



# ACCESSION PROCEDURES & ADVANTAGES OF THE MADRID SYSTEM

Kazutaka SAWASATO  
Legal Section  
The International Trademarks Registry



## Table of Contents

Madrid System

- Accession Procedures
  - Instrument of Accession
  - Declarations
- Statistics
- Information and Tools
  - Legal texts, Guide, Gazette
  - Madrid Express, Romarin
  - Simulation of an International Application
- Advantages of the Madrid System
  - Recent Developments
  - Advantages of the Madrid System

# Accession Procedures

## Instrument of Accession Declarations

### Accession to the Madrid Union

- A Paris Union may become a Madrid Union by depositing an instrument of accession.
  - The instruments of accession must be deposited with the Director General of WIPO.
  - The Director General will notify all Contracting Parties including any declarations.
  - The treaty will enter into force **three months** after the instrument of accession has been notified by the Director General.

# Instrument of accession



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Model

## INSTRUMENT OF ACCESSION TO THE PROTOCOL RELATING TO THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS

(To be deposited with the Director General of WIPO in Geneva)

The Government of [name of State] hereby declares that [name of State] accedes to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, adopted at Madrid on June 27, 1989.

Done at ....., [date] ..... 200 .

(Signature)  
(Capacity)



# Declarations made by Contracting Parties



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- **Article 5(2)(b) of the Protocol** (Extension to 18 months of the refusal Period)
  - *European Community, Singapore, Switzerland, Japan*
- **Article 5(2)(c) of the Protocol** (possible notification of refusals based on an opposition after the 18-month time limit)
  - *China, Republic of Korea, Singapore, United States of America*
- **Article 8(7)(a) of the Protocol** (individual fees)
  - *China, Republic of Korea, Japan, Singapore, Viet Nam*
- **Rule 7(2)** (declaration of intention to use the mark)
  - *Singapore, United Kingdom, United States of America*
- **Rule 20bis(6)(b)\*** (recording of licenses provided for in the domestic law, but the recording of licenses in the International Register has no effect)
  - *China, Japan, Russian Federation, Singapore*

# Application Fees



Madrid System

- For the International Bureau:
  - Basic fee: 653 CHF (or 903 CHF for color mark)
- For a designated Contracting Party:
  - Standard designation fee:
    - Complementary fee: 100 CHF  
and
    - Supplementary fee: 100 CHF (for each class beyond 3)  
or
  - Individual fee: the amount established by that CP (only possible under the Madrid Protocol)

# Fee Reduction For Applicants From Least Developed Countries



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- To improve the ability of trademark owners from LDCs to benefit from the Madrid System
- WIPO offers applicants, originating from LDCs, a 90% reduction in the basic fee.
  - Bhutan, Lesotho, Liberia, Mozambique, Sierra Leone, Sudan, Zambia, Madagascar, Sao Tome and Principe

<http://www.wipo.int/lcds/en/country>

# Trilingual Regime



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- An International Application can be filed in English, French or Spanish.
- The Office of Origin is entitled to restrict the choice of the applicant to only one language, or to two languages.

# Domestic legislative or regulatory implications



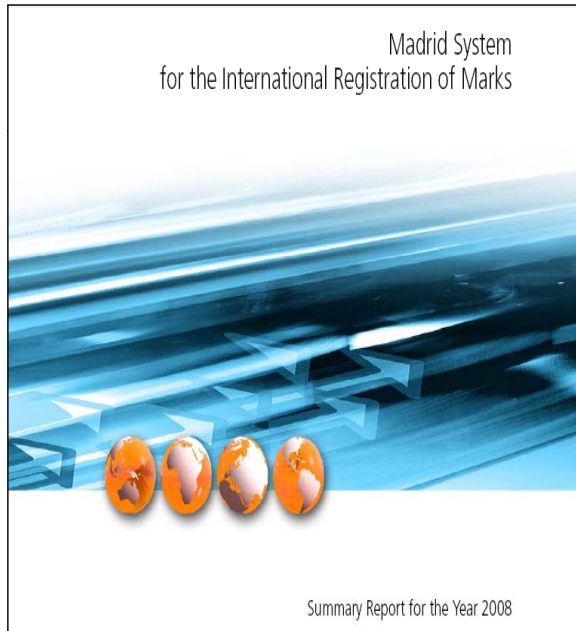
Madrid System

- The obligation deriving from accession to the Madrid Protocol would be to give effect to Article 4(1)

