



WIPO | MADRID

The International
Trademark System



Overview of the Madrid System

**Phnom Penh
20 Jan 2016**

Kazutaka Sawasato
Legal Division, Madrid Registry

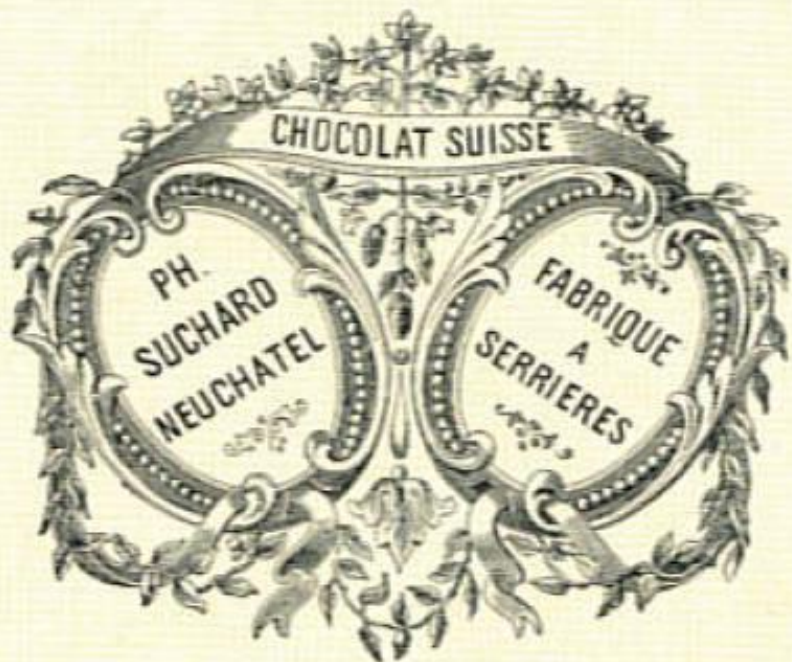
What is the Madrid System?

- A **one-stop shop** for TM holders to obtain and maintain protection abroad
- An **alternative** to the national route
- A centralized filing and management **procedure**

The first international trademark was registered in 1893 by Swiss Chocolate-maker

N^o 1 23 janvier 1893

RUSS-SUCHARD & C^{ie}, fabricants
NEUCHATEL (Suisse)



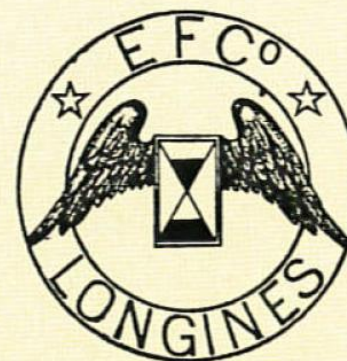
Chocolats et cacao

La marque ci-dessus a été enregistrée en Suisse
le 1^{er} novembre 1880 sous le N^o 86

The Swiss watchmaker Longines registered what is the oldest international trademark registration still in effect

N^o 14 27 mars 1893

ERNEST FRANCILLON & C^{ie},
FABRIQUE DES LONGINES, fabricants
ST-IMIER (Suisse)



