



WIPO | MADRID

The International
Trademark System

■ Update and News on the Madrid System: Figures, Accessions, Challenges and Developments

Regional Meeting of Intellectual Property Office Officials
Responsible for the Madrid System

**Tokyo,
December 13 and 14, 2016**

Sara Amini
Project Officer
Madrid Registry

125 Years of the Madrid System: Protecting Trademarks Abroad

The Madrid System is the convenient and cost-effective way to protect your brand internationally

Register and manage your trademarks in multiple countries through one system



ONE-STOP SHOP

One application



One set of fees



One filing language



Centralized management



GLOBAL REACH

97 members



113 countries covered



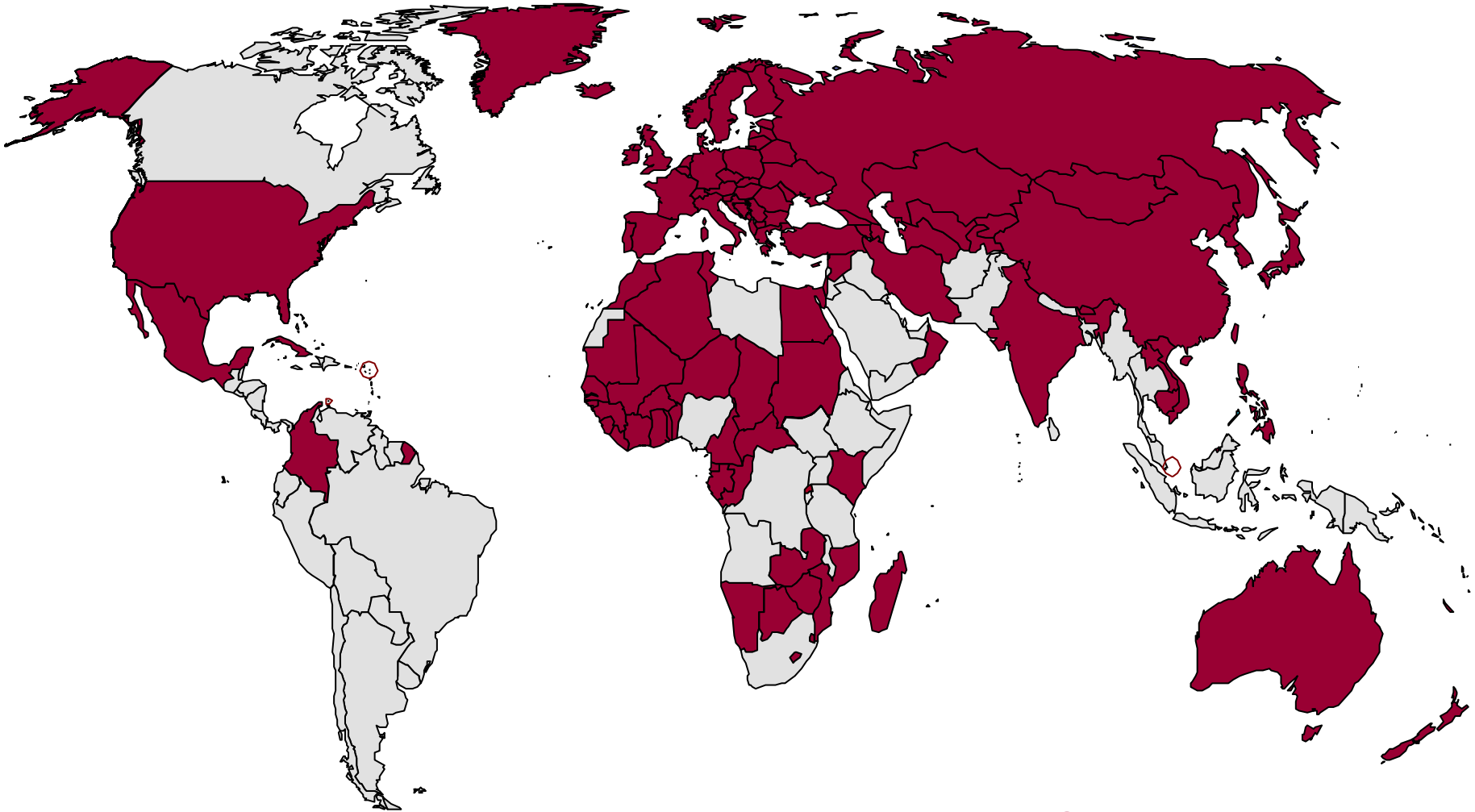
Over 80% of world trade



And growing



Members of the Madrid System



**98 members* (including EU and OAPI)
covering 114 countries**

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*All are party to the Protocol, the governing treaty, while 55 are also party to the Agreement

