



International Protection of Trademarks

Vilnius April 12, 2011

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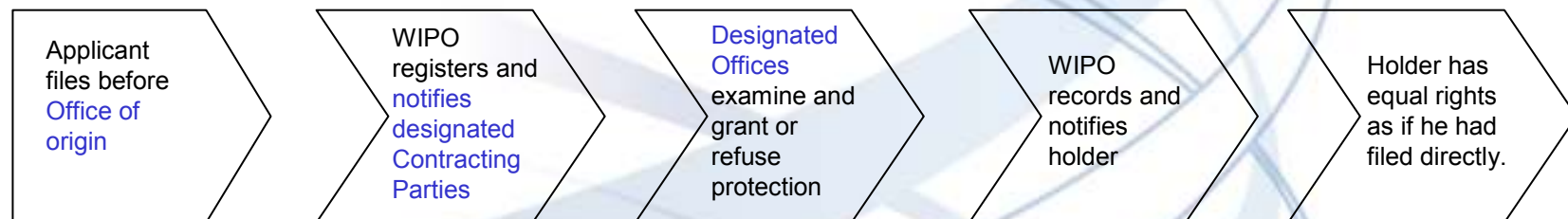
Trademarks



Different routes for protection;

- The national
- The regional
- The international route: the Madrid System

The procedure



The Madrid system

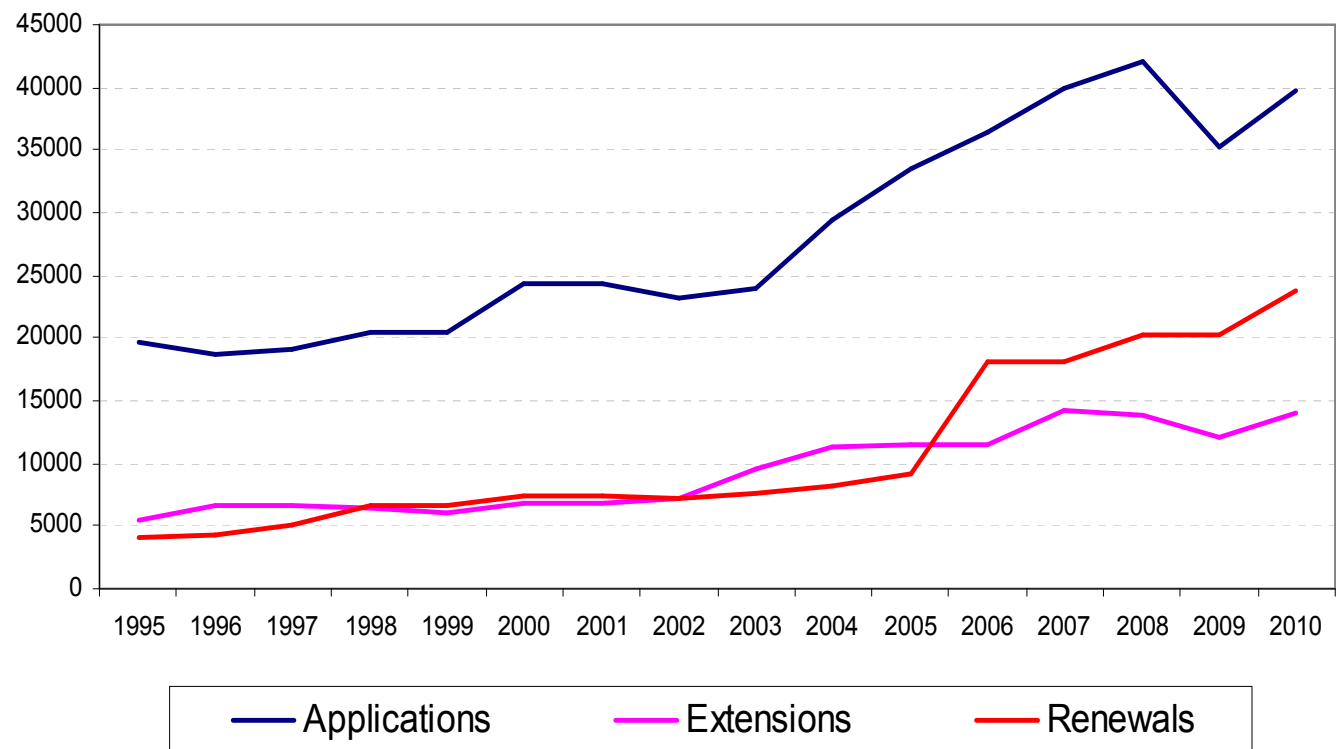


- Anniversaries !
 - 120 years since the system was established, 14th April
 - 15 years since the Protocol was operational, 1st April