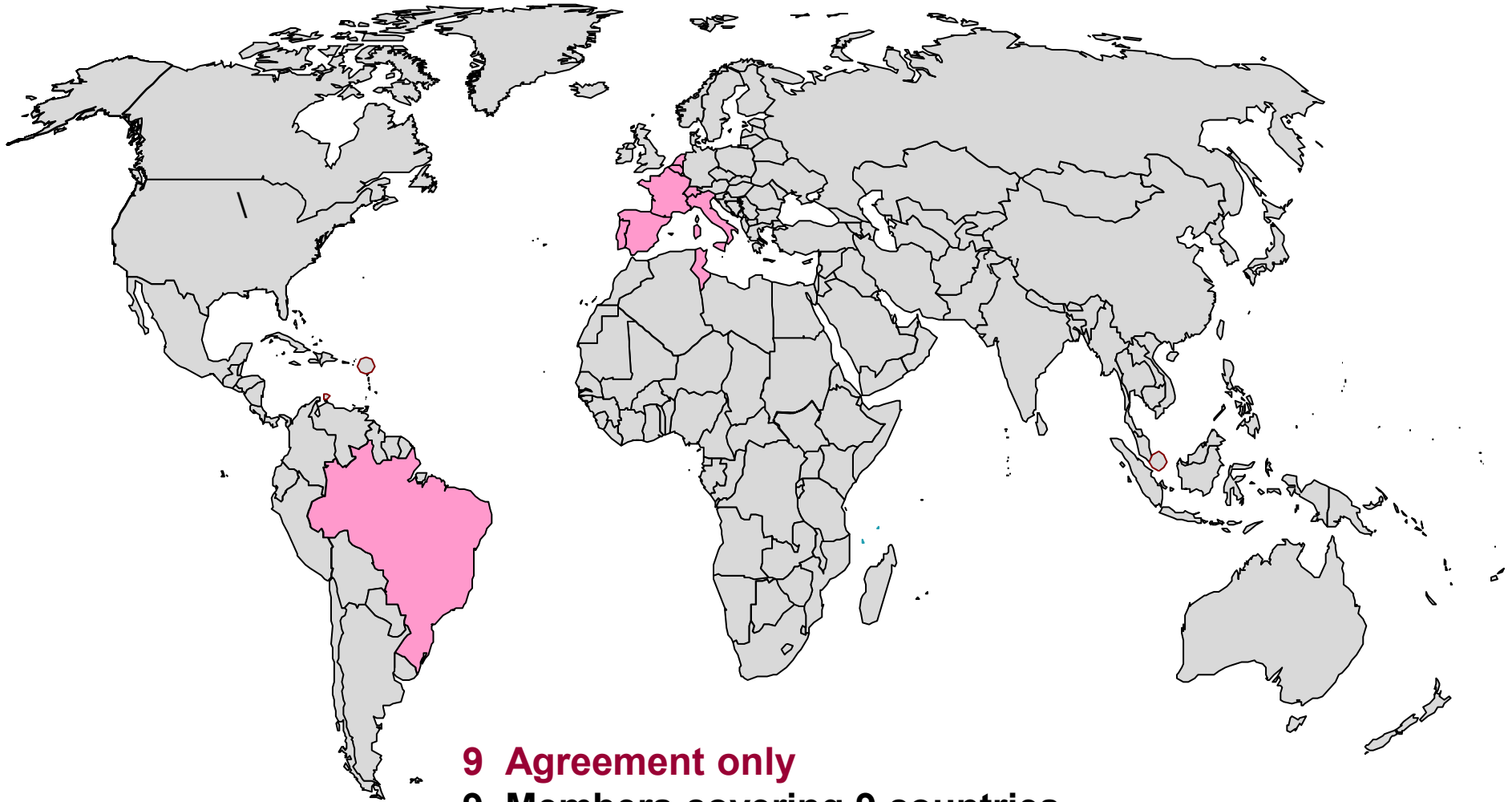
Boîtes et mouvements de montres

La marque ci-dessus a été enregistrée en Suisse
le 27 mai 1889 sous le N^o 2684

Legal Framework

- Madrid Agreement 1891
- Madrid Protocol 1989
 - Common Regulations
 - Administrative Instructions
- National laws

