



WIPO | MADRID

The International
Trademark System



The Madrid System for Newcomers

Webinar on the Madrid System

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**Geneva
June 10
2019**

Structure of the Webinar

- Presentation : The Madrid System for Newcomers
- Interactive questions during the webinar
- Questions & Answers session at the end
- Presentation slides available for download. Recording will be uploaded on the [Madrid Webinar page](#).
- Short survey to provide feedback

It begins with a trademark and a plan to export...



Nestlé



ingelec



ORKA GROUP
"FASHION IS OUR BUSINESS"



sopharma
PHARMACEUTICALS



HUAWEI

SHISEIDO



ETi



TREASURY
WINE ESTATES



Microsoft

MICROMAX

Protection Options

...Then a choice must be made regarding the best way to protect your trademark/s abroad:

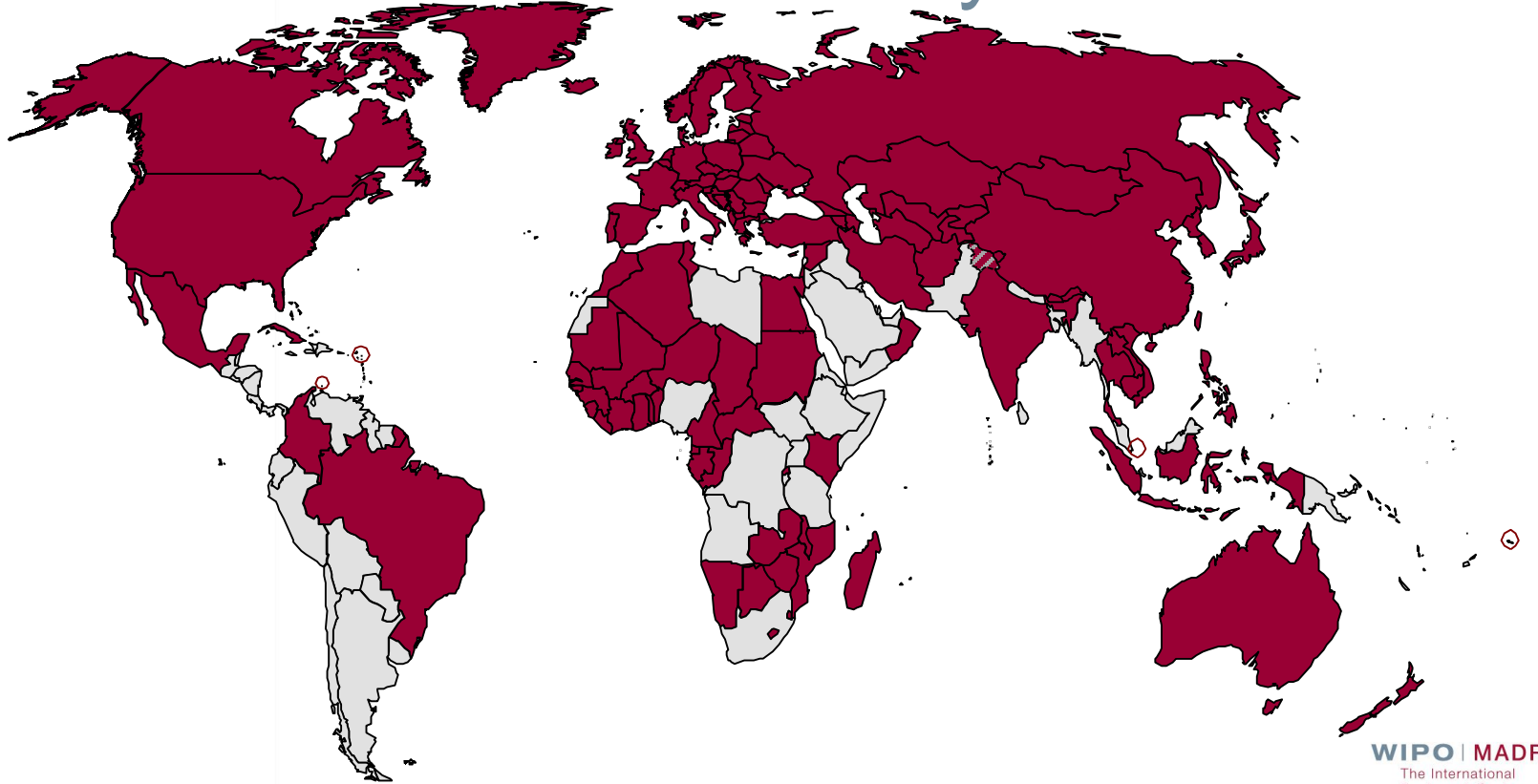
- The national route - file trademark application/s with the IP Office of each country in which you want protection
- The regional route - apply through a regional trademark registration system with effect in all member states (ARIPO, Benelux Office for IP, EUIPO and OAPI)
- The international route - file through the Madrid System