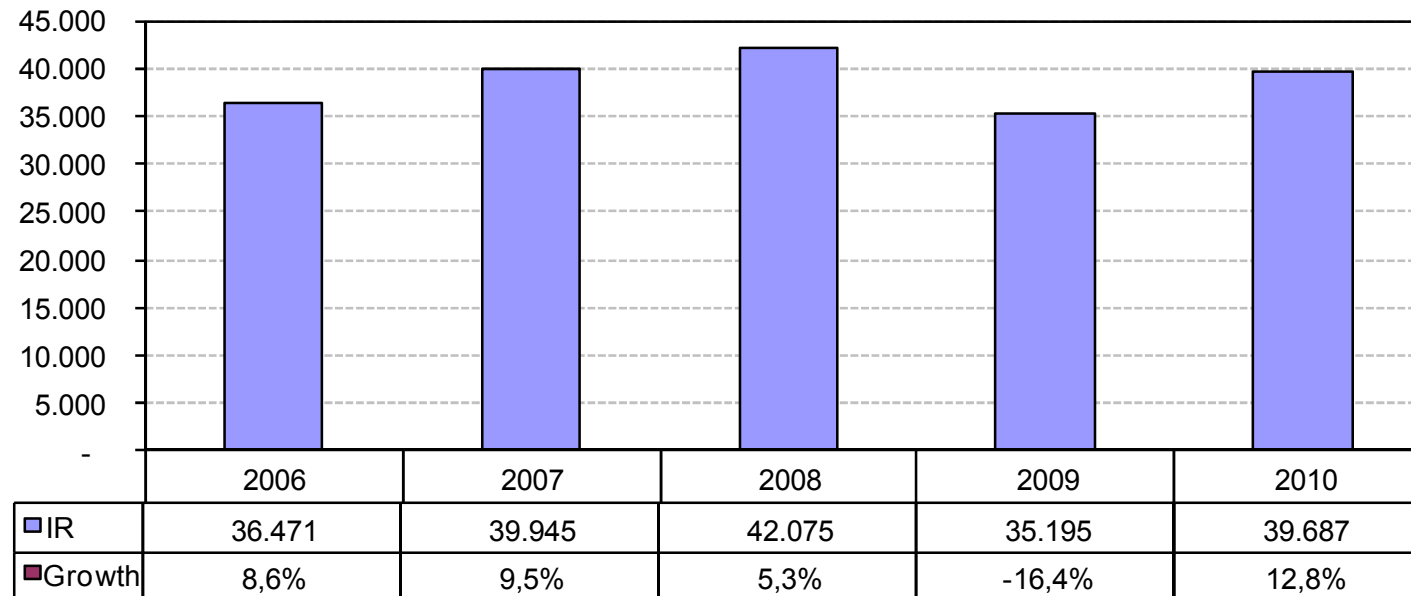
- Over 975,000 trademark applications were filed worldwide by non-residents in 2008
- Some 378,000 through the designation under the Madrid system (38.8%)
- Coverage - 80% of all international trade