## **Article 4 Effects of International Registration**

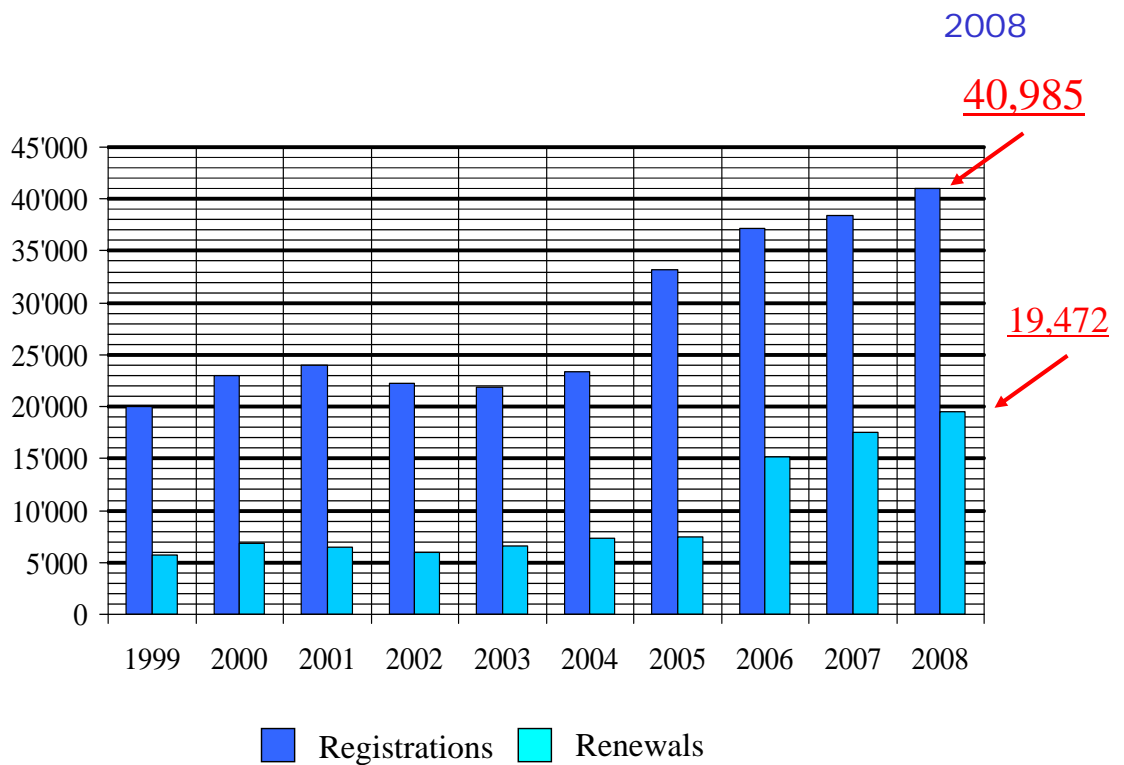
(1)(a) From the date of the registration ..., the protection of the mark in each of the Contracting Parties concerned shall be the same as if the mark had been deposited direct with the Office of that Contracting Party.

- The country must be in a position to give full effect to the provisions of the treaty.



## Statistics

### Registrations and Renewals 1999 – 2008



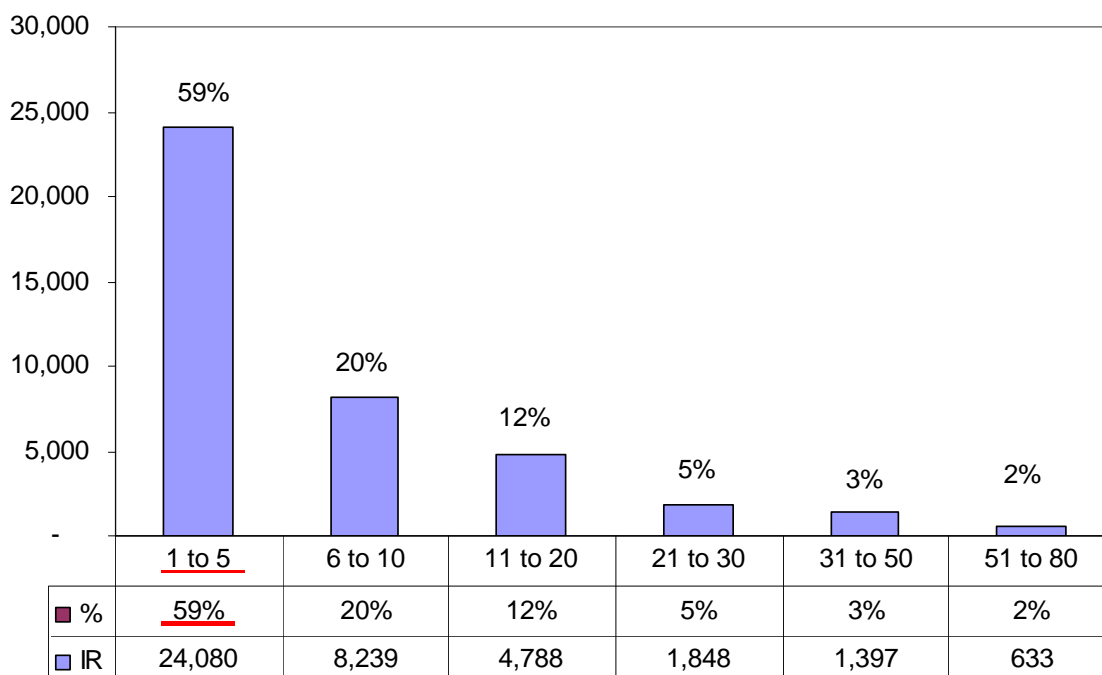
## Most Popular Classes in IRs - 2008

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Classes	Products and Services	2008	Share	Growth
9	Covers e.g. computer hardware and software and other electrical or electronic apparatus of a scientific nature	9'305	8.5%	10.0%
35	Covers services such as office functions, advertising and business management	7'683	7.1%	19.4%
42	Covers services provided by e.g. scientific, industrial or technological engineers and computer specialists	6'092	5.6%	17.4%
25	Covers clothing, footwear and headgear	5'308	4.9%	0.4%
41	Covers services in the area of education, training, entertainment, sporting and cultural activities	4'882	4.5%	12.1%
5	Includes mainly pharmaceuticals and other preparations for medical purposes	4'868	4.5%	3.1%
16	Includes mainly paper, goods made from that material and office requisites	4'652	4.3%	9.6%
3	Includes mainly cleaning preparations and toilet preparations	3'979	3.7%	3.3%
7	Includes mainly machines, machine tools, motors and engines	2'667	3.0%	9.8%
30	Includes mainly foodstuffs of plant of origin prepared for consumption or conservation as well as auxiliaries intended for the improvement of the flavor of food	1'585	2.9%	4.9%

