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LEBANESEREPUBLIC



UNITEDNATIONSECONOMIC
ANDSOCIALCOMMISSIONFOR
WESTERNASIA(ESCWA)



WORLDINTELLECTUAL
PROPERTYORGANIZATION

**WIPO-ESCWAARABREGI ONALCONFERENCEONR ECENT
DEVELOPMENTSIN THE FIELD OFINTELLECTUA LPROPERTY**

organizedby
theWorldIntellectualPropertyOrganization(WIPO)
and
theUnitedNationsEconomicandSocialCommissionforWesternAsia
(ESCWA)

incooperationwith
theMinistryofEconomyandTrade

Beirut,May 5and 6, 2003

RECENTDEVELOPMENTSIN THE MADRID AND HAGUE SYSTEMS

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Recent developments in the
Madrid system
for the International Registration of Marks
and in
The Hague system
for the International Deposit of Industrial
Designs

Giulio C. Zanetti, IDLO
Beirut, May 2003

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National Route

(with national Offices)
WIPO)

- different procedures •
- different languages •
- fees paid in local currency
francs
- recordal of changes: several
one
operations operation
- (usually) through a local
is a
agent refusal

International Route

(With Office of origin)

- one procedure
- one language
- fees paid in Swiss
- recordal of changes:
- local agent only if there

WHO may use the system?

any $\left\langle \begin{array}{l} \text{natural person} \\ \text{legal entity} \end{array} \right\rangle$ having

- an establishment in
 - or: a domicile in
 - or: the nationality of
- } a Contracting Party

NB

- only procedure => no substance
- effects of IR = effects of national registration
- closed systems => entitlement

- Madrid **Agreement** Concerning the International Registration of Marks (1891)