The International Route

The international route through the Madrid System may be the preferred option when you:

- Seek protection in multiple markets, particularly if these are in different regions
- Want flexibility to add new markets as your export plans develop
- Have limited budget and/or time to spend on registration and management of your trademarks

Members of the Madrid System



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

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Question

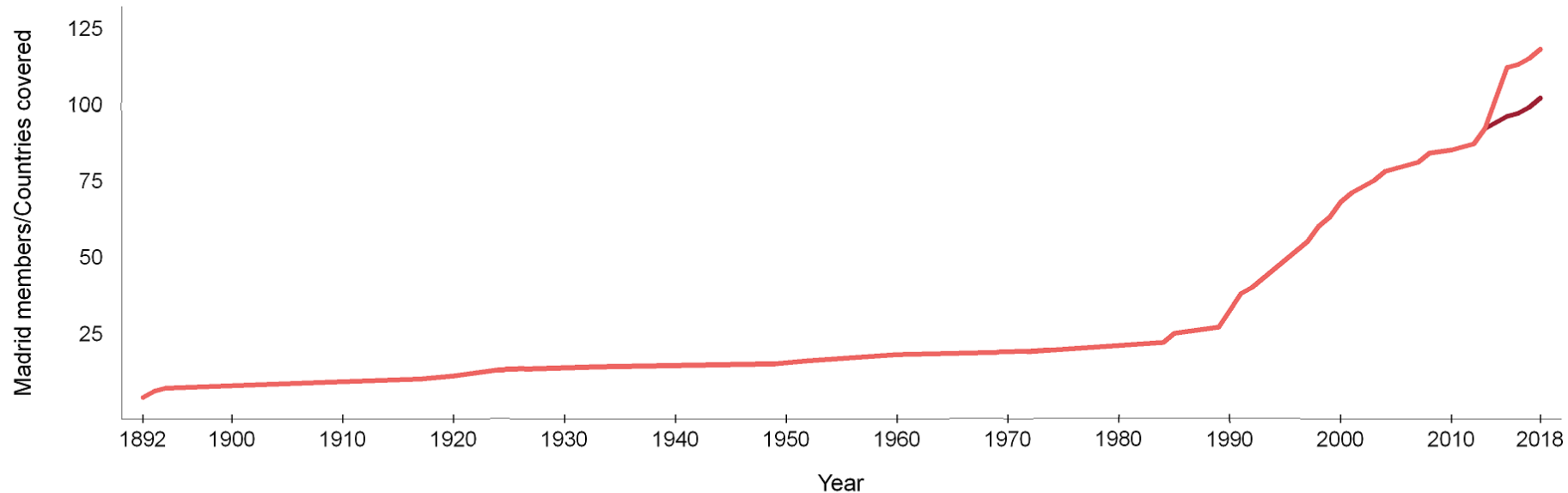
How many countries are covered of the Madrid System?