## Number of Designations per International Registration 2008

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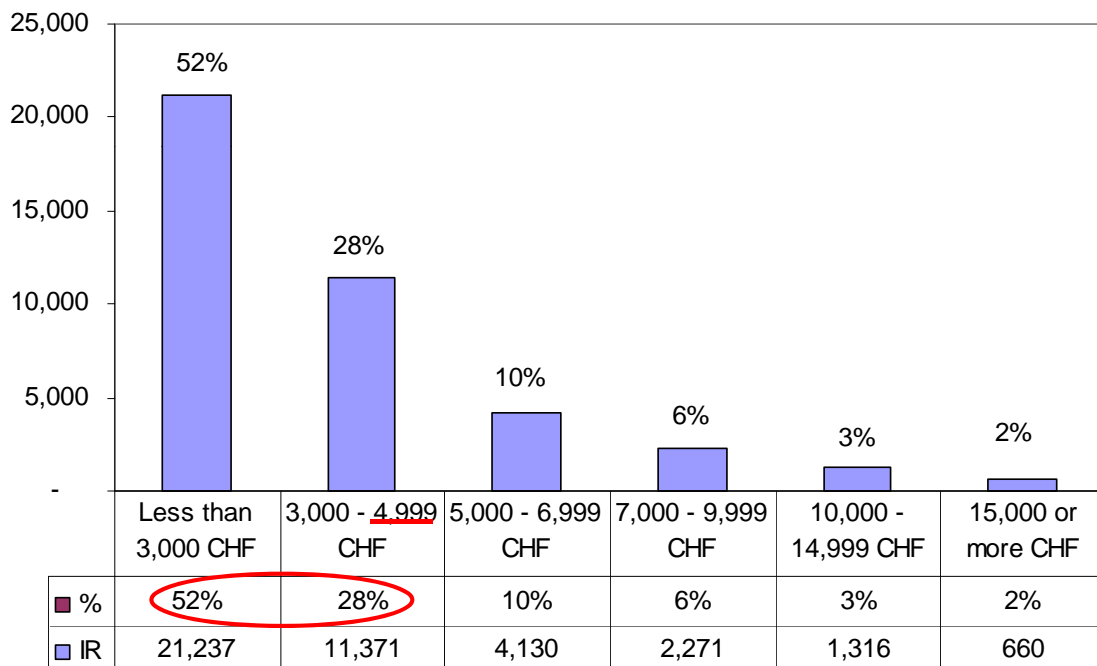




# Amounts of Fees paid per International Registration 2008



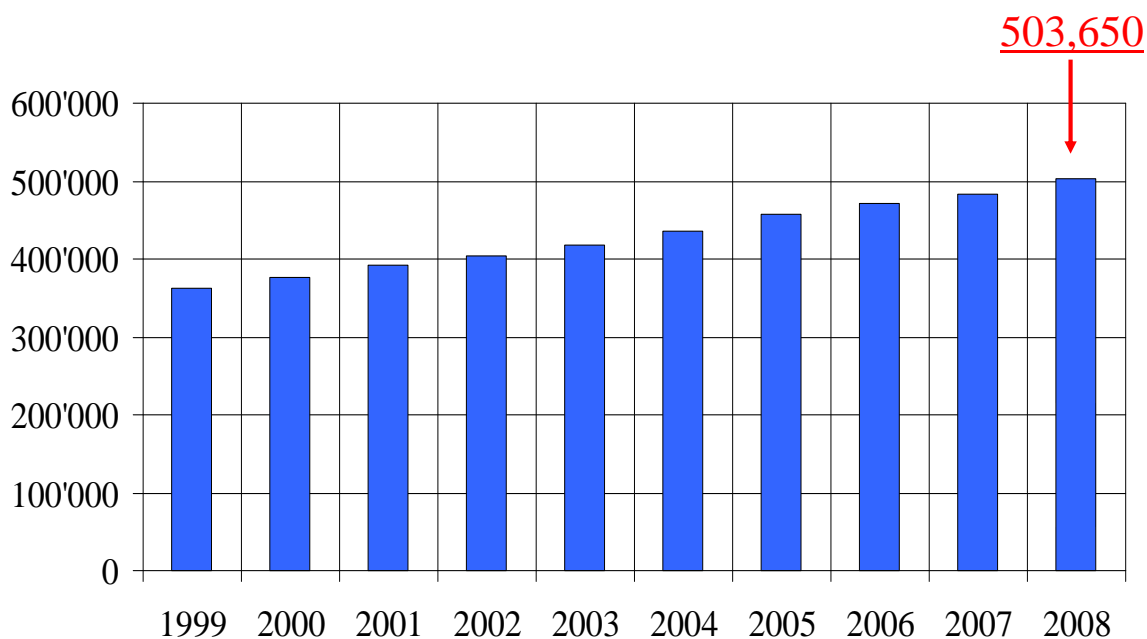
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# International Registrations In Force 1999 – 2008