Original Madrid Union – 1891



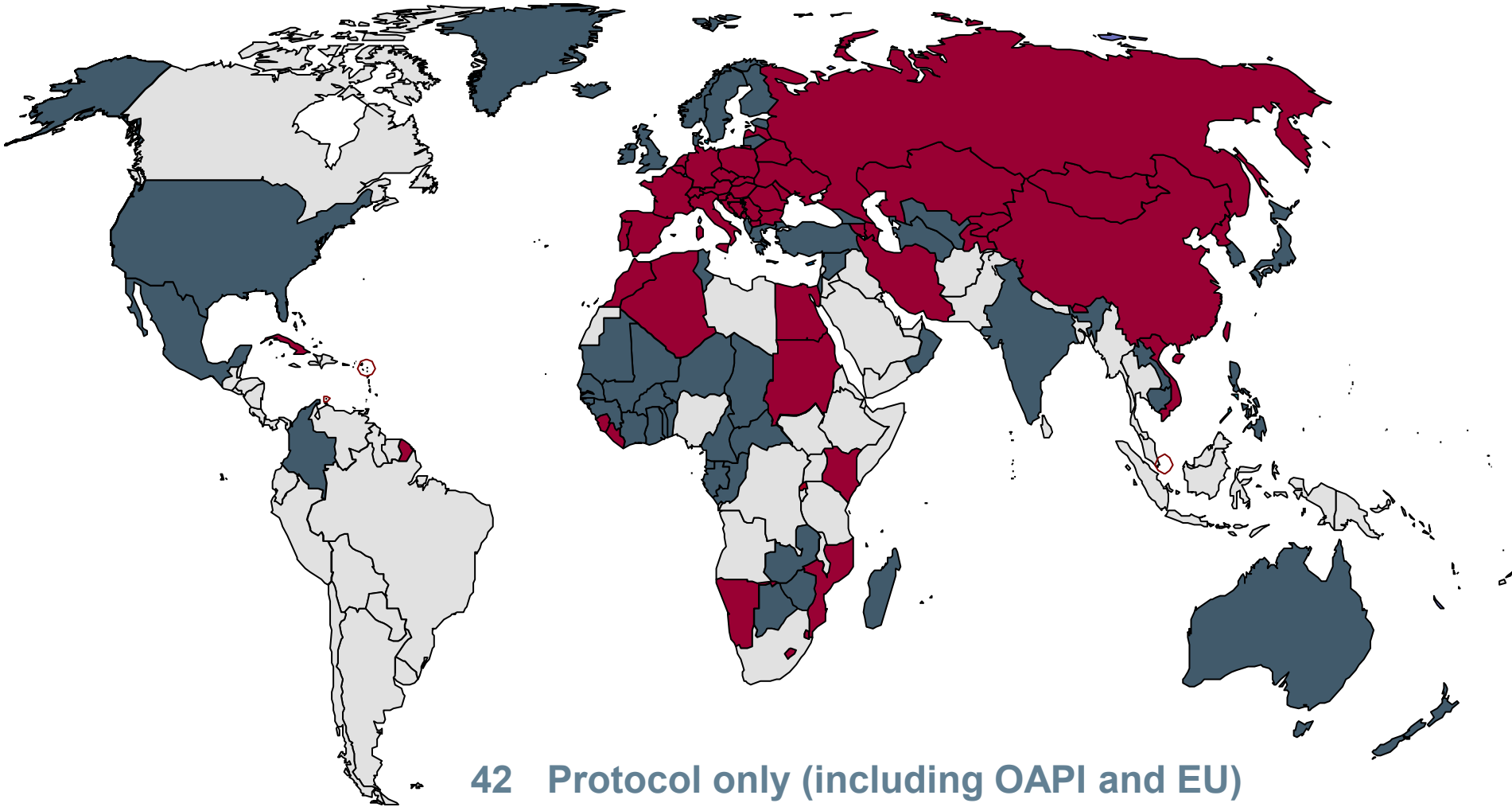
9 Agreement only

9 Members covering 9 countries

Expansion of the Madrid Union

	1891 – 1900	1901 – 1994	1995 – 2015
Europe	7	28	40
Asia	–	8	26
Africa	1	4	26
America	1	1	5
Oceania	–	–	2