Madrid System Legal Framework

- Madrid Agreement (1891)
 - Madrid Protocol (1989)
 - Common Regulations
 - Administrative Instructions
-
- **Laws and Regulations of each Contracting Party**






See http://www.wipo.int/madrid/en/legal_texts/
http://www.wipo.int/madrid/en/members/ipoffices_info.html

Madrid System Users: Business Sectors

- Madrid System users come from all corners of the globe and represent a broad cross-section of industries



Top Five Classes

#	Class	2015	Growth 2014-15	Share in 2015
	Class 9: Computer and Electronics	11,524	5.2	9.4
	Class 35: Services for Business	9,818	1.8	8.0%
	Class 42: Technological Services	7,283	6.1	5.9%
	Class 41: Leisure, Education and Training	5,863	3.9	4.8%
	Class 25: Clothing	5,713	-4.0	4.6%

Madrid System Users: Business Size

- Individual entrepreneurs, small and large businesses find the Madrid System to be a convenient and cost-effective means to protect marks in key markets throughout the world

individual
entrepreneurs



big



small



medium



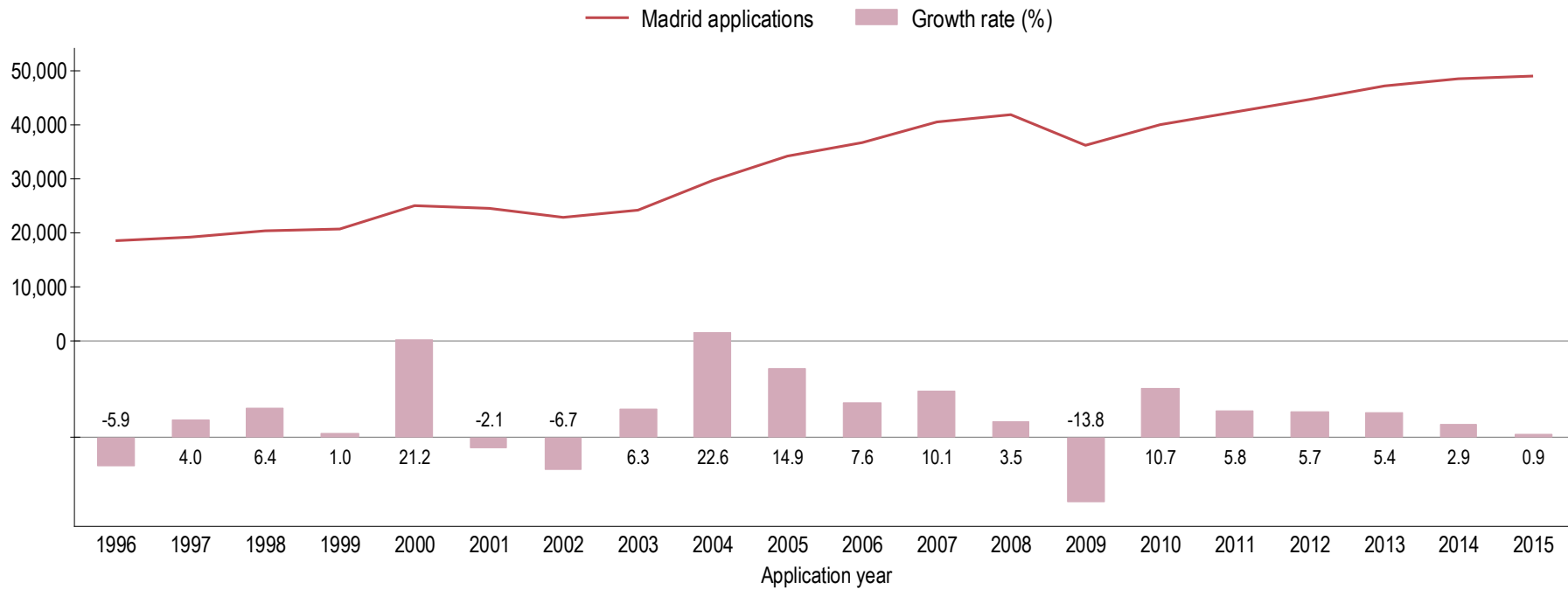
enterprises

Top Applicants

#	Name	Origin	Applications
1	NOVARTIS	Switzerland	197
2	LIDL STIFTUNG & CO. KG	Germany	142