- 95
- 101
- 121
- 140

The Madrid System is Global

- Currently: 121 countries covered by the 105 members
- Markets cover more than 70% of the world population
- Recent accessions include:
 - 2017: Thailand, Indonesia
 - 2018: Afghanistan, Malawi, Samoa
 - 2019: Canada, Brazil

Madrid Members Growth Trend



■ TOTAL MADRID MEMBERS ■ TOTAL COUNTRIES COVERED

Accession Outlook – 2019/20

- **Africa:** South Africa
- **Arab region:** Jordan, United Arab Emirates, Qatar
- **Asia:** Malaysia, Bangladesh, Pakistan, Papua New Guinea, Sri Lanka
- **Europe:** Malta
- **Latin America and the Caribbean:** Chile, Trinidad and Tobago

The Madrid System is Convenient

- Access a 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

The Madrid System is Cost-Effective

- File an international application, which is the equivalent of a bundle of national applications, effectively saving time and money
- Avoid paying for translations into multiple languages or working through the administrative procedures of multiple IP Offices

Legal Framework

- Madrid Agreement (1891) – *no longer in “operations”*
- 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/memberprofiles/#/>

Madrid System Users: Business Sectors

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



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(IMAGE: GETTYIMAGES/BUBAONE)

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**



**Small & Medium
Businesses**



**Large
Businesses**

Top Five Classes (2018)

Number of classes specified in international applications and share of total

15,033

Computers and electronics



10.1%

11,892

Services for business



8.0%

9,887

Technological services



6.7%

7,065

Leisure, education and training services



4.8%

6,315

Clothing



4.3%

Top 10 Applicants (2018)

Number of Madrid applications

174



Novartis AG

169



L'Oréal

129



Daimler AG

87



Apple Inc.

86



Henkel AG

84



Richter
Gedeon Nyrt.

79



Shiseido
Company

75



Nintendo Co.

73



Samsung
Electronics

68



Brillux GmbH

Question

In what year was the oldest international registration still in force registered?

- 1893
- 1989
- 2000
- 1920

Close to 1.5 Million International Registrations



- This LONGINES mark is the oldest trademark still in effect
- Registered in Switzerland in 1889, internationally in **1893**



- BODYJAMA is international trademark registration 1.4 million
- Registered in France in 2017, internationally in **2018**