The activity the past 15 years

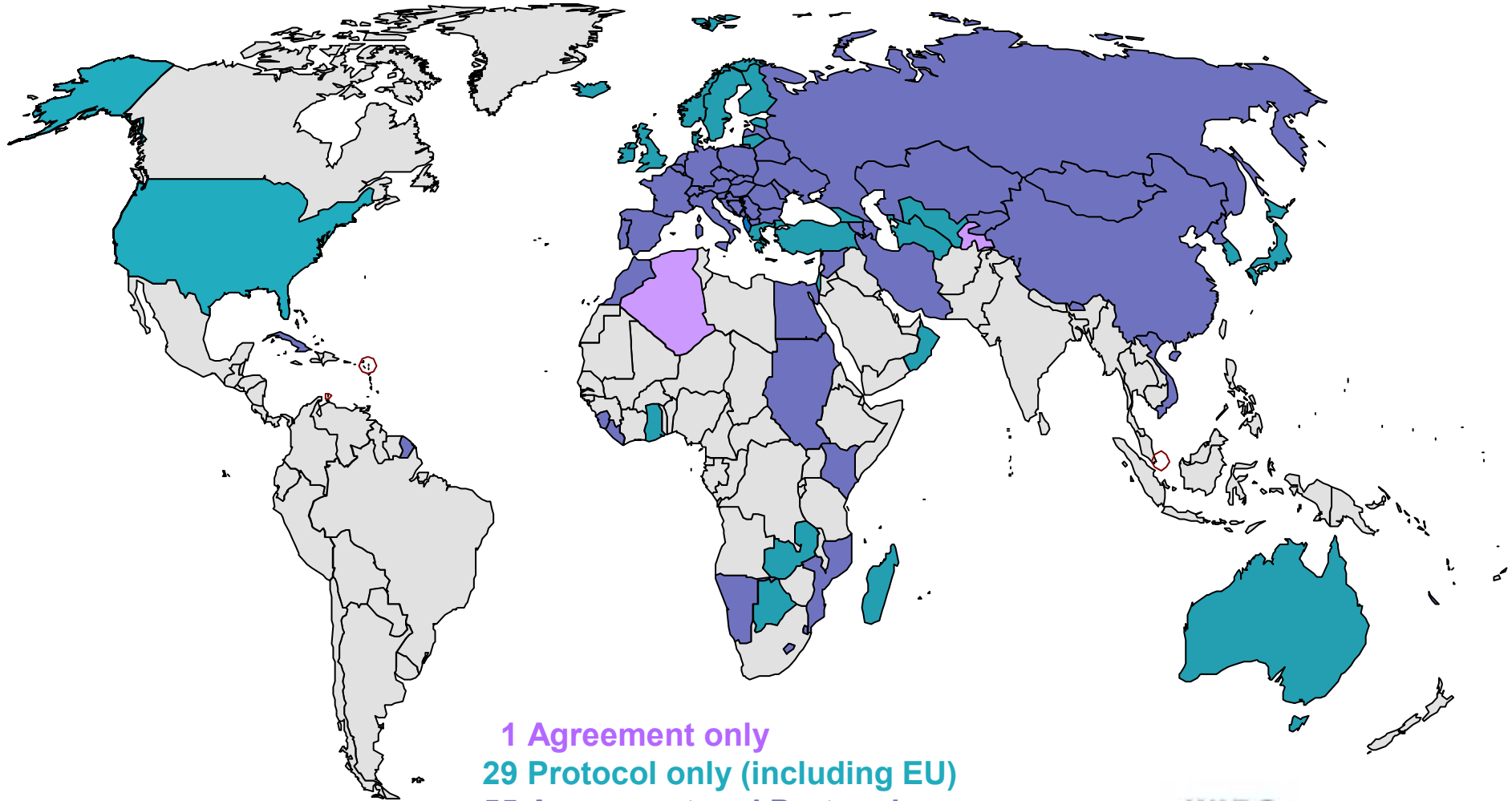
Madrid System Activity 2010



International applications filed



Madrid Union



1 Agreement only
29 Protocol only (including EU)
55 Agreement and Protocol

85 Members

International Registrations in Force December 31, 2010

526,674 registrations in force,

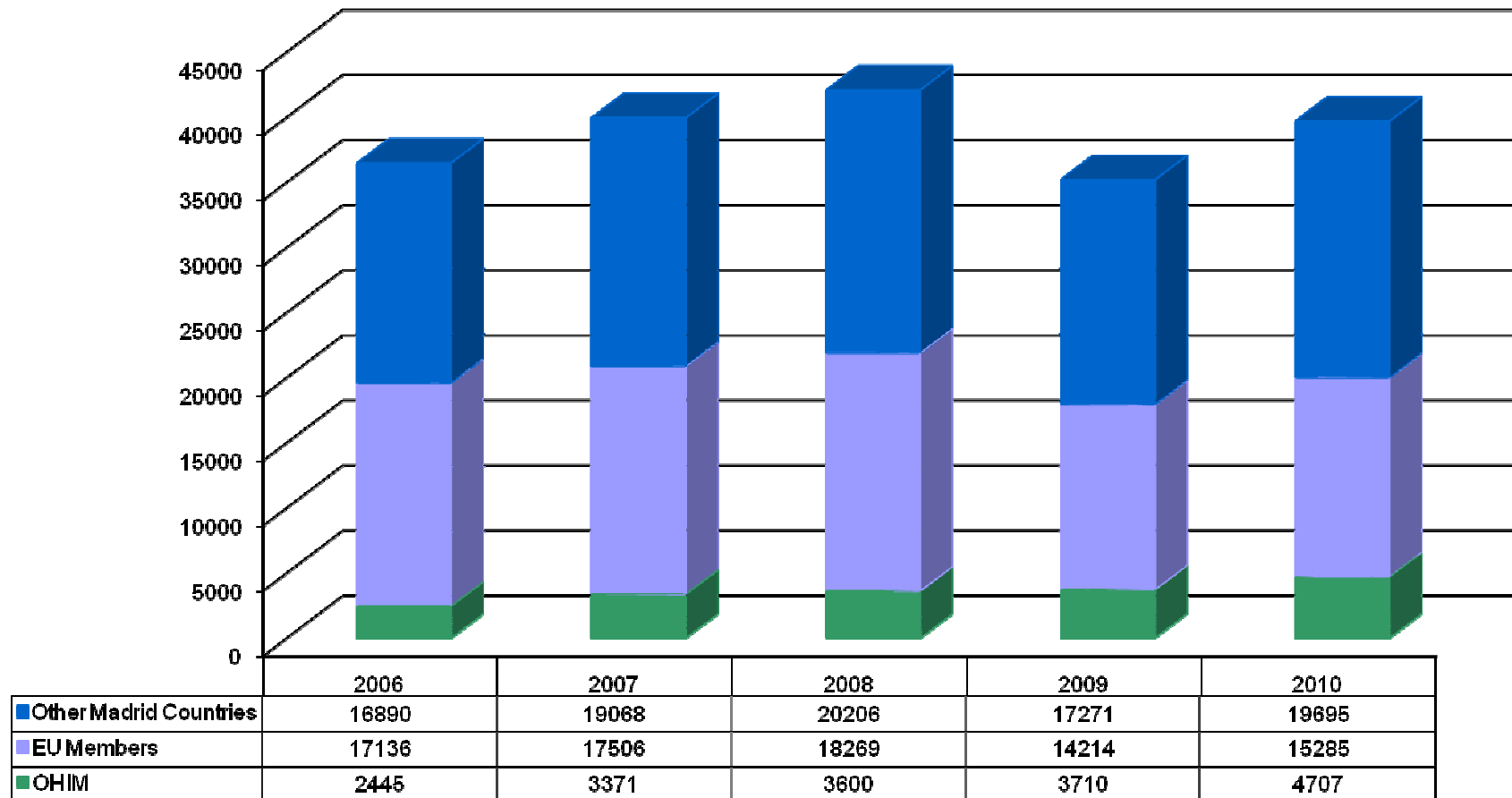
5.5 million of designations in force

174,349 holders

Top filing states

Contracting Party of Origin	2006	2007	2008	2009	2010
Germany (DE)	5,663	6,090	6,214	4,793	5,006
European Union (EM)	2,445	3,371	3,600	3,710	4,707
United States of America (US)	3,148	3,741	3,684	3,201	4,147
France (FR)	3,705	3,930	4,218	3,523	3,565
Switzerland (CH)	2,468	2,657	2,885	2,671	2,893
Italy (IT)	2,958	2,664	2,763	1,872	2,596
China (CN)	1,328	1,444	1,585	1,358	1,928
Benelux (BX)	2,639	2,510	2,667	1,968	1,922
Japan (JP)	847	984	1,278	1,312	1,577
Russian Federation (RU)	622	889	1,190	1,068	1,218
United Kingdom (GB)	1,054	1,178	1,162	1,008	1,176
Australia (AU)	1,100	1,169	1,092	1,000	1,035
Austria (AT)	1,117	1,134	1,245	1,050	1,020
Other Countries	7,377	8,184	8,492	6,661	6,897
Total	36,471	39,945	42,075	35,195	39,687

**General trend: Number of applications filed through the Madrid system
by the OHIM and EU Member States
