



WIPO | MADRID

The International
Trademark System



Role of the International Bureau (IB)

**Phnom Penh
21 Jan 2016**

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Legal Division, Madrid Registry

International Application Process

Applicant

- Filing with the IB through the Office of origin

Office of origin

- Certification
- Transmission

International Bureau

- Formality examination
- Inscription
- Publication
- Notification

Applicant

- Having an **establishment**, or **domicile** in the Office of origin, or being a **national** of that country
- **Registering** the mark or **filing** an application with the Office of origin

Role of the representative (before filing)

- Whether the countries your client is interested in are members of the Madrid Union
- Whether your client is eligible to file an international application
- Whether the scope of the basic trademark includes all the goods and services your client wishes to protect overseas
- Trademark clearance services, if necessary

Role of the Office of origin

- **Certifying** the international application
- **Transmitting** the international application
- **Remedying** the irregularities

Certification by the Office of origin

- The international application shall contain a declaration by the Office of origin certifying that:
 - the **date of receipt** of the international application
 - the **applicant** is the same as the applicant or holder of the basic mark
 - the **mark** is the same as the basic mark
 - the **goods** and services are covered by the list of goods and services in the basic mark

Role of the Representative

- Filling the form MM2 appropriately, in particular;
 - Priority claim (item 6)
 - **Reproduction of the mark** (item 7(a))
 - Standard Characters (item 7(c))
 - **Mark consists of a color as, as such** (item 7(d))
 - **Color claimed** (item 8)
 - **Type of mark** (item 9 (d))
 - **Description of mark** (item 9(e))
 - Disclaimer (item 9(g))
 - **Goods and services** (item 10)

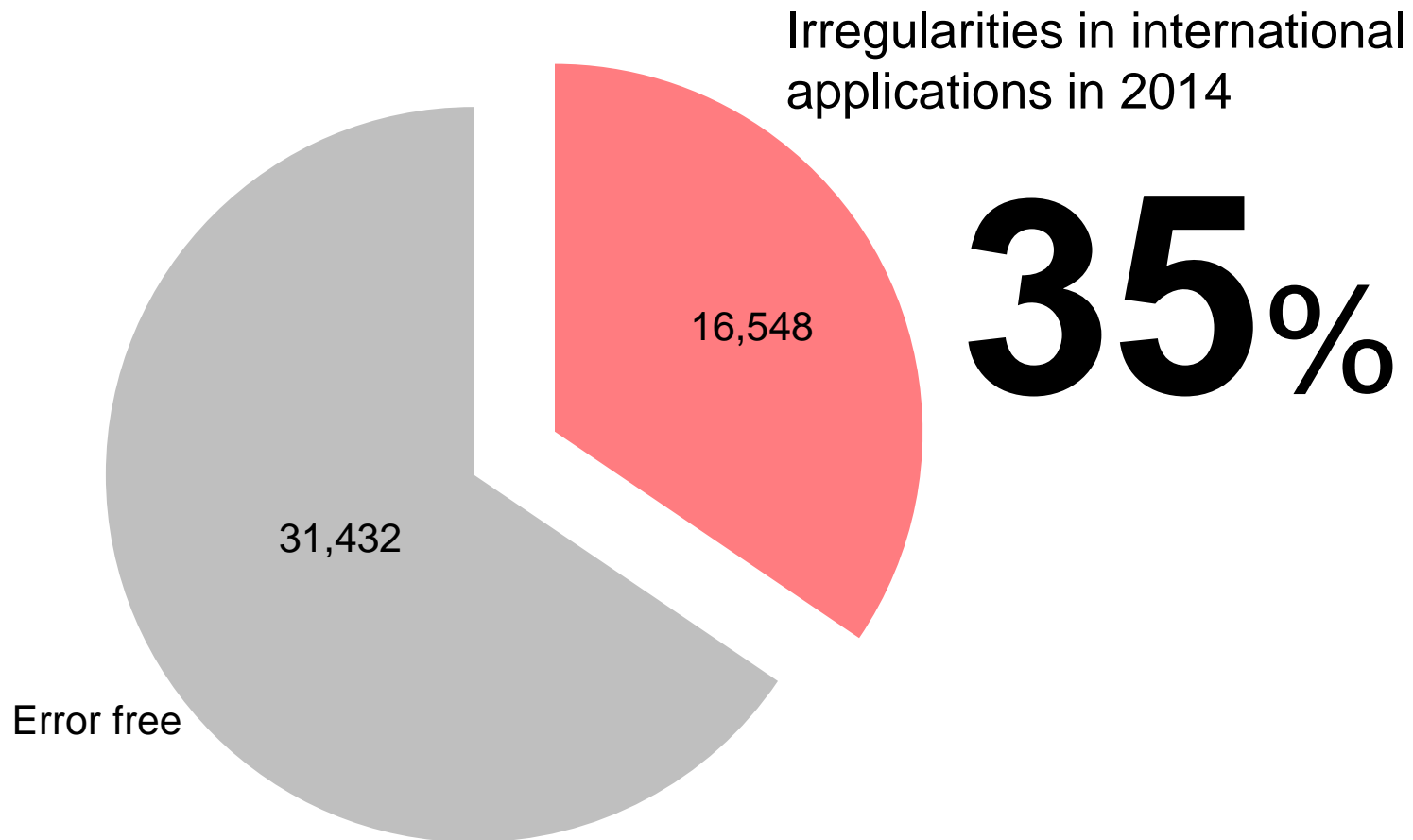
Role of the International Bureau

- **Examining** the formalities
- **Inscribing** the mark in the Register
- **Publishing** the mark in the Gazette
- **Notifying** the registration to the Office concerned

