



WIPO | MADRID

The International
Trademark System

Irregularities

Madrid Working Group Roundtable

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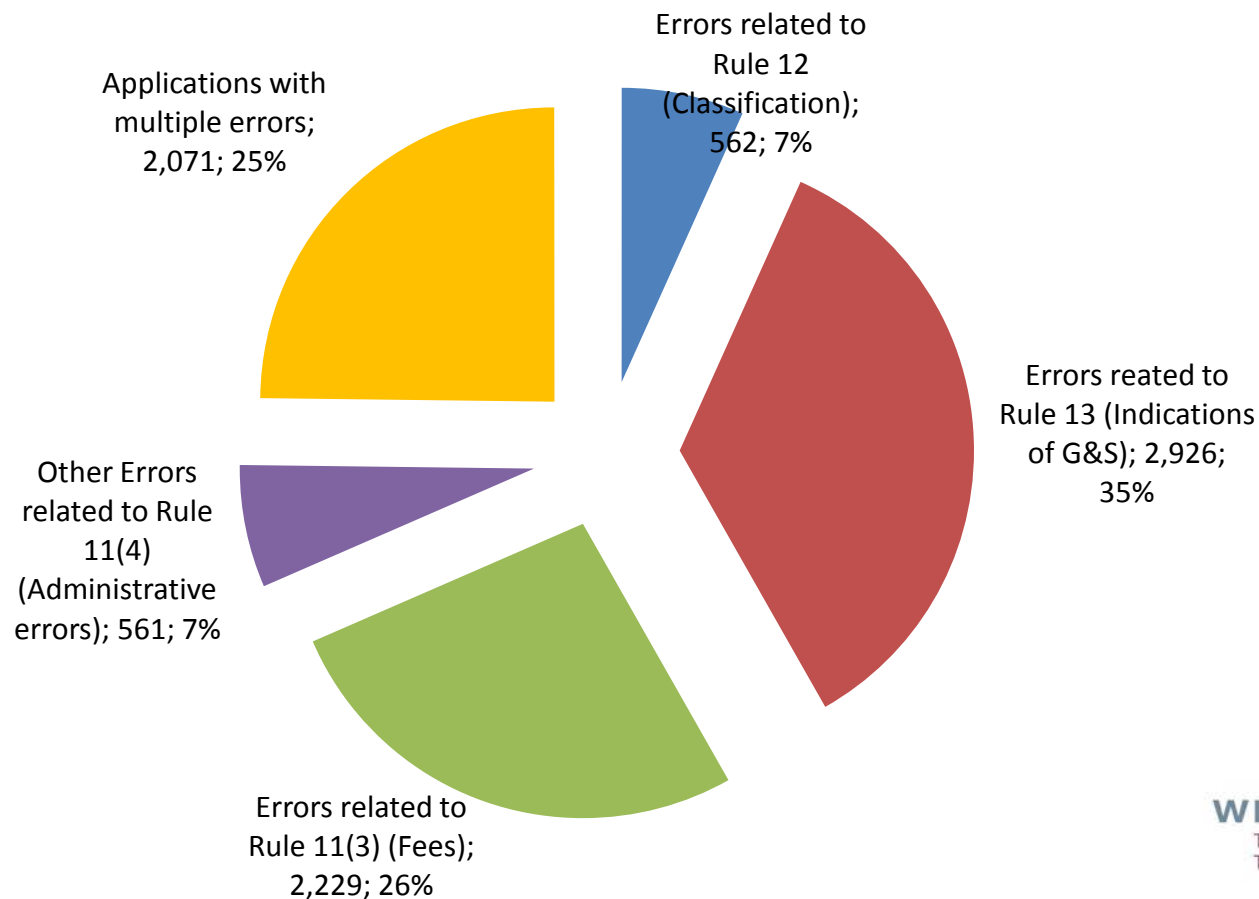
International Applications - Irregularities