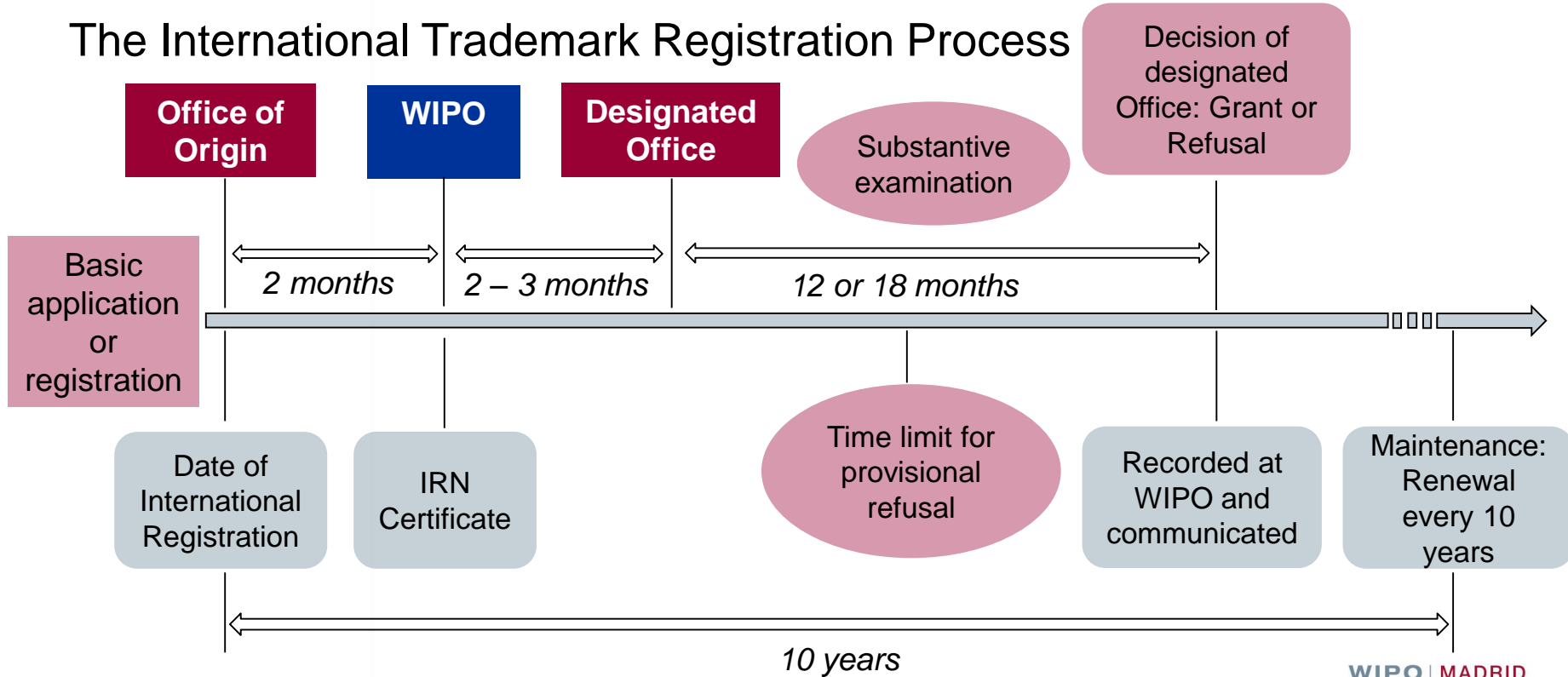
How the Madrid System Works

The International Trademark Registration Process



Timeline

The International Trademark Registration Process



Costs

Fees are payable to WIPO in Swiss francs

■ Basic fee*

- 653 Swiss francs – b/w reproduction of mark
- 903 Swiss francs – color reproduction of mark

■ Fees for designated Contracting Parties (dCP)

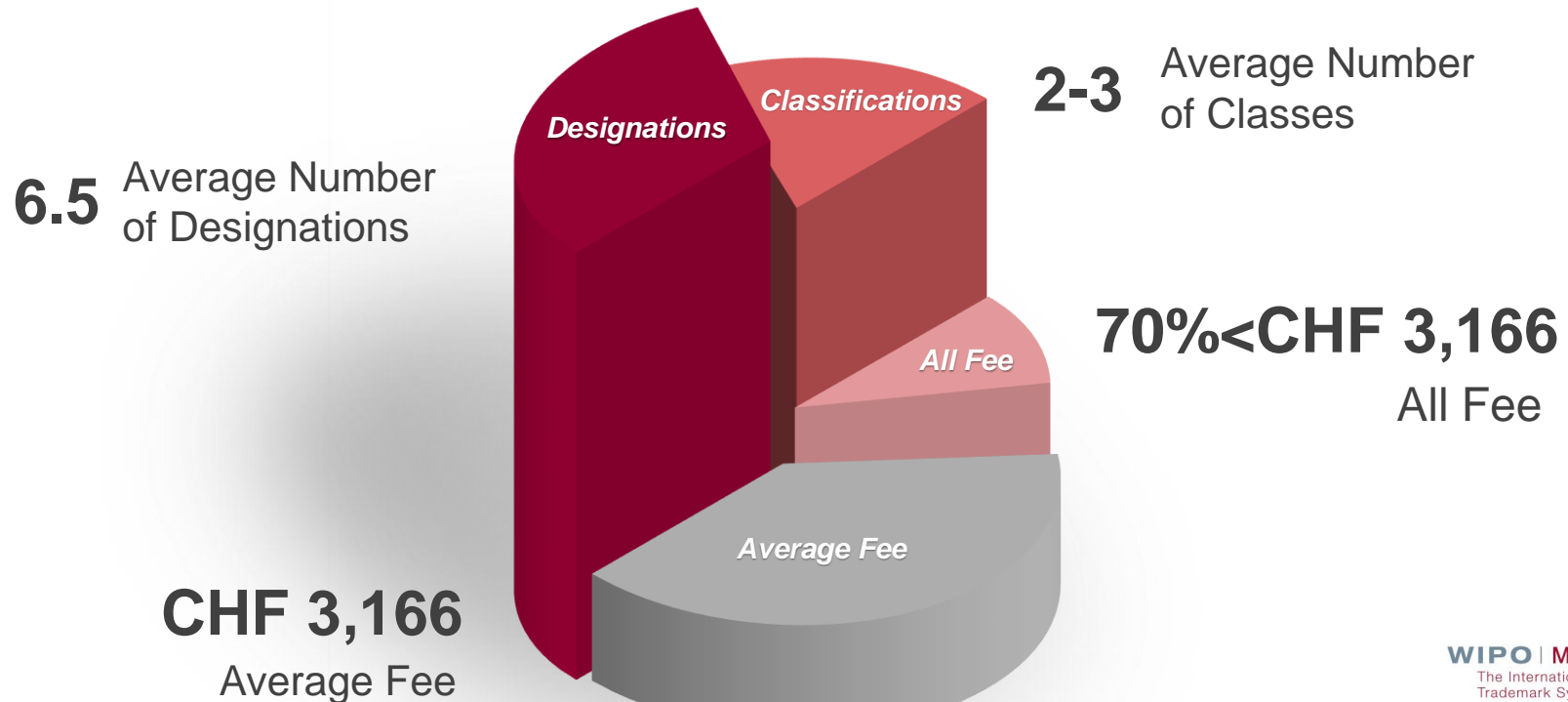
- Standard fees – complementary (100 Swiss francs per dCP) and supplementary (100 Swiss francs per class beyond 3)