Madrid System





# International registrations of trademarks in force



503,650 in total as of December 31, 2008

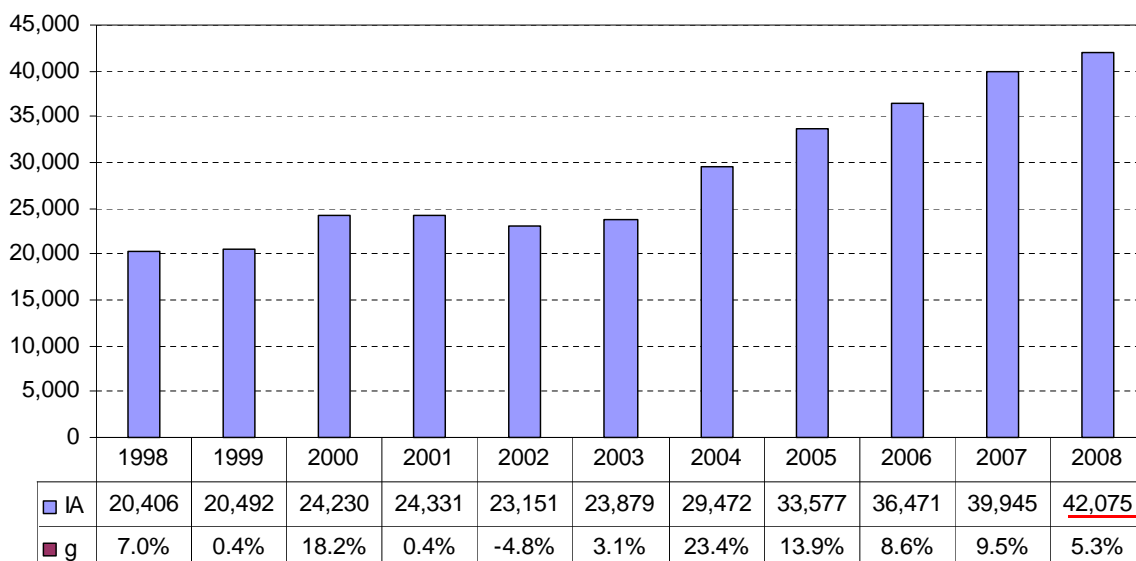
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Number of Trademarks	Number of right-holders	Share
1-2 marks	132,614	79.7%
3-10 marks	27,816	16.72%
11-100 marks	5,644	3.39%
101-500 marks	297	0.18%
> 500 marks	27	0.02%
All	<u>166,398</u>	100.00%

# International Applications 1998-2008



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## Major Filing Contracting Parties 2008



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1	Germany	6,214
2	France	4,218
3	US	3,684
4	EC	3,600
5	Switzerland	2,885
6	Italy	2,763
7	Benelux	2,667
8	China	1,585
9	Japan	1,278
10	Austria	1,245

## Some Significant Increase in the Number of Applications from CPs - 2008



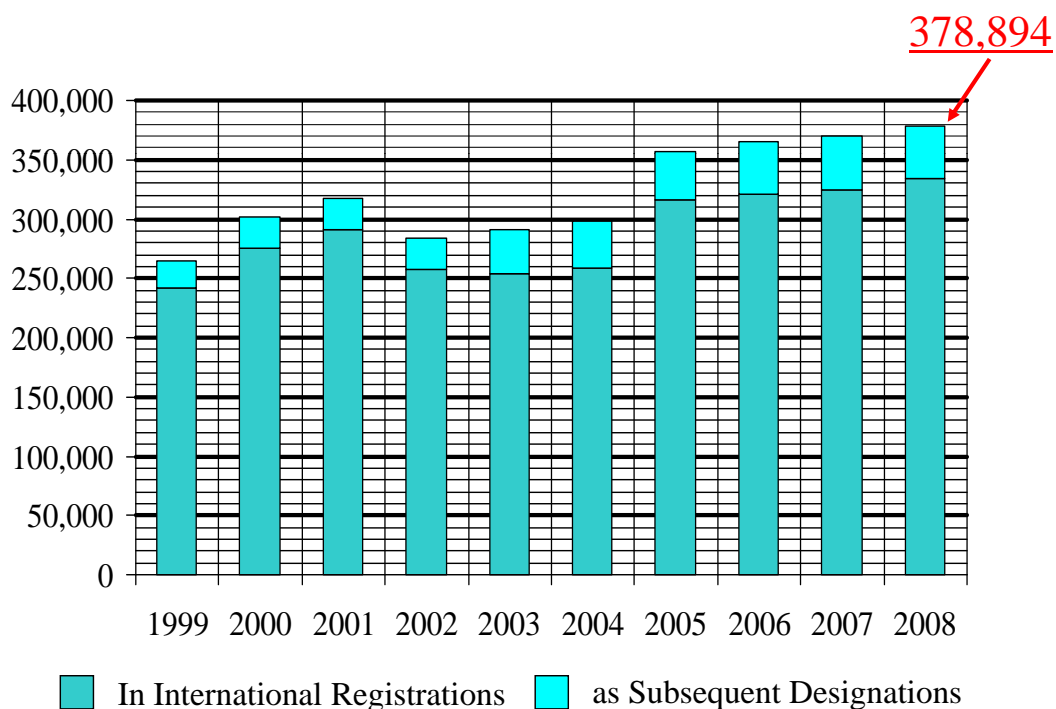
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Ranking	Contracting Party	No. of Applications	Share	Growth
5	Switzerland	2'885	6.86%	14.77%
9	Japan	1'278	3.04%	29.88%
11	Russian Federation	1'190	2.83%	33.86%
15	Turkey	890	2.12%	24.13%
19	Poland	416	0.99%	41.50%
14	Spain	981	2.33%	14.20%
23	Slovenia	296	0.70%	62.64%

# Designations 1999 – 2008



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## Major Designated Contracting Parties 2008



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1	China	17,829
2	Russia	16,768
3	US	15,715
4	Switzerland	14,907
5	EU	14,502
6	Japan	12,748
7	Ukraine	10,635
8	Australia	10,529
9	Turkey	9,844
10	Norway	9,787
12	Singapore	7,607
24	Viet Nam	4,966

## Top Applicants 2008



Madrid System

- 1 Lidl (Germany)
- 2 Nestlé (Switzerland)
- 3 Henkel (Germany)
- 4 Boehringer Ingelheim (Germany)
- 5 Novartis (Switzerland)
- 6 Janssen Pharmaceutica (Belgium)
- 7 BSH Bosch und Siemens (Germany)
- 8 Zhejiang Medicine Company (China)
- 9 L'Oréal (France)
- 10 Deutsche Telekom (Germany)

