

Working Group on the Legal Development of the Madrid System for the International Registration of Marks

**Fourteenth Session
Geneva, June 13 to 17, 2016**

SUMMARY BY THE CHAIR

adopted by the Working Group

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”) met in Geneva from June 13 to 17, 2016.
2. The following Contracting Parties of the Madrid Union were represented at the session: African Intellectual Property Organization (OAPI), Albania, Algeria, Antigua and Barbuda, Australia, Austria, Belarus, Cambodia, China, Colombia, Cuba, Czech Republic, Denmark, Estonia, Finland, France, Germany, Ghana, Greece, Hungary, India, Israel, Italy, Japan, Kenya, Lao People's Democratic Republic, Latvia, Lithuania, Madagascar, Mexico, Montenegro, Morocco, Mozambique, New Zealand, Norway, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia, Singapore, Spain, Sweden, Switzerland, Tajikistan, The former Yugoslav Republic of Macedonia, Ukraine, European Union (EU), United Kingdom, United States of America, Viet Nam (54).
3. The following States were represented as observers: Brazil, Canada, El Salvador, Honduras, Indonesia, Jordan, Kuwait, Malaysia, Malta, Thailand (10).
4. Representatives of the following international intergovernmental organizations took part in the session in an observer capacity: Benelux Office for Intellectual Property (BOIP), World Trade Organization (WTO), Eurasian Economic Commission (EEC) (3).

5. Representatives of the following international non-governmental organizations took part in the session in an observer capacity: European Communities Trade Mark Association (ECTA), European Law Students' Association (ELSA International), *Association française des praticiens du droit des marques et des modèles* (APRAM), International Association for the Protection of Intellectual Property (AIPPI), Japan Patent Attorneys Association (JPAA), Japan Trademark Association (JTA), *Association romande de propriété intellectuelle* (AROPI), Centre for International Intellectual Property Studies (CEIPI), International Trademark Association (INTA), Japan Intellectual Property Association (JIPA), MARQUES – Association of European Trade Mark Owners (11).

6. The list of participants is contained in document MM/LD/WG/14/INF/1 Prov. 2*

AGENDA ITEM 1: OPENING OF THE SESSION

7. The Deputy Director General of the Brands and Designs Sector of the World Intellectual Property Organization (WIPO) opened the session and welcomed the participants.

AGENDA ITEM 2: ELECTION OF THE CHAIR AND TWO VICE-CHAIRS

8. Mr. Mikael Francke Ravn (Denmark) was unanimously elected as Chair of the Working Group, Ms. Li Dongxiao (China) and Ms. Mathilde Manitra Soa Raharinony (Madagascar) were unanimously elected as Vice-Chairs.

9. Ms. Debbie Roenning acted as Secretary to the Working Group.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

10. The Working Group adopted the draft agenda (document MM/LD/WG/14/1 Prov. 2), without modification.

11. The Working Group took note of the electronic adoption of the report of the thirteenth session of the Working Group.

AGENDA ITEM 4: PROPOSED AMENDMENTS TO THE COMMON REGULATIONS UNDER THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS AND THE PROTOCOL RELATING TO THAT AGREEMENT

12. Discussions were based on document MM/LD/WG/14/2 Rev.

13. The Working Group agreed:

(i) to recommend to the Madrid Union Assembly the adoption of the amendments to Rules 3, 18*ter*, 22, 25, 27 and 32 and the introduction of new Rule 23*bis* of the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement (hereinafter referred to as “the Common Regulations”), as amended by the Working Group and as set out in Annex I to the present document, with November 1, 2017, as the date for their entry into force;

(ii) with the proposed amended Section 16 of the Administrative Instructions for the Application of the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating Thereto (hereinafter referred to as “the Administrative Instructions”), with the same date of entry into force, as contained in Annex I to the present document; and

* The final list of participants will be made available as an Annex to the report of the session.