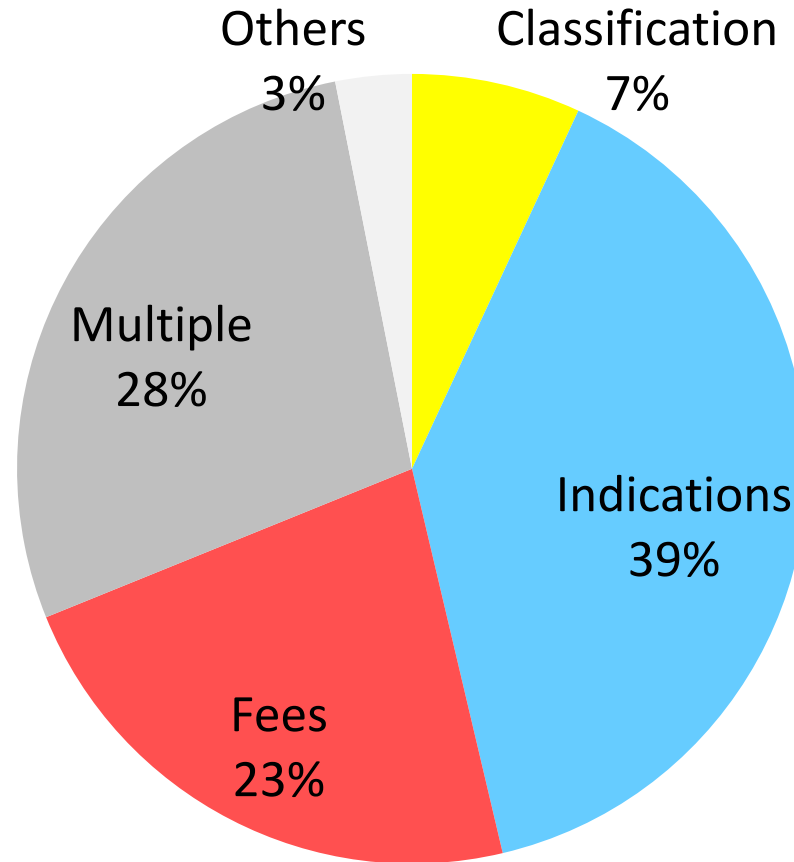
What does the irregularity mean?

- Where there are deficiencies in an international application, the IB will notify **both** the Office of origin and the applicant
- Most irregularities can be remedied **within three months** from the date of the notification

Irregularities in international applications in 2014



Breakdown of irregularities from January to August, 2015



Irregularities at WIPO

Irregularities	Remedied by	Within	Failure results in
Classification	Office of origin	3 months from irregularity	Recorded as classified by IB
Indications	Office of origin	3 months from irregularity	Recorded with a note
Fees	Applicant	3 months from irregularity	Abandonment
Others	Office of origin or applicant	3 months from irregularity	Abandonment

Date of the international registration

- The date of receipt of the international application if it is received by the IB within 2 months
- The date of receipt by the IB if it is received from the Office of origin later than 2 months
- The date of IR will be affected if the substantive elements are missing (e.g. mark or list of goods)
- The date of IR will be the date the last missing element was received by the IB

Inscription Approach

- The IB inscribes precisely what we receive
- The IB cannot interpret the information in the form
- The IB can control the classification (IB's opinion prevails)

Examination is impossible

Registrations



NOTIFICATION

ENN/2011/52

1 102 430

Registration date: **September 30, 2011**
Date next payment due: **September 30, 2021**

Cross Company Co., Ltd.
2-8, Saiwaicho,
Kita-ku,
Okayama-shi
Okayama 700-0903
(Japan).

Legal nature of the holder (legal entity) and place of organization: Corporation, Japan.

Name and address of the representative: KOZU Takako c/o HIRAI & KOZU, 41-2-111, Senju-akebonocho, Adachi-ku, Tokyo 120-0023 (Japan).



Classification of figurative elements:
24.17; 29.1.

Colours claimed: Red, orange, yellow, green, light blue, deep blue and purple.