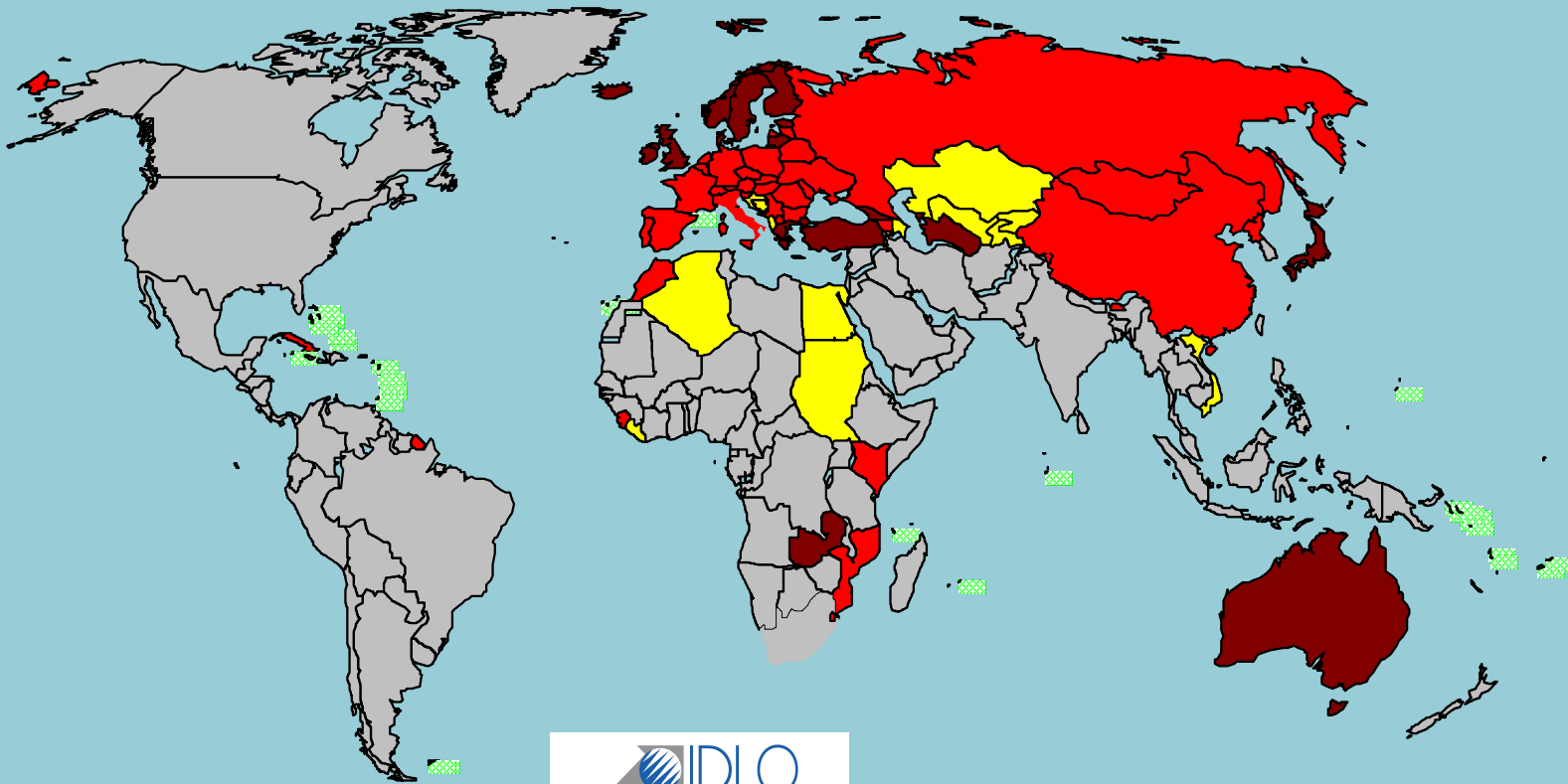
MADRID SYSTEM

- **Protocol** Relating to the Madrid Agreement (1989; came into operation on April 1, 1996)

Madrid Union

(71 Contracting Parties)

Protocol only 19
Agreement and Protocol 38
Agreement only 14



The International Application

- basic registration (A+P) or basic application (P)
- through Office of origin
- in one language: English or French
- content
 - the mark
 - goods/services