## Top Holders 2008



Madrid System

- 1 Henkel (Germany)
- 2 Janssen Pharmaceutica (Belgium)
- 3 Novartis (Switzerland)
- 4 L'Oréal (France)
- 5 Nestlé (Switzerland)
- 6 Unilever (Netherlands)
- 7 Sanofi-Aventis (France)
- 8 ITM Enterprises (France)
- 9 Siemens (Germany)
- 10 BASF (Germany)



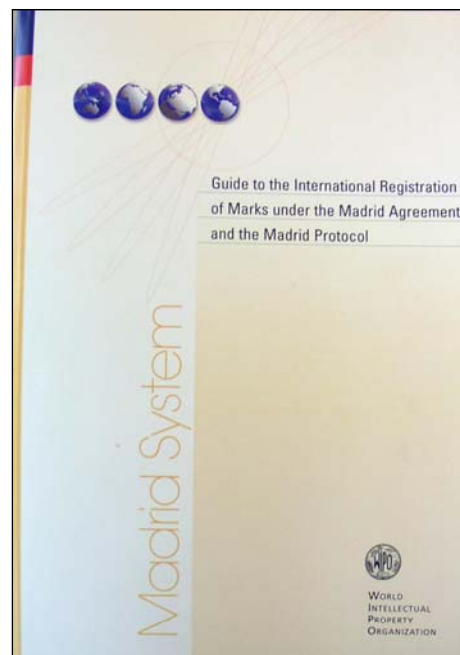
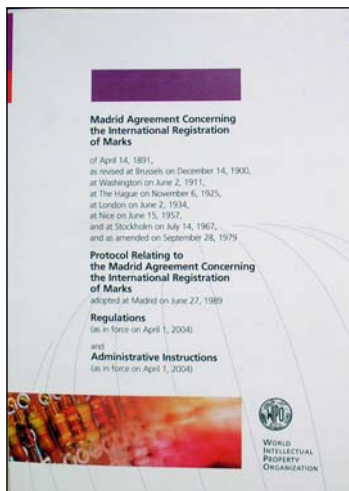
# Information and Tools

Legal texts, Guide, Gazette  
Madrid Express, Romarin




# Legal Texts and Guide

**Agreement / Protocol  
Common Regulations  
Administrative Instructions / Fees**



# Legal Texts

www.wipo.int/madrid/en/legal\_texts



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ABOUT WIPO | IP SERVICES | PROGRAM ACTIVITIES | RESOURCES | NEWS & EVENTS

Home > IP Services > Madrid System for the International Registration of Marks

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**MADRID SYSTEM FOR THE INTERNATIONAL REGISTRATION OF MARKS**

- Welcome
- General Information
- About Members
- Information Notices
- Filing Information
- Forms
- Fees / Fee Calculator
- Guide
- Legal Texts
- WIPO Gazette
- Online Services
- Meetings/Seminars
- FAQ
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## Legal Texts

### Agreement & Protocol

- » [Madrid Agreement](#) Concerning the International Registration of Marks [\[PDF\]](#)
- » [Protocol Relating to the Madrid Agreement](#) Concerning the International Registration of Marks [\[PDF\]](#)

### Regulations

- » [Common Regulations under the Madrid Agreement](#) Concerning the International Registration of Marks and the Protocol Relating to that Agreement (in Force on April 1, 2004) [\[PDF\]](#)

### Administrative Instructions

- » [Administrative Instructions](#) for the Application of the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating Thereto (in Force as of January 1, 2005) [\[PDF\]](#)

### Members

- » [About Members of the Madrid Union](#)

### Information Notices

- » [Important Information](#) regarding accessions, declarations, changes of fees, changes to regulations etc.

### E-bookshop

- » Publications related to the marks may be ordered online at the WIPO [Electronic bookshop](#).
- » A number of free publications are also available [online](#).

# Guide

www.wipo.int/madrid/en/guide



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ABOUT WIPO | IP SERVICES | PROGRAM ACTIVITIES | RESOURCES | NEWS & EVENTS

Home > IP Services > Madrid System for the International Registration of Marks

Legal Texts

**MADRID SYSTEM FOR THE INTERNATIONAL REGISTRATION OF MARKS**

- Welcome
- General Information
- About Members
- Information Notices
- Filing Information
- Forms
- Fees / Fee Calculator
- Guide
- Legal Texts
- WIPO Gazette
- Online Services
- Meetings/Seminars
- FAQ
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## Guide to the International Registration of Marks under the Madrid Agreement and the Madrid Protocol - Table of contents

The Guide itself (without Part C) is available in a single Adobe PDF file (1.2 Mb), as well as in smaller Adobe PDF files split up as follows:

### SUBJECT INDEX

#### Part A: Introduction

- [Introduction](#) [\[PDF\]](#) (175 kb)
  - [The Guide](#)
  - [The Madrid System - Basic Features](#)
  - [Becoming Party to the Agreement or Protocol](#)
  - [Declarations and Modifications by Contracting Parties](#)
  - [Further Information about the Madrid System](#)
  - [Public Information about International Registrations](#)

#### Part B: Procedure

- [Chapter I: General](#) [\[PDF\]](#) (175 kb)
  - [Introduction](#)
  - [Communications with the International Bureau](#)
  - [Representation before the International Bureau](#)
- [Chapter II: The International Procedure](#) [\[PDF\]](#) (600 kb)



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Home > IP Services > Madrid System for the International Registration of Marks

