Cambodia	<input type="checkbox"/> PT Portugal	<input type="checkbox"/> WS Samoa
<input type="checkbox"/> DE Germany	<input type="checkbox"/> KP Democratic People's Republic of Korea	<input type="checkbox"/> RO Romania	<input type="checkbox"/> ZM Zambia
<input type="checkbox"/> DK Denmark	<input type="checkbox"/> KR Republic of Korea		<input type="checkbox"/> ZW Zimbabwe
<input type="checkbox"/> DZ Algeria	<input type="checkbox"/> KZ Kazakhstan		

Requirements for some designated Contracting Parties

- The European Union:
 - Indicate a second language before the Office of the European Union: English, French, German, Italian or Spanish.
 - Possibility of claiming seniority from earlier registrations (Form MM17)
- The mere fact of designating some Contracting Parties is taken as a declaration of intention to use
- United States of America: Form MM18 Declaration of intention to use the mark

Certification and signature by the Office of origin

- The Office of origin certifies
 - the date of receipt of the international application
 - that the applicant is the same as the applicant/holder of the basic mark
 - that the mark is the same as the basic mark
 - that the goods and services are covered by the list of goods and services in the basic mark

Fee Calculation

- The fees are payable in Swiss francs to WIPO
 - Basic fee: 653 or 903 Swiss francs (reproduction of the mark in black/white or color)
 - Fees for designations
 - Standard fees
 - 100 Swiss francs (each class of goods and services beyond three classes)
 - 100 Swiss francs per designated Contracting Party
 - Individual fees
 - Individual fees payable in 2 parts

Fee Calculation

International Registration of Marks - Fee Calculation

For date:

07.09.2019

Office of origin:

Afghanistan

Number of classes:

1

Type:

New application

Colour

Collective mark, certification mark, or guarantee mark

Continue

A designation of the Benelux (BX) covers Belgium, Luxembourg and the Netherlands

A designation of the European Union (EM) covers its [28 Member states](#)

A designation of the African Intellectual Property Organization (OA) covers its [17 Member states](#)

Bonaire, Saint Eustatius and Saba (BQ), Curaçao (CW) and Sint Maarten (Dutch part) (SX) are autonomous territories of the Kingdom of the Netherlands that can be individually designated

Disclaimer - Fee Calculator results are based on information you have provided and the [Schedule of Fees](#) in effect at the time the estimate is generated. The estimate is provided for information purposes only. For the most accurate estimate, consult the Fee Calculator immediately before you submit a request or your payment order.

Payment methods

- Option 1: Current Account at WIPO
- Option 2: Credit card payments
- Options 3: Bank or Postal transfer

Monitor your application

- [Madrid Monitor](#): how to track the status of your application as it moves through the examination process
- Watch our Madrid Monitor [Real-time updates](#) tutorial to learn how to follow the status of all international application

Available WIPO tools and e-services

- Madrid Goods & Services Manager
 - Related Webinar: Understanding the International Classification of Goods and Services Level: Beginner/Intermediate
- Member Profiles Database
 - Related Webinar: How to Make the Most of the Madrid Member Profiles Database



Q&A Session about the Webinar

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