OR

- Individual fees where this is declared

* Applicants from [Least Developed Countries](#) benefit from a 90% reduction in the basic fee

General Profile 2017



Payment Methods

Option 1 **Current Account at WIPO**

Option 2 **Bank/Postal Transfer**

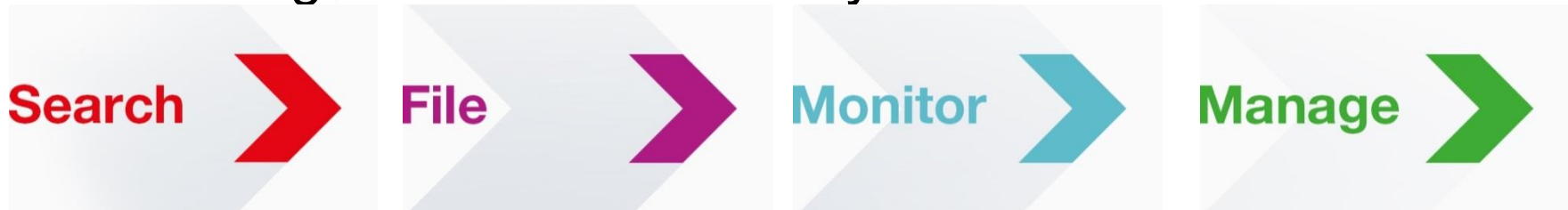
Option 3 **Credit Card Payment**

Current Account at WIPO

- Guide to the Current Account at WIPO (updated terms and conditions)
- No minimum number of transactions
- Initial payment of at least CHF 2,000
- Minimum balance – notification sent to users if balance is less than CHF 200
- Only required a WIPO Account (email address)
- Account statement sent by email only

Website and Online Services

- The Madrid Website provides information on how to search before filing, file an application, monitor and manage registrations, and how to pay fees.
- Madrid Online Services are available to assist users at each stage of their mark's lifecycle.



Search 

Global Brand Database

- search existing marks from national & international sources
- trademarks, appellations of origin and official emblems

File 

Madrid Goods & Services Manager

- compile a list of approved goods & services terms in 20 languages

Member Profiles Database

Fee Calculator

Monitor 

Madrid Monitor

- track real-time status of registration
- watch competitors' marks
- e-alerts
- consult the WIPO Gazette