(2006-10)**



Most designated members

Designated Contracting Party	2006	2007	2008	2009	2010
China (CN)	15,801	16,676	17,829	14,766	16,143
European Union (EM)	10,640	12,744	14,502	12,564	14,604
United States of America (US)	13,994	14,618	15,715	13,406	14,252
Russian Federation (RU)	14,432	15,455	16,768	14,150	14,250
Switzerland (CH)	14,260	14,528	14,907	13,161	12,469
Japan (JP)	11,844	12,348	12,748	10,386	11,124
Australia (AU)	9,115	9,848	10,529	8,575	9,222
Republic of Korea (KR)	8,334	8,988	9,539	7,755	8,336
Ukraine (UA)	9,057	9,751	10,635	8,539	8,288
Turkey (TR)	8,958	9,377	9,844	7,942	8,210
Norway (NO)	9,102	9,346	9,787	7,627	7,503
Singapore (SG)	6,717	7,005	7,607	5,957	6,444
Croatia (HR)	6,970	7,059	7,482	5,967	5,531
Other Countries	225,501	223,374	221,002	172,549	163,100
Total	364,725	371,117	378,894	303,344	299,476

Trademarks activity by origin (2008)

Country	Total applications filed	Filed by residents	Filed abroad	%
China	669.088	590.525	35.444	6%
USA	249.070	201.220	150.634	75%
India	130.172	109.344	3.169	3%
Republic of Korea	137.461	107.487	9.522	9%
Brazil	119.841	97.868	3.400	3%
Japan	119.448	95.658	44.405	46%
France	79.206	70.100	58.491	83%
Germany	80.865	70.074	107.590	154%
Mexico	84.287	56.592	4.259	8%