## MADRID SYSTEM FOR THE INTERNATIONAL REGISTRATION OF MARKS

- Welcome
- General Information
- About Members
- Information Notices
- Filing Information
- Forms
- Fees / Fee Calculator
- Guide
- Legal Texts
- WIPO Gazette
- Online Services
- Meetings/Seminars
- FAQ
- Contact

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- About trademarks
- SMEs Case Studies

## WIPO Gazette of International Marks

The WIPO Gazette of International Marks, the official publication of the Madrid System, is published by the International Bureau every week. It contains all relevant data on new international registrations, renewals, subsequent designations and changes and other entries affecting international registrations. The bibliographic data is identified by the WIPO INID codes (INID stands for "Internationally agreed Numbers for the Identification of Data"), that is, the codes of Standard ST.60 ("Recommendation concerning bibliographic data relating to marks") and Standard ST.3 ("Recommended standard two-letter code for the representation of States, other entities and international organizations issuing or registering industrial property titles").

### LINKS

- ROMARIN
- Madrid Express
- Gazette on CD
- Gazette on paper
- ST 60 (INID codes) [PDF]
- ST 3 (Country codes) [PDF]
- Nice Classification
- Vienna Classification

Gazette Issue	Publication Date	Registration Numbers	File Type
No 41/2006	Nov 16, 2006	898090 - 899168	(14960 KB)
No 40/2006	Nov 9, 2006	896928 - 898089	(28834 KB)

> WIPO Gazette of International Marks Archive: [Browse by Year](#)

The various codes used in the Gazette and the bibliographic data to which they relate are given in each issue of the Gazette. The Gazette also contains information of general interest such as declarations and notifications made by Contracting Parties under the Agreement, the Protocol or the Regulations regarding particular requirements, the amounts of individual fees under Article 8(7) of the Protocol or information on the days on which the International Bureau is not scheduled to be open to the public.

The Gazette is also available on paper and on CD-ROM. The CD-ROM edition is published every four weeks and is cumulative, so that the first disc of each year contains all the data published in the first four issues of the paper edition, the second disc contains all the data published in the first eight issues, and so on. It is possible to take out an annual subscription to the Gazette with the International Bureau or to buy individual issues of the paper edition. Orders should be addressed to the Marketing and Distribution Section of WIPO.

In respect of each year, the International Bureau is required to publish an index to the Gazette indicating all the international registrations, with the names of the holders, in respect of which an entry was published in the Gazette during that year. This index is available only on CD-ROM and is constituted by the final issue of the CD-ROM edition of the Gazette for the relevant year. It is distributed to the subscribers to the paper edition of the Gazette.



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Contact us | Sitemap

ABOUT WIPO IP SERVICES PROGRAM ACTIVITIES RESOURCES NEWS & EVENTS

Home > IP Services > Madrid System for the International Registration of Marks

## MADRID SYSTEM FOR THE INTERNATIONAL REGISTRATION OF MARKS

- Welcome
- General Information
- About Members
- Information Notices
- Filing Information
- Forms
- Fees / Fee Calculator
- Guide
- Legal Texts
- WIPO Gazette
- Online Services
- Meetings/Seminars
- FAQ
- Contact

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## Information Notices

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- > Aug 4, 2006 **Statements of grant of protection under Rule 17(6)** (MADRID/2006/9)
- > Jul 13, 2006 **Individual Fees under Article 8(7): Finland** (MADRID/2006/8)
- > Jul 3, 2006 **Fees in Respect of Classes Resulting from the Correction of the Classification in an International Registration** (MADRID/2006/7)
- > May 18, 2006 **Individual Fees: Viet Nam** (MADRID/2006/6)
- > May 8, 2006 **Accession to the Madrid Protocol: Viet Nam** (MADRID/2006/5)
- > Mar 24, 2006 **Electronic Renewal of International Registrations** (MADRID/2006/4)
- > Jan 31, 2006 **Statements of grant of protection: Kyrgyzstan** (MADRID/2006/3)
- > Jan 13, 2006 **Change in the Amounts of the Individual Fee: European Community** (MADRID/2006/2)
- > Jan 1, 2006 **Non-Working Days in 2006** (MADRID/2006/01)
- > Dec 1, 2005 **Amendment to the Schedule of Fees - Reduction of Fees for International Applications Originating from Least Developed Countries** (MADRID/2005/17)

> [1 - 10 of 207] [Next 10 items](#)

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☎ (41) 22 338 91 11 – Facsimile (International Trademark Registry): (41) 22 740 14 29  
e-mail: [intreg.mail@wipo.int](mailto:intreg.mail@wipo.int) – Internet: <http://www.wipo.int>

### MADRID PROTOCOL CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS

#### Claiming of Seniority: European Community

1. The Office of the European Community (hereinafter called “OHIM”) has drawn the attention of the International Bureau to the following.
2. Applicants or holders wishing to claim seniority in respect of a designation of the European Community under the Madrid Protocol will be required to complete a separate official form (MM17), to be annexed to the international application form or the subsequent designation form, as the case may be. The details of seniority claims will be published by the

# Information Concerning Procedures Before IP Offices



- The legal framework of Madrid system incorporates also the national trademark legislations of all Madrid Member states
- In order to improve information concerning this issue, WIPO provides specific information in regard to procedures before IP Offices
  - 76 country profiles to date

[www.wipo.int/madrid/en/members/ipoffices\\_info.html](http://www.wipo.int/madrid/en/members/ipoffices_info.html)



# Information Concerning Procedures Before IP Offices



Madrid System

Address [http://www.wipo.int/madrid/en/members/poffices\\_info.html](http://www.wipo.int/madrid/en/members/poffices_info.html)

**MADRID SYSTEM FOR THE INTERNATIONAL REGISTRATION OF MARKS**

- General Information
- About Members
- For Offices Only
- Information Notices
- Filing Information
- Fees / Fee Calculator
- Guide
- Legal Texts
- WIPO Gazette
- Online Services
- Statistics
- FAQs
- Meetings/Seminars
- Contact

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## Information concerning National or Regional Procedures before IP Offices under the Madrid System

The following IP Offices of Contracting Parties provide specific information on various procedures regarding applications or registrations. There are four parts within each entry: General Information, As Office of Origin, As Office of a Designated Contracting Party and Miscellaneous (all files are in MS-Word format).