**Total Number of International Applications: 31.429
(January - June 2014)**

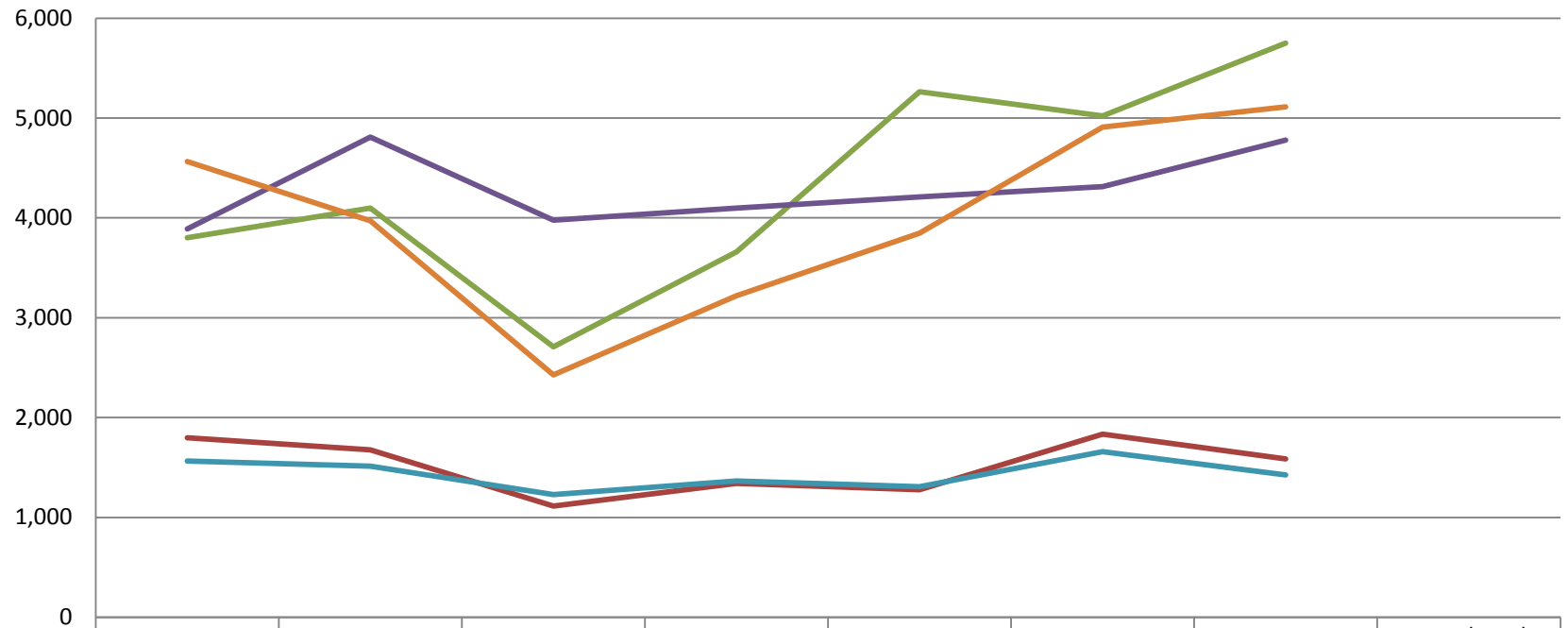


Breakdown of Irregularity letters in the Madrid system (January – June 2014)

International applications filed 23,679
Total Number of Errors 7,835
Total Number of Irregularity Letters 8,349



Breakdown of Irregularity letters in the Madrid system



	2007	2008	2009	2010	2011	2012	2013	2014 (June)
Total letters	15,618	16,071	11,456	13,683	15,907	17,738	18,651	8,349
Rule 12	1,799	1,678	1,114	1,342	1,279	1,835	1,585	562
Rule 13	3,801	4,099	2,710	3,659	5,263	5,021	5,750	2,926
Fees	3,888	4,808	3,976	4,098	4,211	4,312	4,778	2,229
Other	1,565	1,514	1,228	1,364	1,307	1,660	1,426	561
Multiple	4,565	3,972	2,428	3,220	3,847	4,910	5,112	2,071



International Applications - Irregularities





Average Irregularities

- The average irregularity rate under the Madrid System is 25.91%
- The lowest being 0%
- The highest being 92.59%



Irregularities – Rule 13

- The IB considers that a term is:
 - too **vague** for the purposes of classification;
 - incomprehensible; or
 - linguistically incorrect,

- The IB shall notify the Office of origin and the applicant, and may suggest a substitute term, or the deletion of the term.



Basis

- Nice classification
 - List of Classes
 - Explanatory Notes
 - Alphabetical List
 - Criteria to assist with the classification

- Databases
 - MGS
 - Acceptable terms



Irregularities - examples

■ Too vague ?

- “fleeces” (class 25)
- “wellingtons” (class 25)
- “outerwear, namely, shells, rain jackets, rain pants” (class 25)

■ Suggested by the IB

- “fleece **VESTS**” (class 25)
- “wellington **BOOTS**” (class 25)
- “outerwear, namely, shell **JACKETS**, rain jackets, rain pants” (class 25)



Irregularities

- *“Providing a website featuring information...”*

Is it clear enough?

- Not accepted by the Nice Committee of Experts

instead

- *“Providing business information via a web site” (cl. 35)*
- *“Providing financial information via a web site” (cl. 36)*



Irregularities

English	French	Spanish
business card cases	porte-cartes de visite	carteras para tarjetas de <u>visita</u> (tarjeteros) – España carteras para tarjetas de <u>presentación</u> (tarjeteros) – Colombia, Cuba y México



Thank you!

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