Workload in Operations - 2010

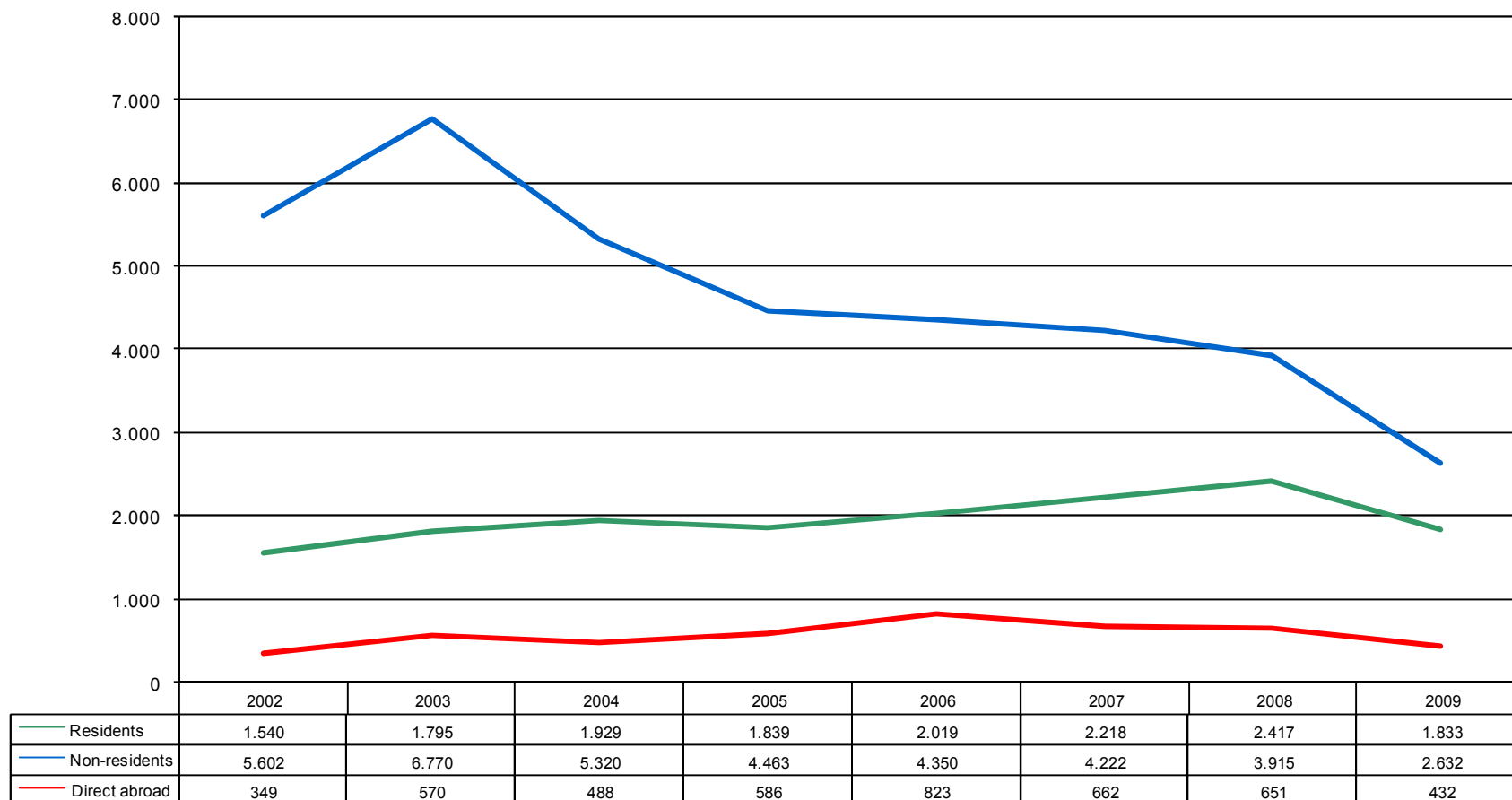
- 37.533 registrations – 39.843 applications
- 21.949 renewals
- 12.115 subsequent designations
- 83.310 recorded modifications