Madrid Union – January 2016

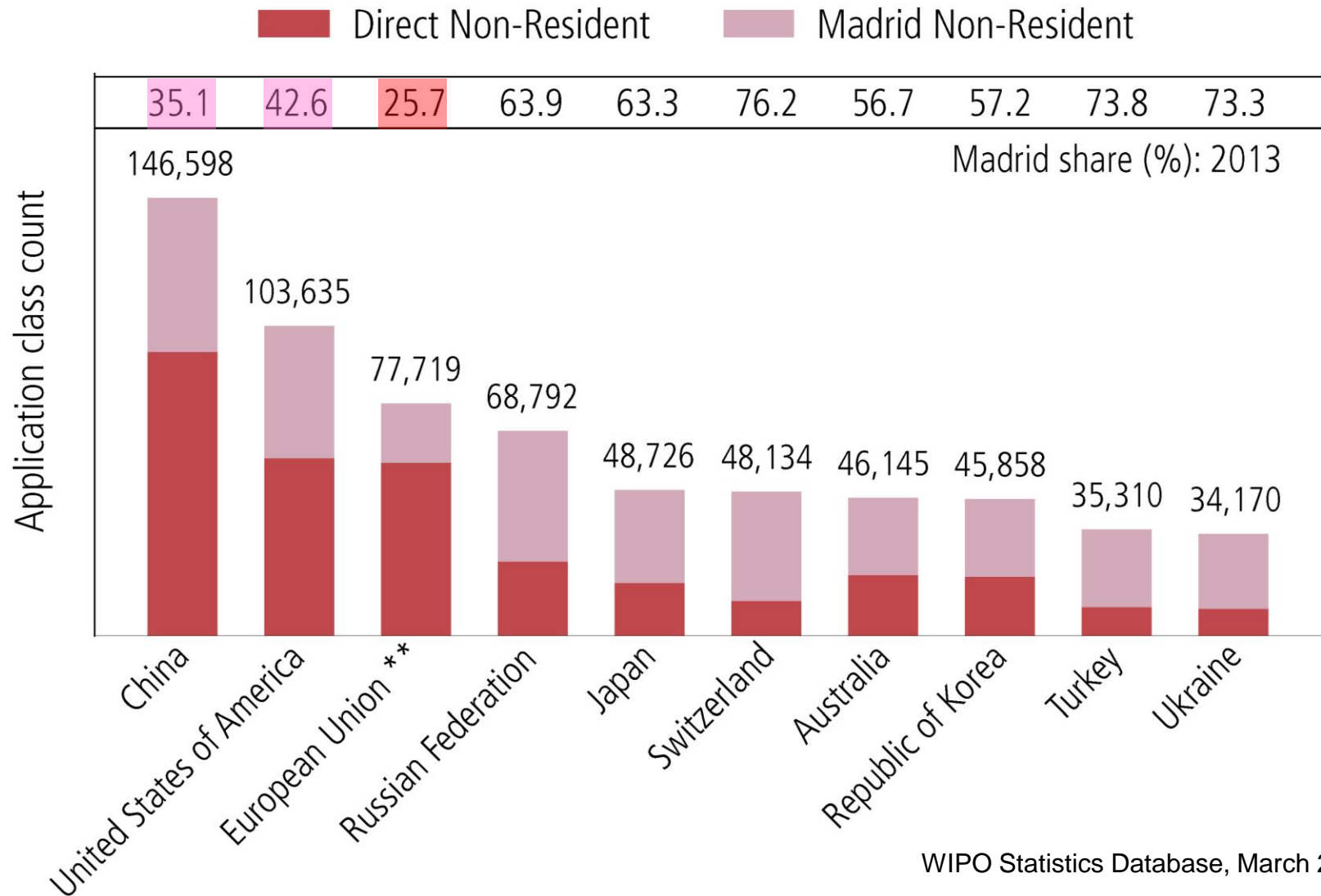


42 Protocol only (including OAPI and EU)

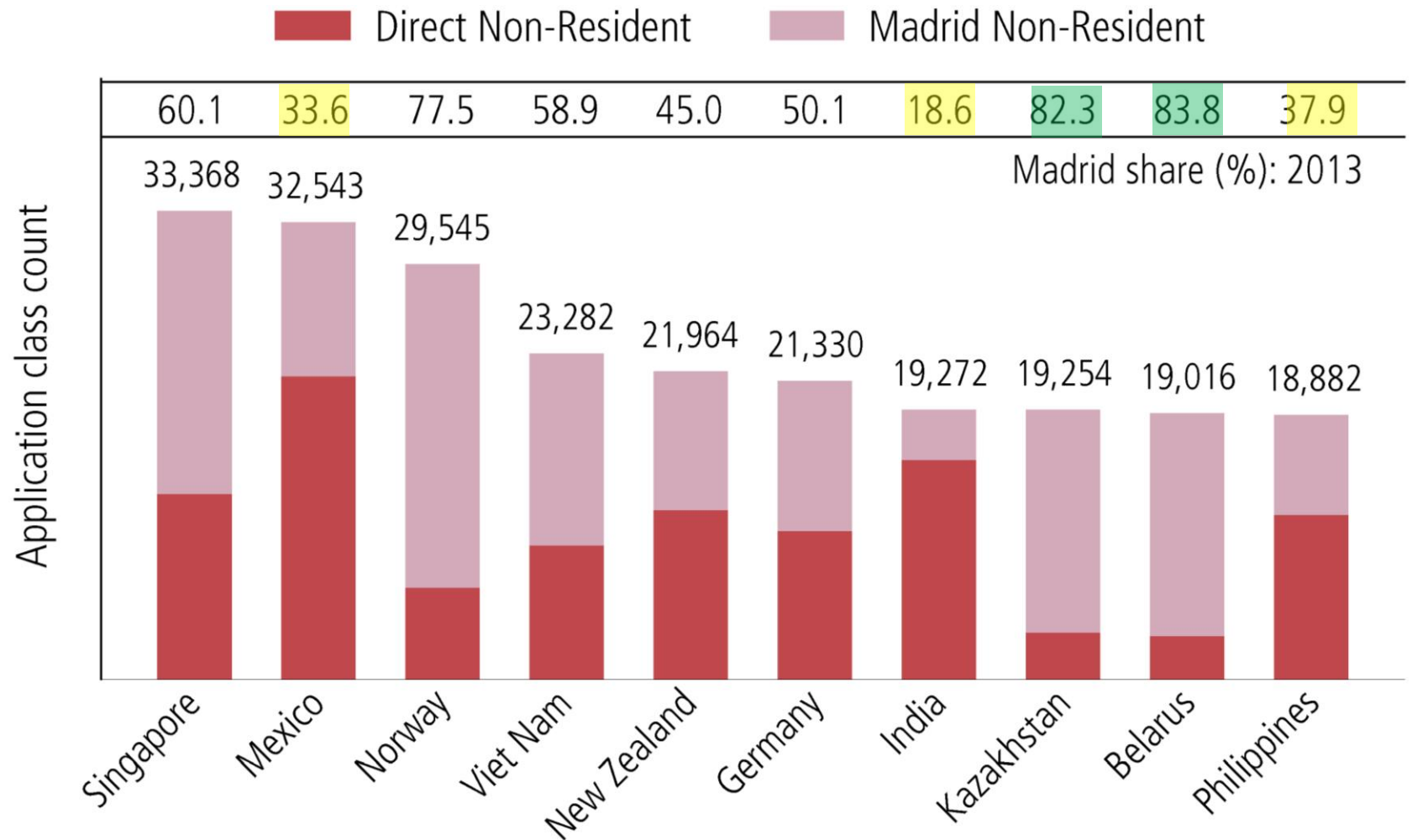
55 Agreement and Protocol

97 Members covering 113 countries

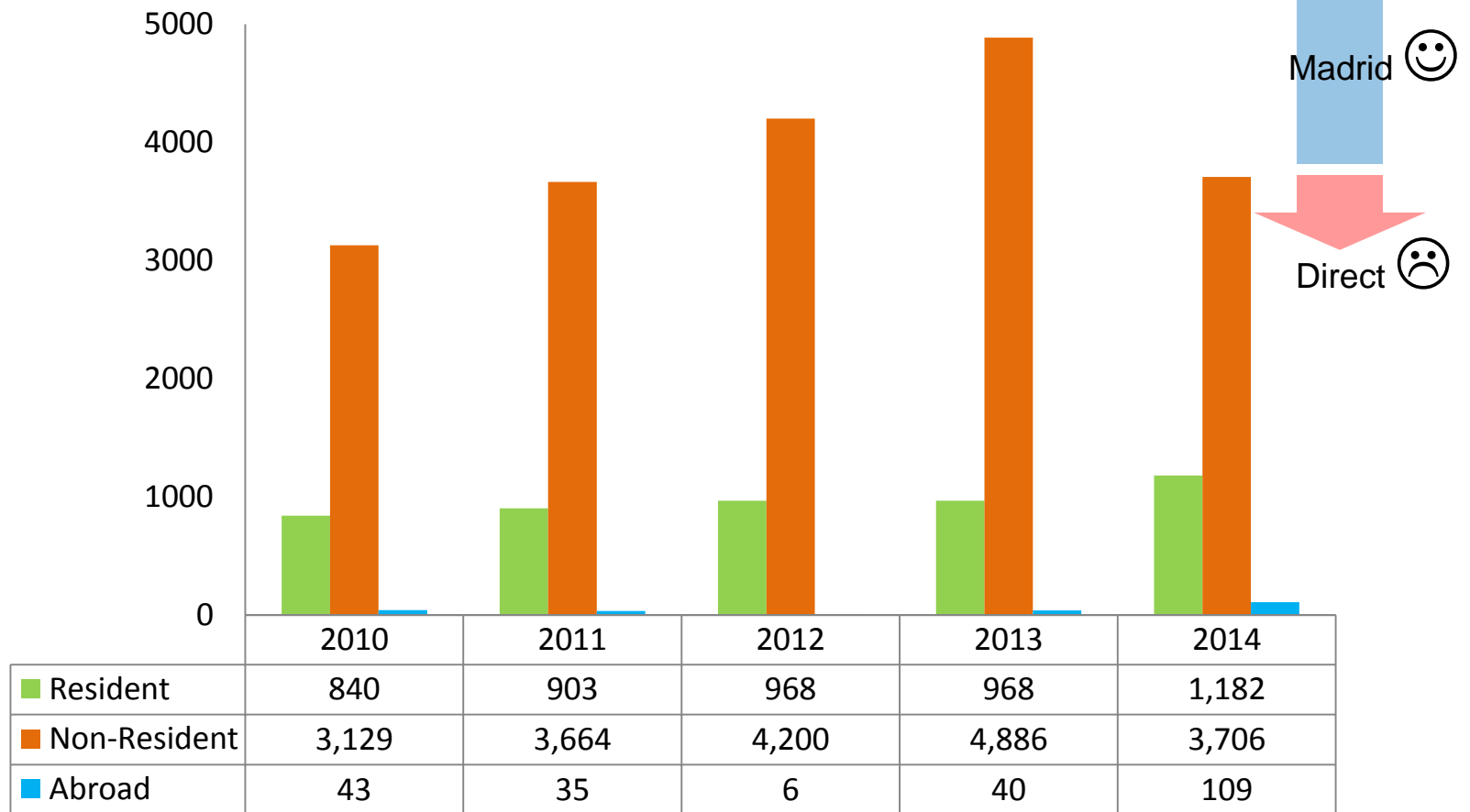
Non-resident applications by filing route



Non-resident applications by filing route



Trademark applications (Cambodia)



Resident – domestic filings

Non-resident – filings coming in from other countries

Abroad – filings going out to other countries

Protecting trademarks (Cambodia)

Domestic filing
(resident)