3	L'ORÉAL, SOCIÉTÉ ANONYME	France	130
4	RICHTER GEDEON NYRT.	Hungary	126
5	PHILIPS ELECTRONICS N.V.	Netherlands	123
6	DAIMLER AG	Germany	99
7	APPLE INC.	USA	86
8	BIOFARMA	France	80
9	BOEHRINGER INGELHEIM INTERNATIONAL GMBH	Germany	69
10	GLAXO GROUP LIMITED	United Kingdom	68

International Applications

Figure A.1.1 Trend in international applications



Madrid System : Key Figures

Description	Number	Growth
International applications	48,910	+0.9%
International registrations (IRs)	51,938	+22.4%
Designations in international applications	331,834	-0.4%
Subsequent designations in existing IRs	44,209	-3.8%
Renewals	28,596	+9%
Active IRs	623,482	+2.7%
Active designations in IRs	5,657,616	+0.2%
Overall Madrid share (non-resident trademark filing, Madrid members only)	58.6%	-0.6% point
Contracting parties (Madrid members)	98	+1
Countries covered	114	+1

Holders of International Registrations (December 31, 2015)

Marks by holder

Number of holders

1 – 2 marks	164,088
3 – 10 marks	35,081
11 – 100 marks	6,985
101 – 500 marks	306
➤ 500 marks	32
Total	206,492 holders

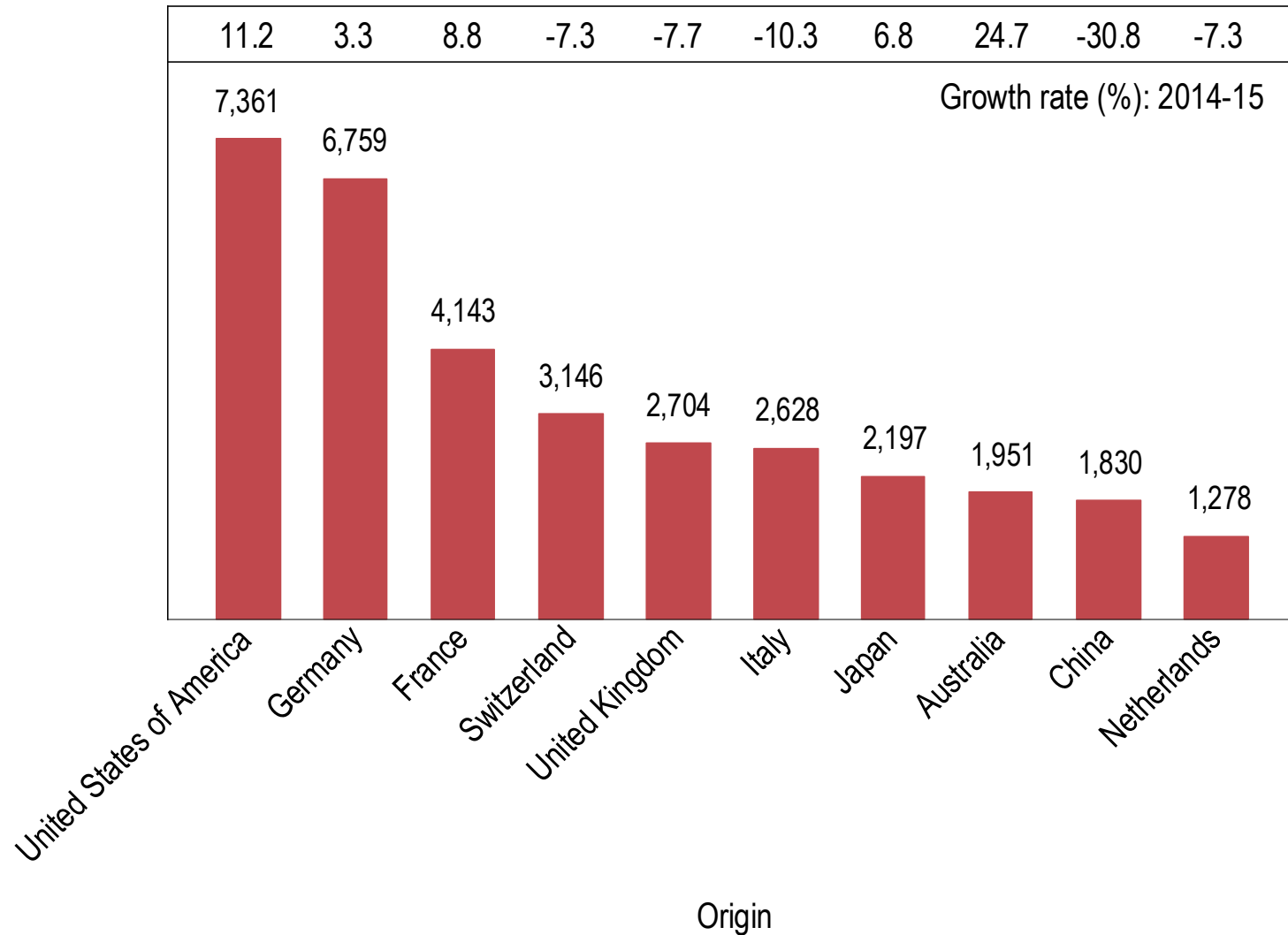
- About 80% of holders of the 615,323 International Registrations are SMEs