- Designations/registrations 261.105

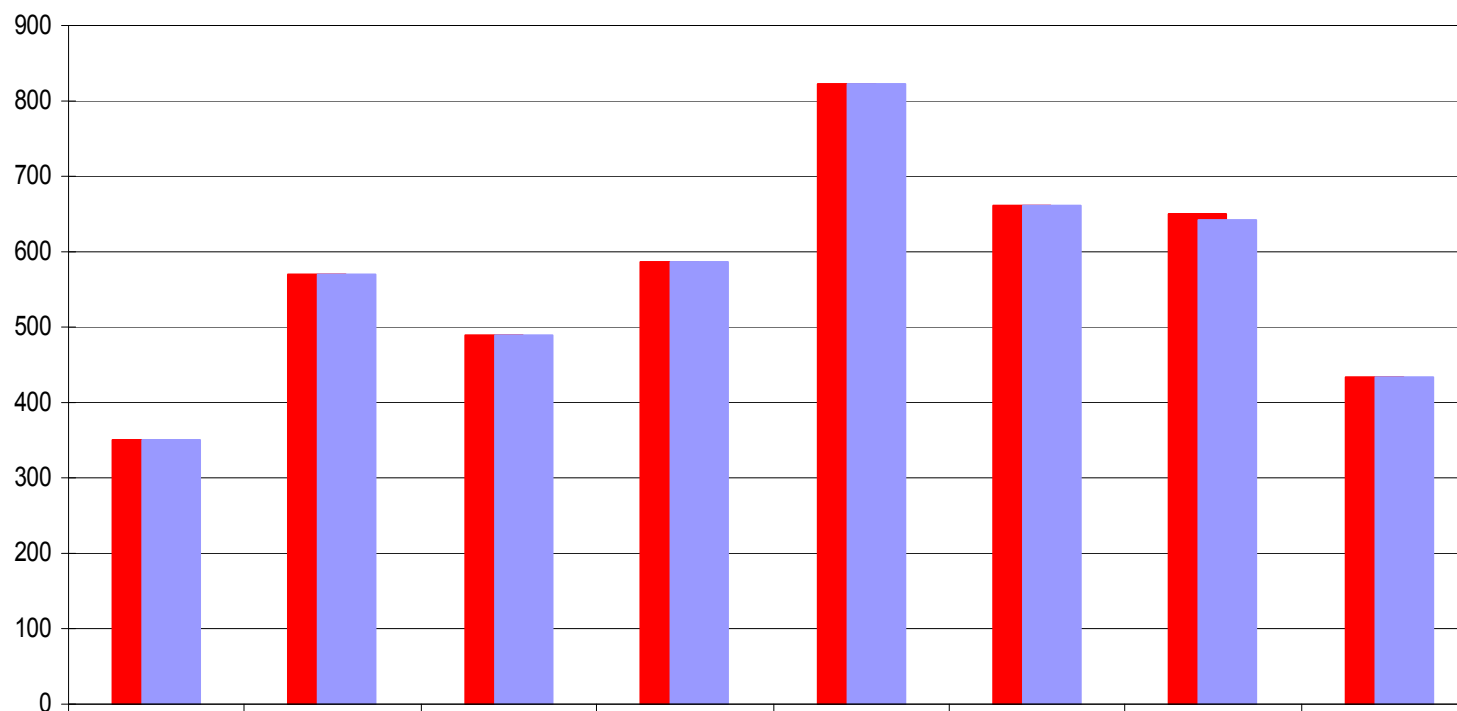
- 442.554 documents received
- More than 15 million translated words

Lithuania

Applications in LT by non-residents, applications from nationals, , international applications



LT - Trademark applications field abroad (2002-09)



	2002	2003	2004	2005	2006	2007	2008	2009
■ Direct abroad	349	570	488	586	823	662	651	432
■ Madrid Members	349	570	488	585	822	661	641	432
N° of countries	34	42	46	46	46	72	63	43
N° of Madrid countries	34	42	46	45	45	71	59	43

Main trading partners (2008)

(The Global Enabling Trade report 2010 – World Economic Forum)

■ Export

■ EU (all 27)

■ Russia

■ Belarus

■ Ukraine

■ USA

■ Import

■ EU (all 27)