(iii) with the proposed amendment to Rule 21, paragraphs (1) to (4) and (6), as amended by the Working Group and as set out in Annex II to the present document, and requested the International Bureau to prepare a document on paragraphs (5) and (7) of the proposed amended rule, suggesting a date of entry into force to be discussed at the next session of the Working Group.

AGENDA ITEM 5: PROPOSAL FOR THE INTRODUCTION OF THE RECORDING OF DIVISION AND MERGER CONCERNING AN INTERNATIONAL REGISTRATION

14. Discussions were based on document MM/LD/WG/14/3 Rev.

15. The Working Group agreed:

(i) to recommend to the Madrid Union Assembly the adoption of the proposed amendments to Rules 22, 27, 32 and 40, as well as the introduction of new Rules *27bis* and *27ter* of the Common Regulations, as amended by the Working Group, and the introduction of item 7.7 in the Schedule of Fees, as set out in Annex III to the present document, with February 1, 2019, as the date for their entry into force; and

(ii) with the proposed amended Sections 16 and 17 of the Administrative Instructions, with the same date of entry into force, as contained in Annex III to the present document.

AGENDA ITEM 6: THE FUTURE DEVELOPMENT OF THE MADRID SYSTEM FOR THE INTERNATIONAL REGISTRATION OF MARKS

16. Discussions were based on document MM/LD/WG/14/4.

17. The Working Group agreed on a road map including a list of subjects to be discussed by the Working Group or its Roundtable in the short, medium and long term, as well as a list of matters on which the International Bureau should periodically report to the Roundtable, as contained in Annex IV to the present document.

AGENDA ITEM 7: ANALYSIS OF LIMITATIONS UNDER THE MADRID SYSTEM FOR THE INTERNATIONAL REGISTRATION OF MARKS

18. Discussions were based on document MM/LD/WG/14/5.

19. The Working Group requested the International Bureau to prepare a document, to be discussed at its next session, analyzing the role of the Office of origin in the examination of limitations in international applications and the possible implications therefrom. The document would also analyze the role of the Offices of designated Contracting Parties in respect of limitations in international registrations or subsequent designations affecting them, and the possible implications therefrom, including proposals in respect of both roles.

AGENDA ITEM 8: OTHER MATTERS

20. There were no other matters.

AGENDA ITEM 9: SUMMARY BY THE CHAIR

21. The Working Group approved the Summary by the Chair, as contained in the present document.

AGENDA ITEM 10: CLOSING OF THE SESSION

22. The Chair closed the session on June 17, 2016.

[Annexes follow]

**PROPOSED AMENDMENTS TO THE COMMON REGULATIONS UNDER THE MADRID
AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS AND THE
PROTOCOL RELATING TO THAT AGREEMENT**

MM/LD/WG/14/2 REV. ANNEX (AMENDED BY THE WORKING GROUP)

**Common Regulations under
the Madrid Agreement Concerning
the International Registration of Marks
and the Protocol Relating to that Agreement**

(as in force on [November 1, 2017](#))

[...]

**Chapter 1
General Provisions**

[...]

*Rule 3
Representation Before the International Bureau*

[...]

(4) *[Recording and Notification of Appointment of a Representative; Effective Date of Appointment]*

[...]

(b) The International Bureau shall notify the recording referred to in subparagraph (a) to both the applicant or holder and, in the ~~representative~~ [letter case, the Offices of the designated Contracting Parties, as well as the representative](#). Where the appointment was made in a separate communication presented through an Office, the International Bureau shall also notify the recording to that Office.

[...]

(6) *[Cancellation of Recording; Effective Date of Cancellation]*

[...]

(f) [Cancellations at the request of the holder or the holder's representative shall also be notified to the Offices of the designated Contracting Parties.](#)

Chapter 4
Facts in Contracting Parties
Affecting International Registrations

[...]

Rule 18ter

Final Disposition on Status of a Mark in a Designated Contracting Party

[...]