General Profile 2015

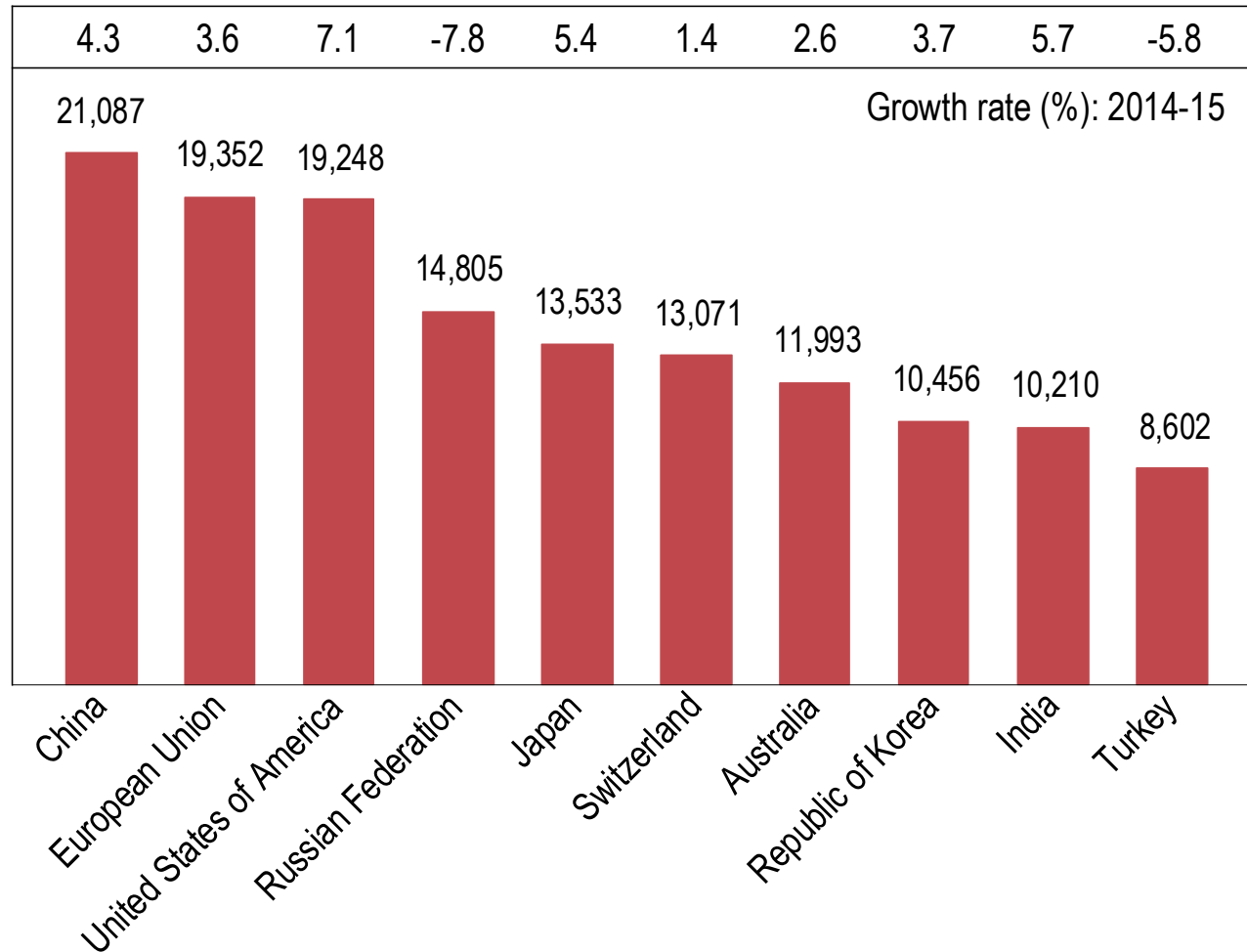
51,938 International Registrations

Average Number of Designations	6.8
Average Number of Classes	2.51
Average Fee	CHF 3,102
All Fees	70% < CHF 3,000

Top Filing Origins



Top Designated Contracting Parties



Madrid member

Recent accessions to the Madrid Protocol

	<u>Entry into force</u>
■ Brunei Darussalam	January 6, 2017
■ Lao People's Democratic Republic	March 7, 2016
■ The Gambia	December 18, 2015
■ Algeria	October 31, 2015
■ Cambodia	June 5, 2015
■ Zimbabwe	March 11, 2015
■ OAPI	March 5, 2015

<http://www.wipo.int/madrid/en/members/>

Recent Developments

- Algeria's accession to the Protocol
 - Madrid operating, for practical purposes, as single-treaty system, with one form needed for all international applications (MM2)

- Following this milestone accession, the Madrid Union Assembly took the historic decision to freeze the Agreement, barring any country from acceding to the Agreement only
 - From now on, one single set of rules will apply for all members and users of the Madrid System

Recent Developments – Legal Framework

- Amendments to the Common Regulations
- Introduction of division and merger of international registration
- Roadmap to the future of the Madrid System

Already in force

- Continued processing for time-limits to remedy irregularities before the IB
- Free updates to email, phone, fax and address for correspondence

In force on July 1, 2017

- Control of classification of limitations in international applications
- Recording of changes to legal nature of the holder
- Limited examination by the IB of limitations requested as a change

In force on Nov. 1, 2017

- Second voluntary description of the mark