 - designations
- subsequent designations
- fees

The Procedure Before the International Bureau

No irregularity: registration
in the International Register

correction within

Irregularity:
irregularity letter

no correction within time

time limits

limits

reception

scanning

examination

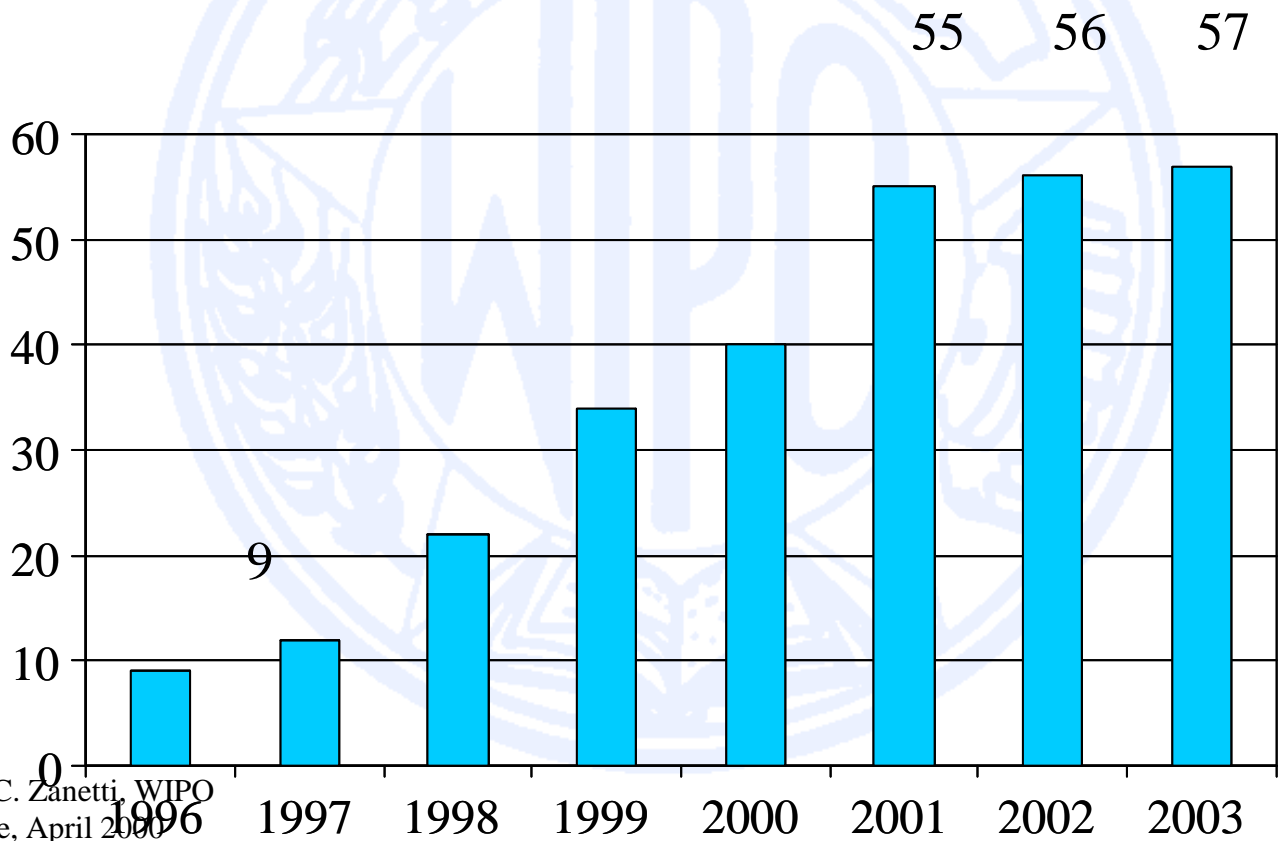
- entitlement
- designated Contracting Parties
- fees paid
- classification of goods/services
- Vienna Classification