(4) *[Further Decision]* Where, a notification of provisional refusal has not been sent within the applicable time limit under Article 5(2) of the Agreement or of the Protocol, or, where following the sending of a statement ~~in accordance with either under~~ paragraph (1), (2) or (3), a further decision, taken by the Office or other authority, affects the protection of the mark, the Office shall, to the extent that it is aware of that decision, without prejudice to Rule 19, send to the International Bureau a further statement indicating the status of the mark and, where applicable, the goods and services for which the mark is protected in the Contracting Party concerned⁵.

[...]

Rule 22

*Ceasing of Effect of the Basic Application,
of the Registration Resulting Therefrom,
or of the Basic Registration*

(1) *[Notification Relating to Ceasing of Effect of the Basic Application, of the Registration Resulting Therefrom, or of the Basic Registration]*

[...]

(c) Once the judicial action or proceeding referred to in subparagraph (b) has resulted in the final decision referred to in Article 6(4) of the Agreement, in the final decision referred to in the second sentence of Article 6(3) of the Protocol or in the withdrawal or renunciation referred to in the third sentence of Article 6(3) of the Protocol, the Office of origin shall, where it is aware thereof, promptly notify the International Bureau accordingly and shall give the indications referred to in subparagraph (a)(i) to (iv). Where the judicial action or proceedings referred to in subparagraph (b) has been completed and has not resulted in any of the aforesaid final decisions, withdrawal or renunciation, the Office of origin shall, where it is aware thereof or at the request of the holder, promptly notify the International Bureau accordingly.

(2) *[Recording and Transmittal of the Notification; Cancellation of the International Registration]*

[...]

(b) Where any notification referred to in paragraph (1)(a) or (c) requests cancellation of the international registration and complies with the requirements of that paragraph, the International Bureau shall cancel, to the extent applicable, the international

⁵

Interpretative statement endorsed by the Assembly of the Madrid Union:

“The reference in Rule 18ter(4) to a further decision that affects the protection of the mark includes also the case where that further decision is taken by the Office, for example in the case of *restitutio in integrum*, notwithstanding the fact that the Office has already stated that the procedures before the Office have been completed.”

registration in the International Register. The International Bureau shall also cancel, to the extent applicable, international registrations resulting from partial change in ownership recorded under the international registration that has been cancelled, following the above-mentioned notification, and those resulting from their merger.

[...]

Chapter 5 Subsequent Designations; Changes

[...]

Rule 23bis Communications from the Offices of the Designated Contracting Parties sent through the International Bureau

(1) [Communications from the Offices of the designated Contracting Parties not covered by these Regulations] Where the law of a designated Contracting Party does not allow the Office to transmit a communication concerning an international registration directly to the holder, that Office may request the International Bureau to transmit that communication to the holder on its behalf.

(2) [Format of the Communication] The International Bureau shall establish the format in which the communication referred to in paragraph (1) shall be sent by the Office concerned.

(3) [Transmission to the holder] The International Bureau shall transmit the communication referred to in paragraph (1) to the holder, in the format established by the International Bureau, without examining its contents or recording it in the International Register.

Rule 25 Request for Recording of a Change; Request for Recording of a Cancellation

(1) *[Presentation of the Request]* (a) A request for recording shall be presented to the International Bureau on the relevant official form, in one copy, where the request relates to any of the following:

[...]

(v) cancellation of the international registration in respect of all the designated Contracting Parties for all or some of the goods and services;

(vi) a change in the name or address of the representative.

[...]

(2) *[Contents of the Request]* (a) The request for the recording of a change or the request for the recording of a cancellation shall, in addition to the requested change or cancellation, contain or indicate

[...]

(ii) the name of the holder or the name of the representative where, ~~unless~~ the change relates to the name or address of the representative,

[...]

Rule 27
Recording and Notification of a Change or of a Cancellation;
Merger of International Registrations; Declaration That a Change in Ownership or a Limitation
Has No Effect

[...]

(2) ~~[Deleted]~~[Recording of Partial Change in Ownership] (a) A change in ownership of the international registration in respect of only some of the goods and services or only some of the designated Contracting Parties shall be recorded in the International Register under the number of the international registration concerned by the partial change in ownership.

(b) The part of the international registration for which a change in ownership has been recorded shall be deleted from the international registration concerned and recorded as a separate international registration.