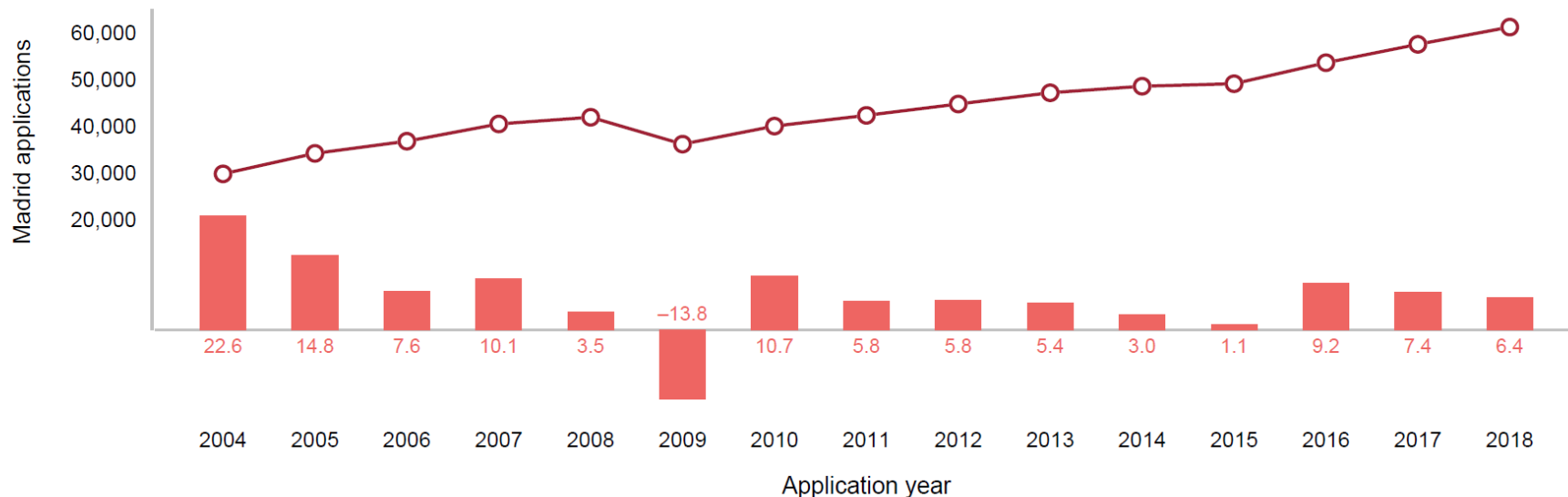
Manage 

Madrid Portfolio Manager

- access documents and certificates
- request changes
- modify, designate & renew
- pay fees