■ Russia

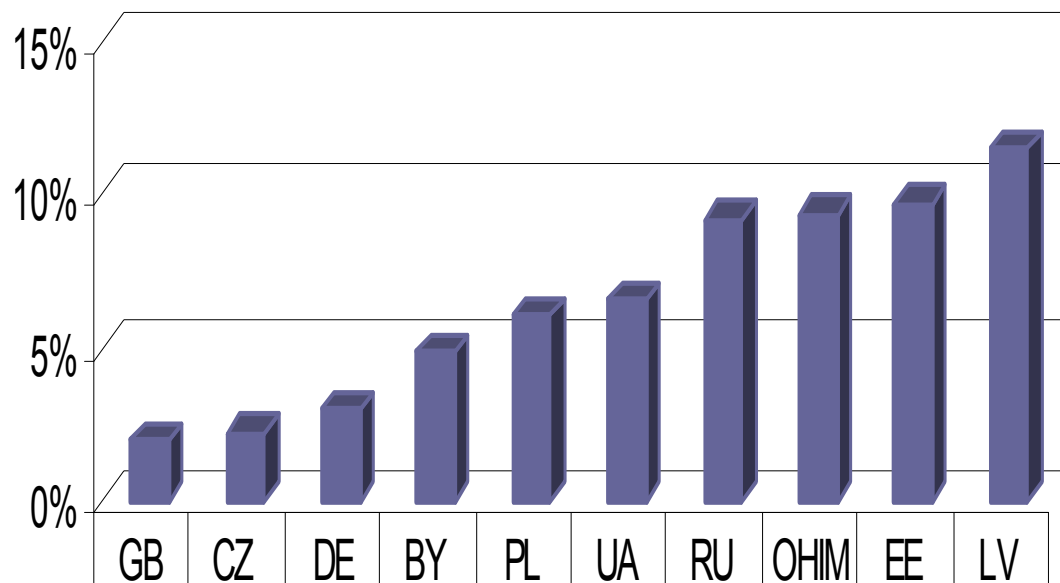
■ China

■ USA

■ Belarus

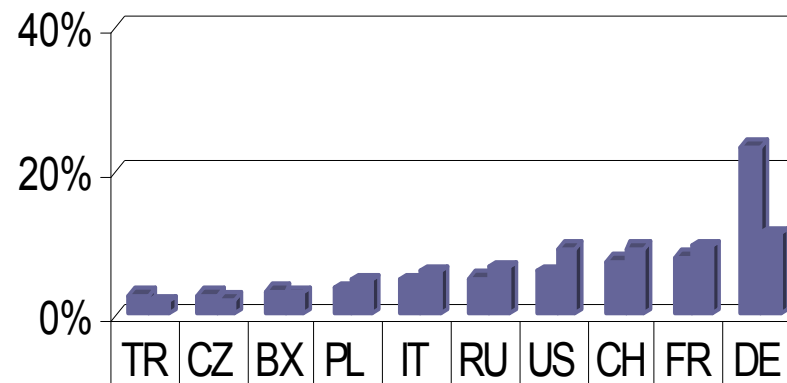
LT - Top 10 destinations from LT (Madrid CP's)

2002-09



■ Top 10 destinations from LT (Madrid CP's)	GB	CZ	DE	BY	PL	UA	RU	OHIM	EE	LV
	2%	2%	3%	5%	6%	7%	9%	9%	10%	11%

LT - Top 10 destinations from LT (Madrid CP's)
2002-09



■ Top 10 Non-Resident in LT (Madrid CP's)	3%	3%	3%	4%	5%	5%	6%	7%	8%	24%
■ Top 10 destinations from LT (Madrid CP's)	2%	2%	3%	5%	6%	7%	9%	9%	10%	11%