[...]

Chapter 7
Gazette and Data Base

Rule 32
Gazette

(1) *[Information Concerning International Registrations]* (a) The International Bureau shall publish in the Gazette relevant data concerning

[...]

(xii) international registrations which have not been renewed;

(xiii) recordings of the appointment of the holder's representative communicated under Rule 3(2)(b) and cancellations at the request of the holder or the holder's representative under Rule 3(6)(a).

[...]

(3) The International Bureau~~Gazette~~ shall effect the publications under paragraphs (1) and (2) be published on the website of the World Intellectual Property Organization.

**PROPOSED AMENDMENTS TO THE ADMINISTRATIVE INSTRUCTIONS FOR THE
APPLICATION OF THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL
REGISTRATION OF MARKS AND THE PROTOCOL RELATING THERETO**

**Administrative Instructions for the Application of the
Madrid Agreement Concerning the International
Registration of Marks and the Protocol
Relating Thereto**

(as in force on [November 1, 2017](#))

[...]

**Part Six
Numbering of International Registrations**

*Section 16: Numbering Following Partial Change
in Ownership*

(a) ~~Assignment or other transfer of the international registration in respect of only some of the goods and services or only some of the designated Contracting Parties shall be recorded in the International Register under the number of the international registration of which a part has been assigned or otherwise transferred.~~ The separate international registration resulting from the recording of partial change in ownership shall bear the number of the registration of which a part has changed in ownership, followed by a capital letter.

(b) ~~[Deleted] Any assigned or otherwise transferred part shall be cancelled under the number of the said international registration and recorded as a separate international registration. The separate international registration shall bear the number of the registration of which a part has been assigned or otherwise transferred, together with a capital letter.~~

[Annex II follows]

PROPOSED AMENDMENTS TO THE COMMON REGULATIONS UNDER THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS AND THE PROTOCOL RELATING TO THAT AGREEMENT

MM/LD/WG/14/2 REV. ANNEX (AMENDED BY THE WORKING GROUP)

**Common Regulations under
the Madrid Agreement Concerning
the International Registration of Marks
and the Protocol Relating to that Agreement**

(as in force on ...)

[...]

**Chapter 4
Facts in Contracting Parties
Affecting International Registrations**

[...]

Rule 21

*Replacement under Article 4bis of the Agreement or the Protocol ~~a National or Regional~~
~~Registration~~
~~by an International Registration~~*

~~(1) *[Notification]* Where, in accordance with Article 4bis(2) of the Agreement or Article 4bis(2) of the Protocol, the Office of a designated Contracting Party has taken note in its Register, following a request made direct by the holder with that Office, that a national or a regional registration has been replaced by an international registration, that Office shall notify the International Bureau accordingly. Such notification shall indicate~~

- ~~(i) the number of the international registration concerned,
(ii) where the replacement concerns only one or some of the goods and services listed in the international registration, those goods and services, and
(iii) the filing date and number, the registration date and number, and, if any, the priority date of the national or regional registration which has been replaced by the international registration.~~

~~The notification may also include information relating to any other rights acquired by virtue of that national or regional registration, in a form agreed between the International Bureau and the Office concerned.~~ *[Presentation of the Request]* The holder may, from the date of the notification of the designation, present a request for the Office of a designated Contracting Party to take note of the international registration in its Register. The request may be presented directly to that Office or through the International Bureau. Where presented through the International Bureau, the request shall be effected on the relevant official form.