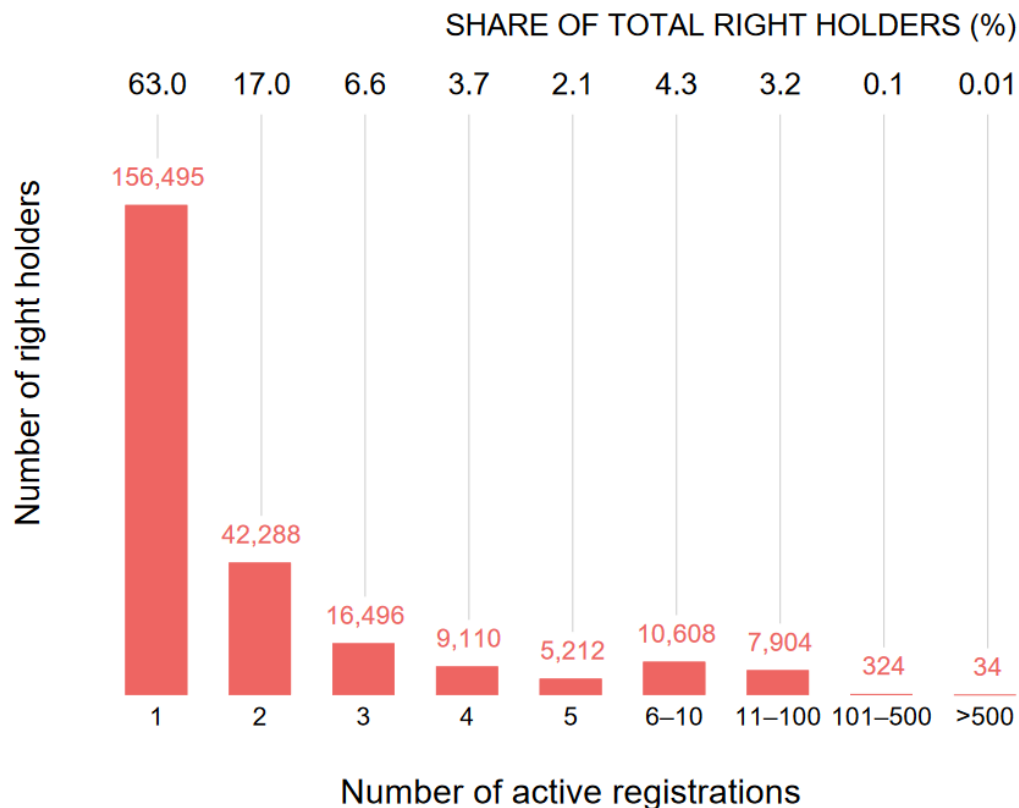
International Applications

Figure A.1.1 Trend in international applications (2004-2018)



■ MADRID APPLICATIONS ■ GROWTH RATE (%)

Right Holders (As of 2018)



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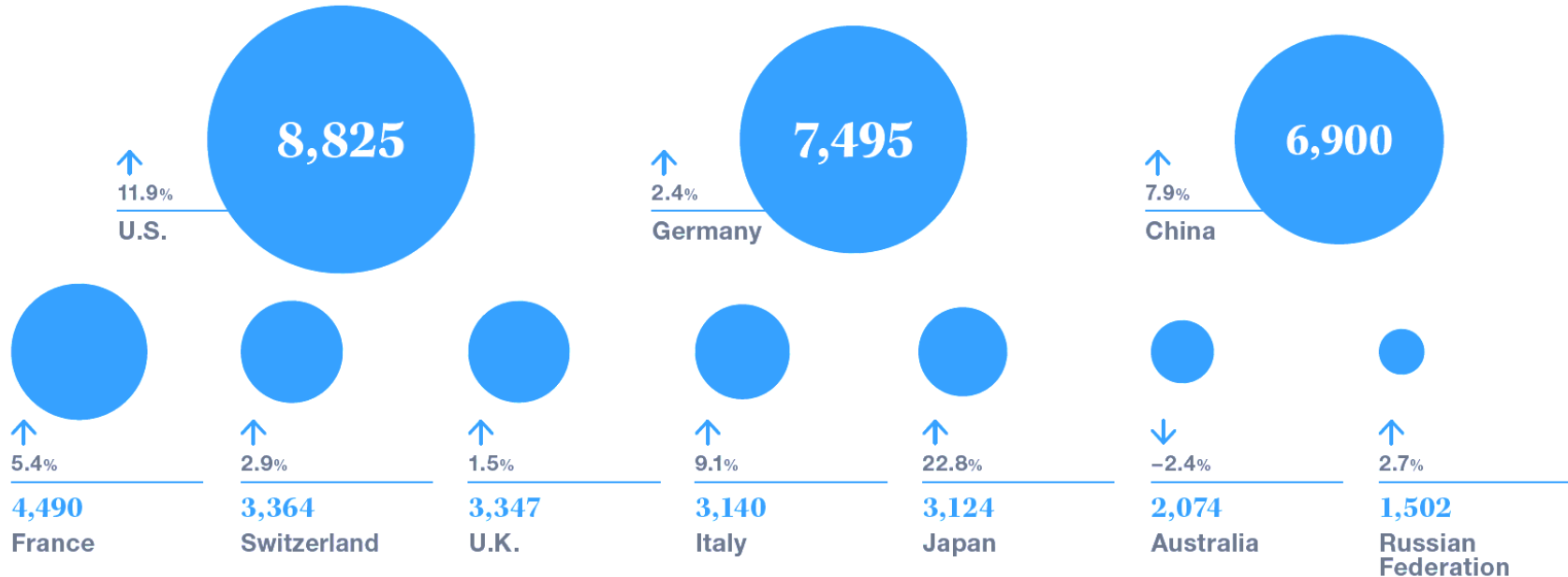
Question

Which country of origin is the number 1 filer of international applications?