List of goods and services - NCL(9):

14 Ingots of precious metal; jewelry cases of precious metal; boxes of precious metal; jewelry made of precious metals

- or coated therewith, namely, earrings, necklaces, bracelets, brooches, pendants, chains, rings, tie pins, tie clips and cuff links; jewelry made of gems, namely, gem brooches, gem pendant heads and gem rings, gem earrings; precious and semi-precious stones; charms; key rings of precious metal or coated therewith; horological and chronometric instruments.
- 18 Bags, namely, hand bags, shoulder bags, briefcases, shopping bags, backpacks, suitcases, luggage and traveling bags; products made of leather and imitation leather, namely, purses, wallets, credit card cases, business card cases, key cases; cosmetic bags sold empty; umbrellas and parasols.
- 25 Clothing, namely, suits, dresses, coats, overcoats, jackets, rainwear, pants, skirts, jeans, blouses, shirts, T-shirts, vests, sweaters, underwear, nightwear, sweat suits, swimwear, ties, scarves, shawls, mufflers, gloves, socks, tights, sock suspenders, stocking suspenders, braces for clothing, Japanese style clothing being kimonos; sashes; wedding dresses; waist belts for clothing; headgear, namely, caps and hats; footwear, namely, shoes, boots, sandals, slippers, Japanese style clogs and sandals.

Basic application: Japan, 26.09.2011, 2011-68373.

Data relating to priority under the Paris Convention: Japan, 26.09.2011, 2011-68373.

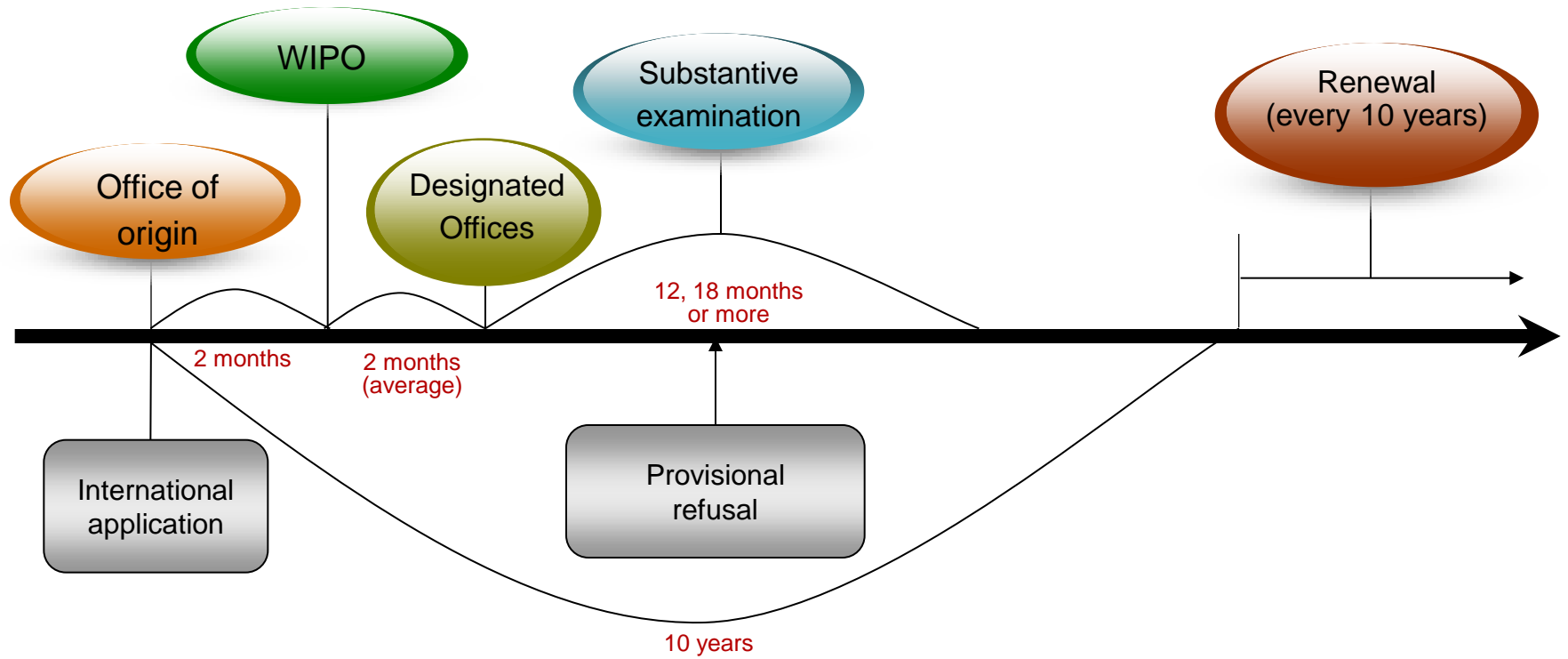
Designations under the Madrid Protocol: China, France, Germany, Russian Federation, Singapore, United Kingdom.

Declaration of intention to use the mark: United Kingdom, Singapore.

Date of notification: 12.01.2012

Language of the international application: English

Madrid Timeline



Thank you