~~(2) *[Recording]* (a) The International Bureau shall record the indications notified under paragraph (1) in the International Register and shall inform the holder accordingly.~~

~~(b) The indications notified under paragraph (1) shall be recorded as of the date of receipt by the International Bureau of a notification complying with the applicable requirements.~~ *[Contents of a Request Presented Through the International Bureau and Transmission]* (a) The request referred to in paragraph (1), where presented through the International Bureau, shall indicate:

- (i) the number of the international registration concerned,

- (ii) the name of the holder,
 - (iii) the Contracting Party concerned,
 - (iv) where replacement concerns only one or some of the goods and services in the international registration, those goods and services,
 - (v) the filing date and number, the registration date and number, and, if any, the priority date of the national or regional registration or registrations which are deemed to be replaced by the international registration; and,
 - (vi) where paragraph (7) applies, the amount of the fees being paid, the method of payment, or instructions to debit the required amount of fees to an account opened with the International Bureau and the identification of the party effecting the payment or giving the instructions.
- (b) The International Bureau shall transmit the request referred to in subparagraph (a) to the Office of the designated Contracting Party concerned and inform the holder accordingly.

(3) [Examination and Notification by the Office of a Contracting Party] (a) The Office of a designated Contracting Party may examine the request referred to in paragraph (1) for compliance with the conditions under Article 4bis(1) of the Agreement or of the Protocol.

(b) An Office that has taken note in its Register of an international registration shall so notify the International Bureau. Such notification shall contain the indications specified in paragraph (2)(a)(i) to (v). The notification may also contain information relating to any other rights acquired by virtue of the national or regional registration or registrations concerned.

(c) An Office that has not taken note may so notify the International Bureau, which shall inform the holder accordingly.

(4) [Recording and Notification] The International Bureau shall record in the International Register any notification received under paragraph (3)(b) and shall inform the holder accordingly.

[(5) [Scope of Replacement] The names of the goods and services listed in the national or regional registration or registrations shall be equivalent, but not necessarily identical, to those listed in the international registration that has replaced them.]

(6) [Effects of Replacement on the National or Regional Registration] A national or regional registration or registrations shall not be cancelled or otherwise affected by the fact that they are deemed to be replaced by an international registration or that the Office has taken note in its Register of the latter.

[(7) [Fees] Where a Contracting Party requires a fee for the presentation of a request under paragraph (1), the request is presented through the International Bureau, and the Contracting Party wishes the International Bureau to collect that fee, it shall so notify the International Bureau, indicating the amount of the fee in Swiss currency or in the currency used by the Office. Rule 35(2)(b) shall apply *mutatis mutandis*.]

[Annex III follows]

**PROPOSED AMENDMENTS TO THE COMMON REGULATIONS UNDER THE MADRID
AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS AND THE
PROTOCOL RELATING TO THAT AGREEMENT**

MM/LD/WG/14/3 REV. ANNEX (AMENDED BY THE WORKING GROUP)

**Common Regulations under
the Madrid Agreement Concerning
the International Registration of Marks
and the Protocol Relating to that Agreement**

(as in force on [February 1, 2019](#))

[...]

**Chapter 4
Facts in Contracting Parties
Affecting International Registrations**

[...]

Rule 22

*Ceasing of Effect of the Basic Application,
of the Registration Resulting Therefrom,
or of the Basic Registration*

[...]

(2) *[Recording and Transmittal of the Notification; Cancellation of the International
Registration]*

[...]

(b) Where any notification referred to in paragraph (1)(a) or (c) requests cancellation of the international registration and complies with the requirements of that paragraph, the International Bureau shall cancel, to the extent applicable, the international registration in the International Register. The International Bureau shall also cancel, to the extent applicable, international registrations resulting from partial change in ownership or division recorded under the international registration that has been cancelled, following the above-mentioned notification, and those resulting from their merger.

Chapter 5 Subsequent Designations; Changes

[...]

Rule 27

*Recording and Notification of a Change or of a Cancellation;
~~Merger of International Registrations; Declaration That a Change in
Ownership or a Limitation Has No Effect~~*

[...]

(3) ~~[Deleted] [Recording of Merger of International Registrations] Where the same natural person or legal entity has been recorded as the holder of two or more international registrations resulting from a partial change in ownership, the registrations shall be merged at the request of the said person or entity, made either direct or through the Office of the Contracting Party of the holder. The International Bureau shall notify accordingly the Offices of the designated Contracting Parties affected by the change and shall inform at the same time the holder and, if the request was presented by an Office, that Office.~~

[...]