- » [Albania](#)
- » [Algeria](#)
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- » [Armenia](#)
- » [Australia](#)
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- » [Azerbaijan](#)
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- » [Japan](#)
- » [Kazakhstan](#)
- » [Kenya](#)
- » [Kyrgyzstan](#)
- » [Latvia](#)
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- » [Namibia](#)
- » [Norway](#)
- » [Poland](#)
- » [Portugal](#)
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- » [Russian Federation](#)
- » [San Marino](#)
- » [Sao Tome and Principe](#)
- » [Serbia](#)
- » [Singapore](#)
- » [Slovakia](#)
- » [Slovenia](#)
- » [Spain](#)
- » [Sudan](#)
- » [Swaziland](#)
- » [Sweden](#)
- » [Switzerland](#)
- » [Syrian Arab Republic](#)
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# Fee Calculator



Madrid System

[www.wipo.int/madrid/en/fees/](http://www.wipo.int/madrid/en/fees/)

## International Registration of Marks - Fee Calculation

For date:  Office of origin:

Number of classes:  Type:

Colour
  Collective mark
  Includes figurative elements

AG  AL  AM  AN  AT  AU  BG  BT  BX  BY  
 CH  CN  CU  CY  CZ  DE  DK  EE  ES  FI  
 FR  GB  GE  GR  HU  IE  IS  IT  JP  KE  
 KP  KR  LI  LS  LT  LV  MA  MC  MD  MK  
 MN  MZ  NO  PL  PT  RO  RU  SE  SG  SI  
 SK  SL  SZ  TM  TR  UA  YU  ZM

# Madrid Express



www.wipo.int/madrid/en/services/madrid\_express.htm

Madrid System

Please select a database:

Transaction Type:  Data Type:

Query:

<input type="text" value="AND"/>	<input type="text" value="International Registration Number"/>	=	<input type="text"/>
<input type="text" value="AND"/>	<input type="text" value="Holder Name"/>	=	<input type="text"/>
<input type="text" value="AND"/>	<input type="text" value="Representative"/>	=	<input type="text"/>
<input type="text" value="AND"/>	<input type="text" value="Mark"/>	=	<input type="text" value="pendaflex"/>
<input type="text" value="AND"/>	<input type="text" value="Vienna Classification"/>	=	<input type="text"/>
<input type="text" value="AND"/>	<input type="text" value="Nice Classification"/>	=	<input type="text"/>
<input type="text" value="AND"/>	<input type="text" value="Goods and Services (English)"/>	=	<input type="text"/>
<input type="text" value="AND"/>	<input type="text" value="Goods and Services (French)"/>	=	<input type="text"/>
<input type="text" value="AND"/>	<input type="text" value="Goods and Services (Spanish)"/>	=	<input type="text"/>
<input type="text" value="AND"/>	<input type="text" value="Office of Origin"/>	=	<input type="text"/>
<input type="text" value="AND"/>	<input type="text" value="Basic Application Number"/>	=	<input type="text"/>
<input type="text" value="AND"/>	<input type="text" value="Basic Registration Number"/>	=	<input type="text"/>
<input type="text" value="AND"/>	<input type="text" value="Designated Contracting Parties"/>	=	<input type="text"/>

[Display Options](#)

# Madrid Express



www.wipo.int/madrid/en/services/madrid\_express.htm

Madrid System

	1 of 1
(151) 13.01.2004	819913
(180) 13.01.2014	
(171) 10	
(732) Esselte Corporation 48 South Service Road, Suite 400, Melville New York 11747-2340 (US)	
(812) US	
(842) Corporation New York, USA	
(740) Amy L. Nelkin, Esq., Darby & Darby 805 Third Avenue New York, NY 10022-7513 (US)	
(540)	
(531) 26.01; 27.05; 29.01	
(591) Red. Rouge. Entire mark is in the color red. La marque est entièrement de couleur rouge.	
(511) 16 Filing system, namely, folders, guides, tabs, notecards, suspension members and cases. Systèmes de classement, à savoir chemises, guides, onglets, fiches pense-bête, éléments de suspension et coffrets.	
(821) US, 27.10.2003, 78/319.147	
(300) US, 27.10.2003, 78/319.147	
(832) AU, BG, BY, CH, IS, KP, KR, MK, <a href="#">NO</a> , RO, <a href="#">RU</a> , UA	

# Madrid Express



www.wipo.int/madrid/en/services/madrid\_express.htm

Madrid System

(812) US  
(842) Corporation New York, USA  
(740) Amy L. Nelkin, Esq.,  
Darby & Darby  
805 Third Avenue  
New York, NY 10022-7513 (US)  
(540)   
(531) 26.01; 27.05; 29.01  
(591) Red.  
Rouge. Entire mark is in the color red.  
La marque est entièrement de couleur rouge.  
(511) 16 Filing system, namely, folders, guides, tabs, notecards, suspension members and cases.  
Systèmes de classement, à savoir chemises, guides, onglets, fiches pense-bête, éléments de suspension et coffrets.  
(821) US, 27.10.2003, 78/319.147  
(300) US, 27.10.2003, 78/319.147  
(832) AU, BG, BY, CH, IS, KP, KR, MK, [NO](#), RO, [RU](#), UA