Recent modifications of the Common Regulations

- **Licenses** may be inscribed in the int. Register
- **Disclaimer**
- **Refusals**
- **Individual fees** in two instalments
- Reduction of n° of irreg. affecting the filing date
- More flexibility in presenting requests for changes

Protocol Contracting Parties



Protocol Contracting Parties

(58)

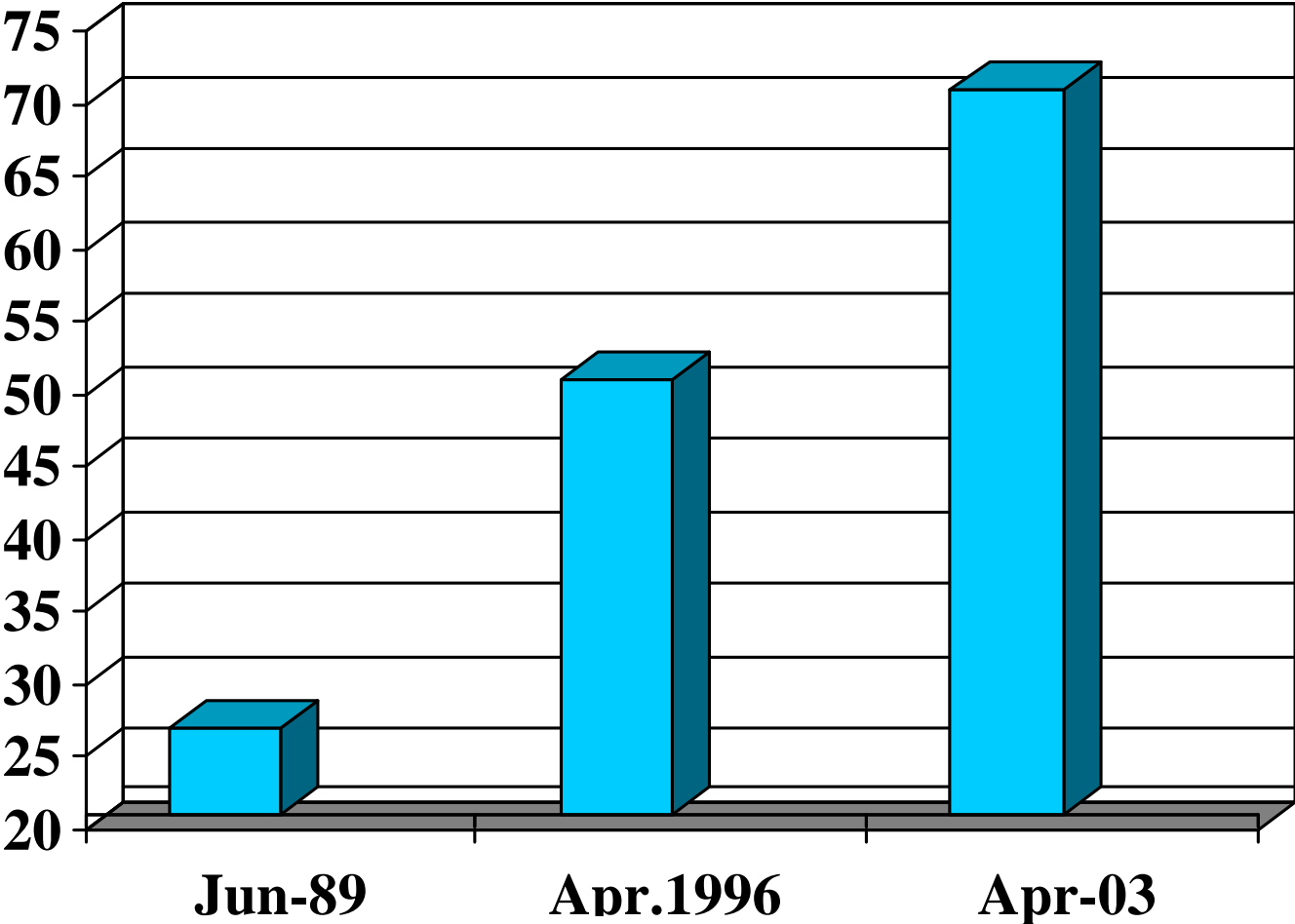
Antigua and Barbuda, Armenia, Australia, Austria, Belarus, Belgium, Bhutan, Bulgaria, China, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Monaco, Mongolia, Morocco, Mozambique, Netherlands, Netherlands Antilles, Norway, Poland, Portugal, Republic of Moldova, Republic of Korea, Romania, Russian Federation, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Swaziland, Sweden, Switzerland, Serbia and Montenegro, Turkmenistan, Turkey, Ukraine, United Kingdom, Yugoslavia, Zambia.

underlined = also party to Madrid Agreement

Madrid Agreement (only) Contracting Parties (14)

**Albania, Algeria, Azerbaijan, Bosnia and
Herzegovina, Croatia, Egypt,
Kazakhstan, Kyrgyzstan, Liberia,
San Marino, Sudan, Tajikistan,
Uzbekistan, Viet Nam,**

STATES PARTY TO THE MADRID SYSTEM



The Hague System Concerning the International Deposit of Industrial Designs

The 1934 Act (London Act)
16 States

The 1960 Act (The Hague Act)
The Hague System 25 States

The 1999 Act (Geneva Act)
8 States

Countries Party to the Hague Agreement

Belgium Hungary Senegal
Benin Indonesia Slovenia
Bulgaria Italy Spain
Côte d'Ivoire Liechtenstein Suriname
Democratic People's Luxembourg Switzerland
Republic of Korea Monaco The Former Yugoslav
Egypt Mongolia Republic of Macedonia
France Morocco Tunisia
Germany Netherlands Ukraine
Greece Republic of Moldova Yugoslavia
Holy See Romania
(Total: 30)

Revision of the Hague System

Aims

- make system more responsive to needs of users (e.g. deferment of publication up to 30 months)
- more flexibility (e.g. individual fees, 12 months to issue refusals)
- attract more countries (particularly those with examining Offices)
- provide for participation by regional registration:

Main Features of Geneva Act

- new terminology
- intergovernmental organizations** may become party to the Act
- “individual fees”** for Contracting Parties with examining Office
- refusal: 6 or **12 months**
- deferment of publication: **30 months**
- duration: 5 years + (5 + 5) years

STATES PARTY TO THE 1999 ACT (GENEVA)

- Slovenia
- Estonia
- Iceland
- Kyrgyzstan
- Republic of Moldova
- Romania
- Switzerland
- Ukraine

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