KH/32834/09 (KH)
GREATGOAL CO., LTD
Class 32 (Beer)

Filings coming in from other
countries (non-resident)



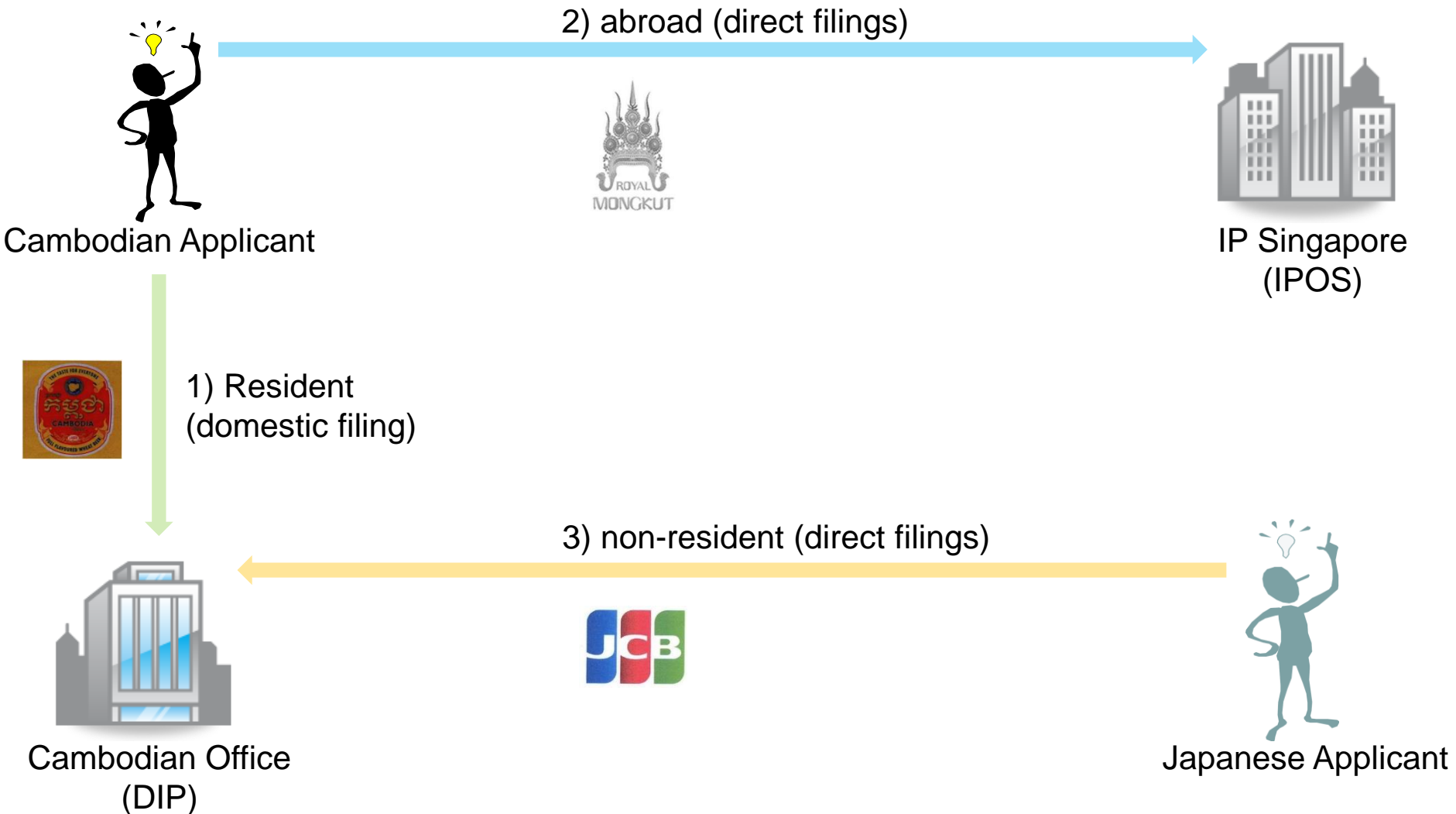
KH/25899/07 (KH)
JCB Co., Ltd.
Class 36 (Credit card services)

Filings going out to other
countries (abroad)



40201512621V (SG)
APSARA Rice (Cambodia) Co., LTD
Class 30 (Rice)