- Missing MM18 will affect the subsequent designation of the US only
- Further decisions after tacit acceptance or grant of protection
- Cancellation due to ceasing of effect to affect also “children” registrations
- IB to receive communications from designated Offices and transmit them to holders

In force on Feb. 1, 2019

- Division and merger of international registrations in a designated Contracting Party

2016 Editions

- Guide to the International Registration of Marks and
- Making the most of the Madrid System

have been recently updated and published at the Madrid System webpage: <http://www.wipo.int/madrid/en/>

Short-term Future of the System (2-3yrs)

- Enlarging Membership
- ASEAN countries - Indonesia, Malaysia and Thailand
- Canada
- Caribbean countries – Trinidad and Tobago, and Jamaica
- African countries – Malawi and South Africa
- Latin American countries
- Arab Countries

- Broad-based review of E-Services and development of an online Customer Resources Center

Roadmap to the Future of the MS

- The last Madrid Working Group (June 13 to 17, 2016) agreed on a roadmap including a list of subjects to be discussed by the WG or its Roundtable in the short, medium and long term
- Short term WG discussions – replacement, transformation, new types of marks, limitations
- Medium term WG discussions – harmonized time limit to reply to a provisional refusal, correction, fee revision and payment options, possible reduction of the dependency period
- Long term WG discussions – entitlement to file, review procedure, scope of the list of G&S (possible de-linking), etc.

Thank you
for your attention

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