Rule 27bis

Division of an International Registration

(1) [Request for the Division of an International Registration] (a) A request by the holder for the division of an international registration for some only of the goods and services in respect of a designated Contracting Party shall be presented to the International Bureau on the relevant official form by the Office of that designated Contracting Party, once the latter is satisfied that the division whose recording is requested meets the requirements of its applicable law, including the requirements concerning fees.

(b) The request shall indicate

(i) the Contracting Party of the Office presenting the request,

(ii) the name of the Office presenting the request,

(iii) the number of the international registration,

(iv) the name of the holder,

(v) the names of the goods and services to be set apart, grouped in the appropriate classes of the International Classification of Goods and Services,

(vi) the amount of the fee being paid and the method of payment, or instructions to debit the required amount to an account opened with the International Bureau, and the identification of the party effecting the payment or giving the instructions.

(c) The request shall be signed by the Office presenting the request and, where the Office so requires, also by the holder.

(d) Any request presented under this paragraph may include or be accompanied by a statement sent in accordance with either Rule 18bis or 18ter for the goods and services listed in the request.

(2) [Fee] The division of an international registration shall be subject to the payment of the fee specified in item 7.7 of the Schedule of Fees.

(3) [Irregular Request] (a) If the request does not comply with the applicable requirements, the International Bureau shall invite the Office that presented the request to remedy the irregularity and at the same time inform the holder.

(b) If the irregularity is not remedied by the Office within three months from the date of the invitation under subparagraph (a), the request shall be considered abandoned and the International Bureau shall notify accordingly the Office that presented the request, it shall inform at the same time the holder and refund any fee paid under paragraph (2), after the deduction of an amount corresponding to one-half of that fee.

(4) [Recording and Notification] (a) Where the request complies with the applicable requirements, the International Bureau shall record the division, create a divisional international registration in the International Register, notify accordingly the Office that presented the request and shall inform at the same time the holder.

(b) The division of an international registration shall be recorded with the date of receipt by the International Bureau of the request or, where applicable, the date where the irregularity referred to in paragraph (3) was remedied.

(5) [Request Not Considered as Such] A request for the division of an international registration in respect of a designated Contracting Party that is not or is no longer designated for the classes of the International Classification of Goods and Services mentioned in the request will not be considered as such.

(6) [Declaration That a Contracting Party Will Not Present Requests for Division] A Contracting Party, the law of which does not provide for division of applications for the registration of a mark or registrations of a mark, may notify the Director General, before the date this Rule comes into force or the date on which the said Contracting Party becomes bound by the Agreement or the Protocol, that it will not present to the International Bureau the request referred to in paragraph (1). This declaration may be withdrawn at any time.

Rule 27ter Merger of International Registrations

(1) [Merger of International Registrations Resulting from the Recording of a Partial Change in Ownership] Where the same natural person or legal entity has been recorded as the holder of two or more international registrations resulting from a partial change in ownership, the registrations shall be merged at the request of the said person or entity, made either direct or through the Office of the Contracting Party of the holder. The request shall be presented to the International Bureau on the relevant official form. The International Bureau shall record the merger, notify accordingly the Offices of the designated Contracting Party or Parties affected by the change and shall inform at the same time the holder and, if the request was presented by an Office, that Office.

(2) [Merger of International Registrations Resulting from the Recording of the Division of an International Registration] (a) An international registration resulting from division shall be merged into the international registration it was divided from at the request of the holder, presented through the Office that presented the request referred to in paragraph (1) of Rule 27bis, provided that the same natural person or legal entity is the recorded holder in both aforementioned international registrations and the Office concerned is satisfied that the request meets the requirements of its applicable law, including the requirements concerning fees. The request shall be presented to the International Bureau on the relevant official form. The International Bureau shall record the merger, notify accordingly the Office that presented the request and shall inform at the same time the holder.

(b) The Office of a Contracting Party, the law of which does not provide for the merger of registrations of a mark, may notify the Director General, before the date this Rule comes into force or the date on which the said Contracting Party becomes bound by the Agreement or the Protocol, that it will not present to the International Bureau the request referred to in subparagraph (a). This declaration may be withdrawn at any time.