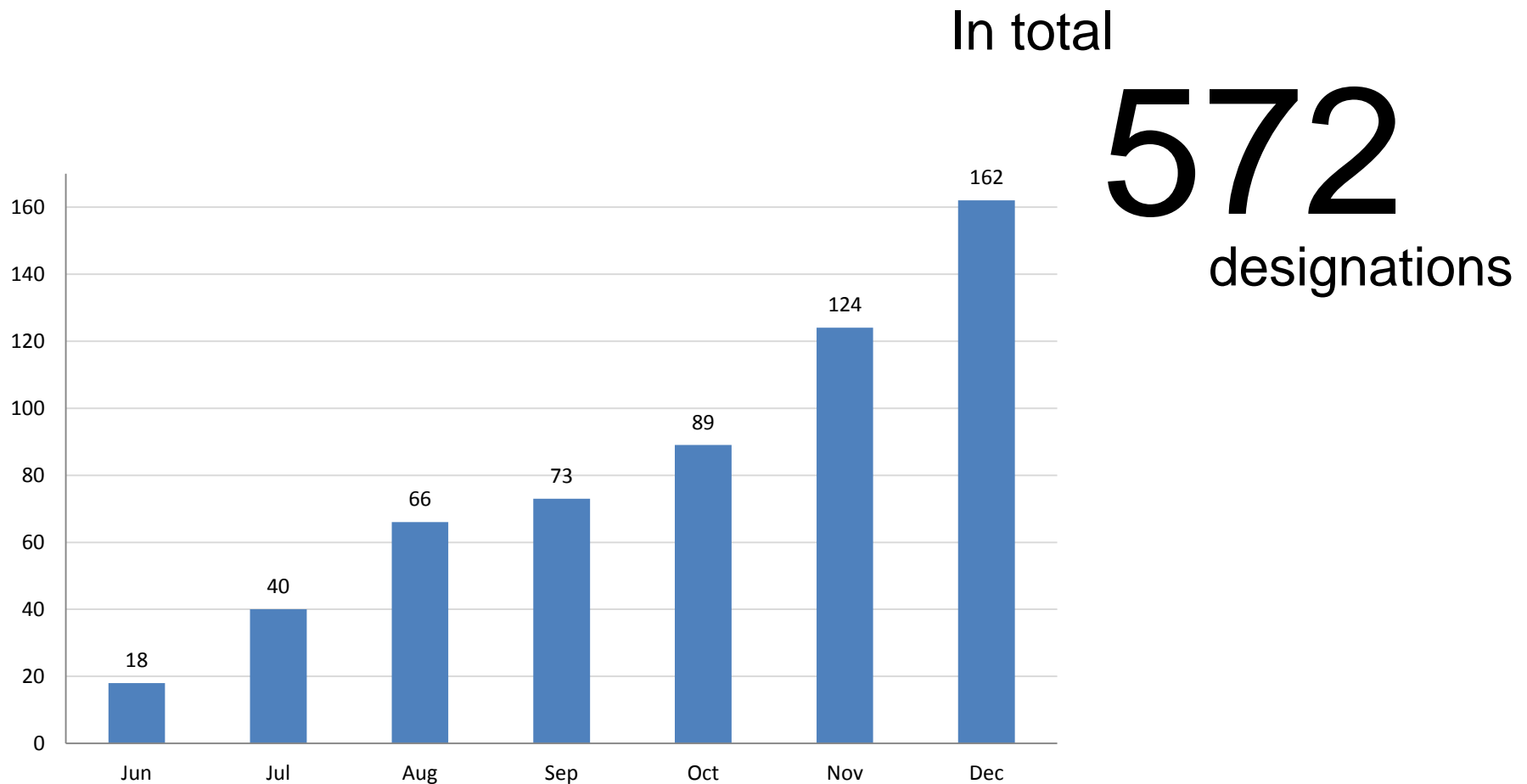
Protecting trademarks (before joining the Madrid System)



Cambodia joined the Madrid Protocol!