Advantages of Madrid

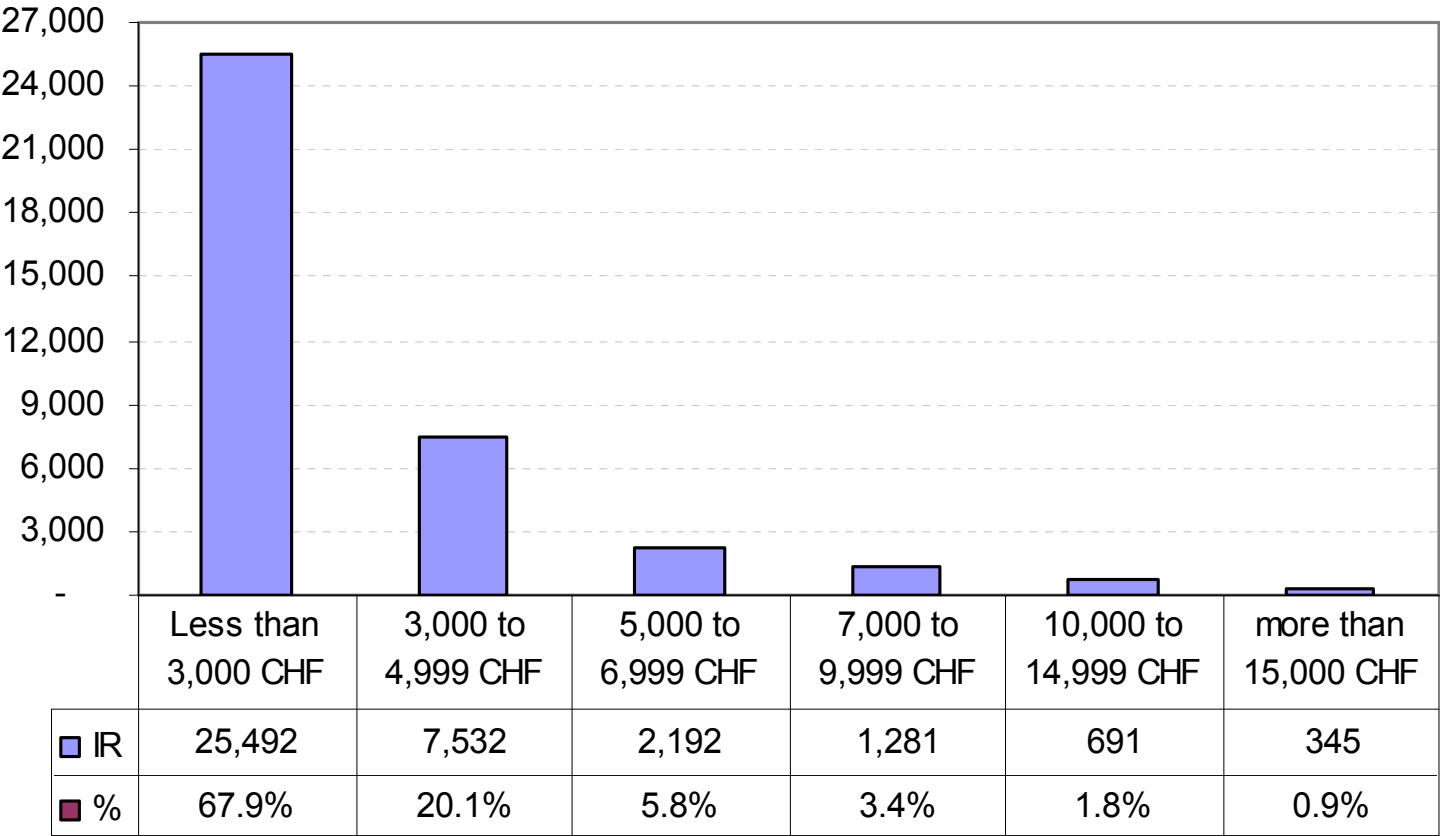
Objectives

- A simple, low-cost and effective system to facilitate trademark protection in export markets through;
 - One **central filing** and registration procedure producing effects in one or more territories bound by the system
 - One **central procedure** to maintain and manage an international registration with effects in all territories concerned

The advantages of the system

- Facilitates trademark protection in markets which represent 80 % of global trade
- Fee system
 - Close to 60 % of applicants pay less than three thousand Swiss francs in fees
 - Single fee in Swiss francs
- One process – one application in one of three languages (Spanish/French/English) and one process for renewals and modifications

Fees



General Profile 2010

37.533 International Registrations

Average Number of Designations	7.4
Average Number of Classes	2.6
Average Fee	CHF 3,408
All Fees	In 57% less than 3,000 CHF

A Global system – future perspective

The challenges

- Expanding the system geographically
- Streamlining the system
- Electronic communication
- IT tools and services
- Automation
- Simplifying procedures

Expanding the system

- Geographical coverage
- Asia
 - India, Thailand, Malaysia, Indonesia, Phillippeens
- South-America
 - Colombia
 - Costa Rica
- African countries
 - South-Africa
 - Tunisia

Streamlining

- Only one state remaining as a member of the Agreement but not the Protocol – Closing of the agreement, more flexible system
- The *central attack* – what is the impact of that provision ?
Outcome of a study on this will be introduced in the Working party in July.

Electronic communication

- With as many of the stakeholders as possible!
- Currently - **National Offices**
 - 14 Offices currently sending various communications electronically (xml and pdf)
 - 53 Offices receiving various notifications electronically
- Currently - **Users**
 - Electronic filing of renewals, nearly 49% in 2009
 - Electronic payment of fees for 13 transactions since November 2008

Electronic communication

- More National Office using electronic communication and increase the volume
- Users using Email notifications (RPOST) and web base services

Web base services / IT tools

IT Modernization Program

- Madrid Portfolio Manager
- Madrid Real time status
- Madrid Electronic Alerts

Incrementally establish a synchronous, real time web based communication capability with clients

IT tools already launched

- Fee calculator
- Madrid Simulator
- WIPO Gazette
- Romarin - on line search database
- Dynamic statistics
- G&S manager - classification database
- Global Brand database - on line search database

Automation

- Provisional refusals, renewals, final decisions, grant of protection and machine translation – *procedures that have already been partly automated*
- The goal - increase the volume and the number of processes

Simplifying procedures

- Electronic communication, Web services and automation - changes - possibility for simplification
- Internal procedures and workflows
- Some would call for changes of the rules and regulation but others not

Thank You

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