- China
- United States of America
- Russian Federation
- India

Top 10 Filing Origins (2018)

Number of Madrid applications and percent growth since 2017

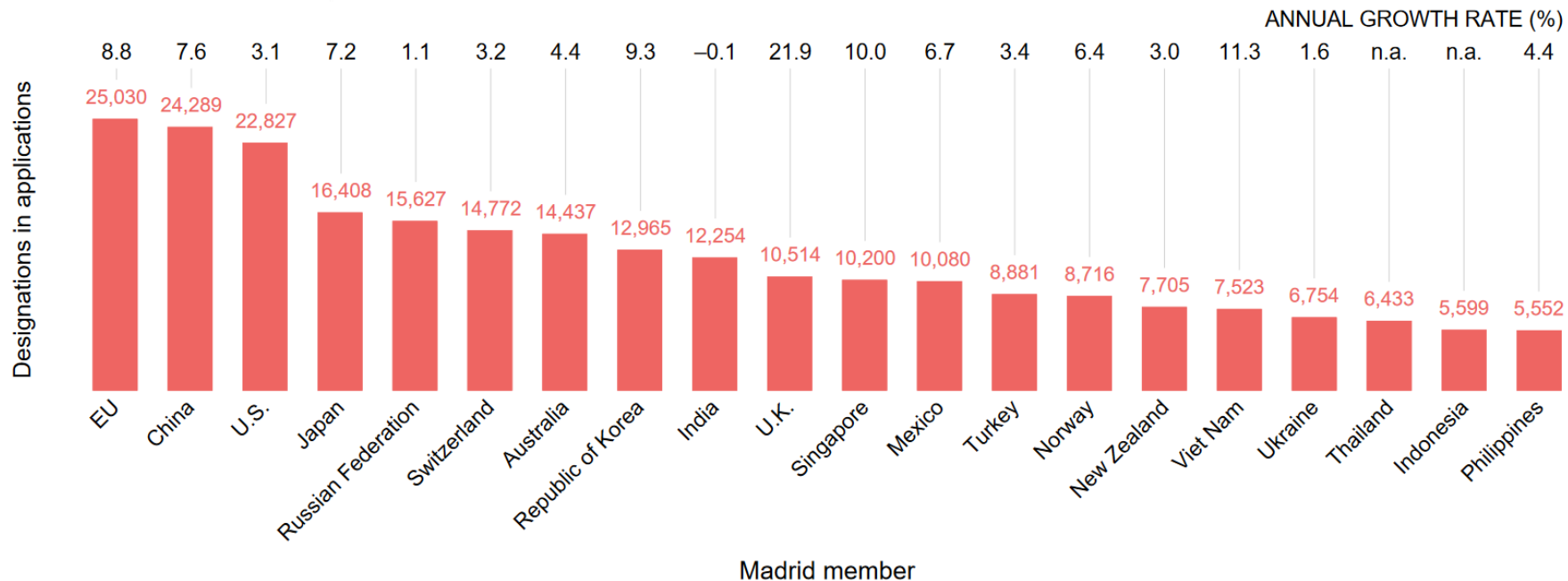


Question

Which Contracting Party of the Madrid System was designated the most in 2018?

- European Union
- Japan
- Switzerland
- United States of America

Top 20 Designated Contracting Parties and Growth Rate (2018)



Recent Developments

- Madrid Portfolio Manager
 - Certificates
 - New e-Renewal
 - New look & features
- Madrid Webinars
- Madrid “How-to” Videos
- Madrid E-filing is available in 7 IP Offices

Legal Developments

Rules Changes in the Common Regulations – *February 1, 2019*

■ Introducing division of IRs before the dCPs and the possible later merger of divided IRs (new Rules 27bis and 27ter)

Madrid System Working Group – topics to be discussed

■ Replacement, new types of marks, languages and changes to the Common Regulations



Q&A Session about the Madrid System

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Contact Madrid

■ <http://www.wipo.int/madrid/en/#contact>

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Contacts

Madrid Customer Service opening hours: Monday - Friday, 9:00 a.m. to 6:00 p.m. (Geneva time).

| | |
|--|---|
| <h3>Enquiries / submitting forms</h3> <ul style="list-style-type: none">• Contact Madrid• Tel: +41 22 338 86 86 | <h3>Extracts from the International Register</h3> <ul style="list-style-type: none">• Contact Madrid• Tel: +41 22 338 8484 |
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