Designations in registrations in Cambodia



A designation via the Madrid Route

Registrations

Designated Contracting Party:
Cambodia



NOTIFICATION

ENN/2015/44

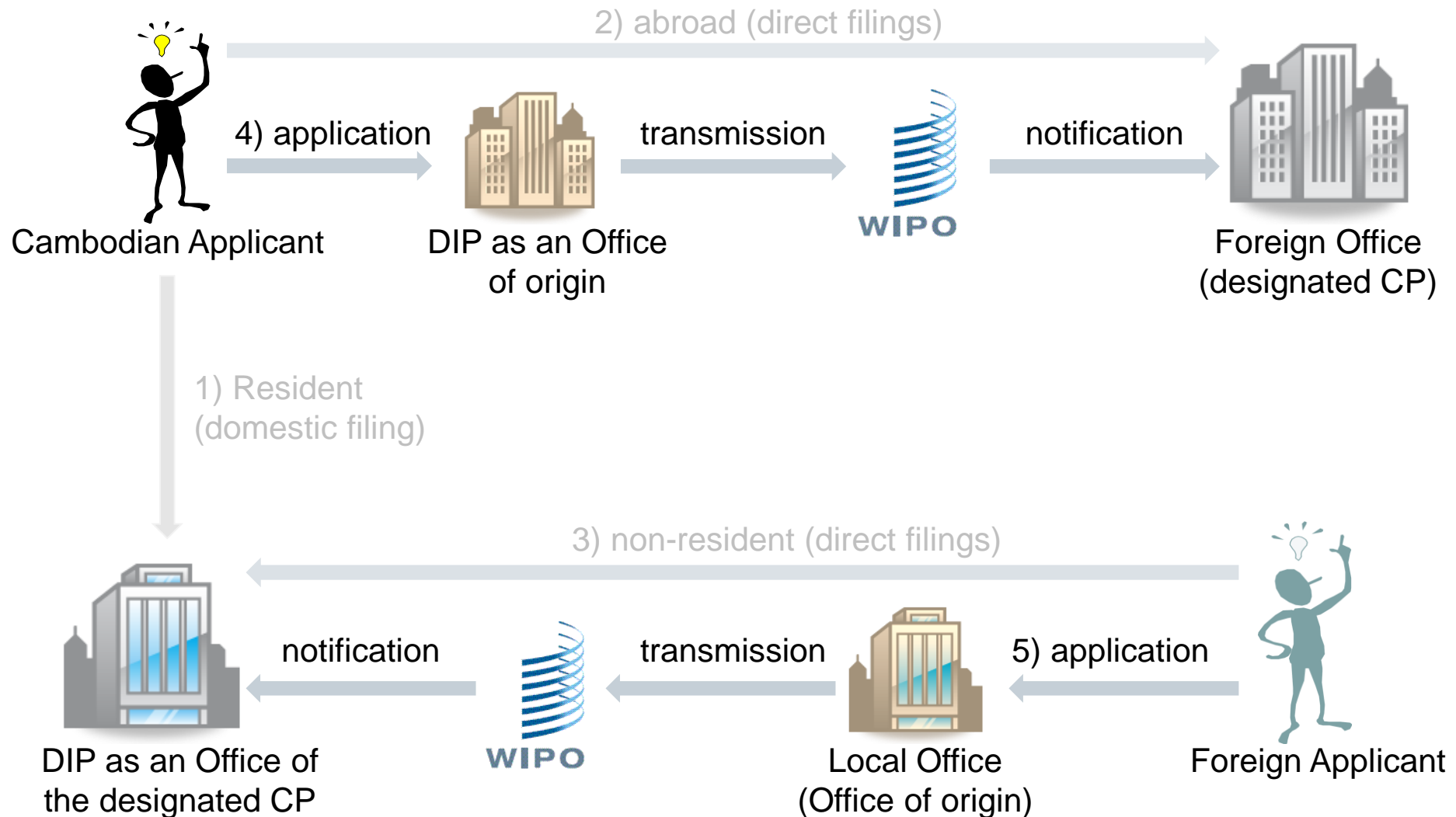
*Reproduction of the mark in
color under Rule 9.4(a)(vii)*



Uniquely Yours

Registration number **1 272 629**
Registration date **July 28, 2015**
Date next payment due **July 28, 2025**
Name and address of holder JCB CO., LTD.
5-1-22 Minami Aoyama, Minato-ku, Tokyo 107-8686 (Japan)
*Legal nature of the holder (legal
entity) and place of organization* Corporation, Japan
*Name and address
of the representative* KOJIMA Takiro c/o KOJIMA & ASSOCIATES, Tokyo Kotsu Kaikan
Bldg. 9F, 2-10-1, Yurakucho, Chiyoda-ku, Tokyo 100-0006 (Japan)
*Classification of
figurative elements* 26.4; 27.5; 29.1
Colors claimed Blue, red and green.

Protecting trademarks (after joining the Madrid System)



Benefits for the Trademark owner

– One stop solution –

- File **one** international application
- File in **one** language (E, F or S)
- Pay **one** set of fees in one currency
- Obtain **one** registration covering multiple territories
- Renew every 10 years with **one** procedure
- Manage your marks through **one** centralized system

Benefits for the Government and Offices

- The designated Office can focus on substantive examination
- It promotes international trade by contributing to the opening of new markets and assisting in development of export
- It creates a more favorable climate for foreign investment in the internal market

Benefits for local agents

- “Madrid route” is optional and it does not replace “direct route”
- Applicants would need the services of local agents at filing stage or at post-registration stage
- Increased designations will create more business opportunities
- Post-registration activity may compensate for any reduction in local filing activity

“We have less filing work, but there is a lot more provisional refusal work derived from the Madrid System”

Mr. Alonso Camargo, a partner at Olivares in Mexico City
World Trademark Review (Issue 54)

Thank you