Chapter 7 Gazette and Data Base

Rule 32 Gazette

(1) *[Information Concerning International Registrations]* (a) The International Bureau shall publish in the Gazette relevant data concerning

[...]

(viii**bis**) division recorded under Rule 27**bis**(4) and merger recorded under Rule 27**ter**,

[...]

(xi) information recorded under Rules 20, 20**bis**, 21, 21**bis**, 22(2)(a), 23, 27(~~3~~) and (4) and 40(3);

[...]

[...]

(2) *[Information Concerning Particular Requirements and Certain Declarations of Contracting Parties]* The International Bureau shall publish in the Gazette

(i) any notification made under Rules 7, ~~or Rule 20**bis**(6), 27**bis**(6), 27**ter**(2)(b) or 40(6)~~ and any declaration made under Rule 17(5)(d) or (e);

[...]

Chapter 9 Miscellaneous

[...]

Rule 40

Entry into Force; Transitional Provisions

[...]

(6) *[Incompatibility with National Laws]* If, on the date this Rule comes into force or the date on which a Contracting Party becomes bound by the Agreement or the Protocol, paragraph (1) of Rule 27**bis** or paragraph (2)(a) of Rule 27**ter** are not compatible with the national law of that Contracting Party, the paragraph or paragraphs concerned, as the case may be, shall not apply in respect of this Contracting Party, for as long as it or they continue not to be compatible with that law, provided that the said Contracting Party notifies the International Bureau accordingly before the date this Rule comes into force or the date on which the said Contracting Party becomes bound by the Agreement or the Protocol. This notification may be withdrawn at any time.

[...]

PROPOSED AMENDMENTS TO THE SCHEDULE OF FEES

SCHEDULE OF FEES

(in force on [February 1, 2019](#))

Swiss francs

[...]

7. *Miscellaneous recordings*

[...]

[7.7 Division of an international registration](#)

[177](#)

[...]

**PROPOSED AMENDMENTS TO THE ADMINISTRATIVE INSTRUCTIONS FOR THE
APPLICATION OF THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL
REGISTRATION OF MARKS AND THE PROTOCOL RELATING THERETO**

**Administrative Instructions for the Application of the
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(as in force on [February 1, 2019](#))

[...]

**Part Six
Numbering of International Registrations**

*Section 16: Numbering Following [Division or](#) Partial Change
in Ownership*

(a) The separate international registration resulting from the recording of partial change in ownership [or division](#) shall bear the number of the international registration of which a part has changed in ownership [or been divided](#), followed by a capital letter.

[...]

*Section 17: Numbering Following Merger
of International Registrations*

The international registration resulting from the merger of international registrations in accordance with Rule 27 ~~ter(3)~~ shall bear the number of the international registration of which a part had [changed in ownership or](#) been [divided](#) ~~assigned or otherwise transferred together,~~ [followed](#), where applicable, ~~with~~[by](#) a capital letter.

[Annex IV follows]

PROPOSED ROAD MAP

SHORT TERM

WORKING GROUP	ROUNDTABLE
Replacement	Classification principles
Transformation	Correction
New types of marks	Correspondence of marks for certification purposes
Limitations	Marks in different scripts Fulfillment of requirements Examination practices of the IB (publication of)

MEDIUM TERM

WORKING GROUP	ROUNDTABLE
Harmonized time limit to reply to a provisional refusal	Examination practices of the IB (publication of)
Correction	Reducing inconsistencies of classification practices
Fee revision and payment options	Updated International Registration Certificates
Possible reduction of the dependency period	

LONG TERM

Entitlement to file
Issues listed in IV of document MM/LD/WG/14/4 "Options Concerning Offices"
Review procedure
Scope of the list of goods and services (possible de-linking)

REPORTING TO ROUNDTABLE

Geographical coverage of the Madrid System

Performance Framework

Time to process regular transactions (maximum processing time)

E-Madrid

[End of Annex IV and of document]