NO  
(861) 2005/15 Gaz

Total refusal of protection

# ROMARIN



www.wipo.int/madrid/en/romarin/index.htm


Madrid System

Query:

<input type="checkbox"/>	International Registration Number	contains	<input type="text"/>	<input type="checkbox"/>
AND	<input type="checkbox"/>	Holder Name	contains	<input type="text"/>
AND	<input type="checkbox"/>	Representative	contains	<input type="text"/>
AND	<input type="checkbox"/>	Mark	contains	pendaflex
AND	<input type="checkbox"/>	Vienna Classification	contains	<input type="text"/>
AND	<input type="checkbox"/>	Nice Classification	contains	<input type="text"/>
AND	<input type="checkbox"/>	Goods and Services (English)	contains	<input type="text"/>
AND	<input type="checkbox"/>	Goods and Services (French)	contains	<input type="text"/>
AND	<input type="checkbox"/>	Goods and Services (Spanish)	contains	<input type="text"/>
AND	<input type="checkbox"/>	Office of Origin	contains	<input type="text"/>
AND	<input type="checkbox"/>	Basic Application Number	contains	<input type="text"/>
AND	<input type="checkbox"/>	Basic Registration Number	contains	<input type="text"/>
AND	<input type="checkbox"/>	Designated Contracting Parties	contains	<input type="text"/>
AND	<input type="checkbox"/>	Registration date	contains	<input type="text"/>

Results at a time:

Sort result list by:  Hits  Mark N°  Mark Name

View	Countries	Shortcuts
<a href="#">Full details</a> <a href="#">Summary</a> <a href="#">By Office</a>	<a href="#">AU</a> <a href="#">BG</a> <a href="#">BY</a> <a href="#">CH</a> <a href="#">IS</a> <a href="#">JP</a> <a href="#">KP</a> <a href="#">KR</a> <a href="#">MK</a> <a href="#">NO</a> <a href="#">RO</a> <a href="#">RU</a> <a href="#">UA</a>	<a href="#">Print preview</a> <a href="#">Print</a>
		819913
151	Date of the registration	
	13.01.2004	
180	Expected expiration date of the registration/renewal	
	13.01.2014	
270	Language of the application	
	English	
<b>Current Status</b>		
732	Name and address of the holder of the registration	
	<b>Essette Business Corporation</b> 48 South Service Road Melville, New York 11747 (US)	
811	Contracting State of which the holder is a national	
	US	
740	Name and address of the representative	
	<b>Darby &amp; Darby PC,</b> <b>Attn: Steven J. Natto</b> 805 Third Avenue New York, New York 10022-7513 (US)	
770	Name and address of the previous holder	
	<b>Essette Corporation</b> 48 South Service Road, Suite 400, Melville New York 11747-2340 (US)	
540	Mark	
		

## International Application Simulator

- A first step to develop an International Application Processor- Simulator responds specifically to the individual need when seeking protection of your mark abroad
- At the end of the simulation, after plugging in the data, the simulator shows your cost estimate of registering the mark

[www.wipo.int/madrid/en/madrid\\_simulator/](http://www.wipo.int/madrid/en/madrid_simulator/)



# The International Application Simulator

Madrid System

The screenshot shows the WIPO IP Services website. The main heading is "Madrid System for the International Registration of Marks". The page includes a navigation menu with "ABOUT WIPO", "IP SERVICES", "PROGRAM ACTIVITIES", "RESOURCES", and "NEWS & EVENTS". A sidebar on the left contains a "MADRID SYSTEM FOR THE INTERNATIONAL REGISTRATION OF MARKS" section with links for "News", "General Information", "About Members", "For Offices Only", "Information Notices", "Filing Information", "Forms", "Fees / Fee Calculator", "Guide", "Legal Texts", "WIPO Gazette", "Online Services", "Statistics", "Meetings/Seminars", and "Contact". Below this are "RELATED LINKS" and "E-NEWSLETTER" sections. The main content area features a "SHORTCUTS" section with links to "Videos 'What Users Say about the Madrid System'", "International Application Simulator" (circled in red), and "Open Forum on Replacement". The "News" section lists several articles, including "Summary Report for the Year 2007" and "Information Technology Development (Sogeti Report) [PDF]". A "Warning" section at the bottom states: "On several occasions, the attention of the International Bureau has been drawn to the fact that certain organizations are sending letters to the owners of international registrations, inviting them to register their marks in publications which appear to be of an official nature. The International Bureau warns the owners of international registrations and their agents that such a publication has absolutely no legal effect."

# Simulator Main Page

Madrid System

The screenshot shows the "International Application Simulator" main page. The page title is "International Application Simulator". The main heading is "International Application Simulator". Below the heading is a "Step 1" section. The text reads: "The simulator is designed to show you how to use the Madrid System to seek the protection of your mark\* abroad. At the end of the simulation, it will also help you estimate the cost of registering your mark through the Madrid System, a simple, easy and cost-effective international registration procedure." Below this text is a form with the label "Where you are from :" and a dropdown menu containing "\*\* Select \*\*" (circled in red). Below the dropdown menu are "Start" and "Reset" buttons (both circled in red). A footnote at the bottom states: "\* A mark, also called a trademark, is a distinctive sign that is used to identify goods and services. In general, registration gives the holder of a mark an exclusive right to use it and prevent its use by others using the mark on related goods and services." The page also includes a sidebar with navigation links and a footer with "RSS | Contact us | Terms of use".

# Selected OO (Madagascar)

Madrid System

WORLD INTELLECTUAL PROPERTY ORGANIZATION

IP SERVICES

ESpañol | Français

Search

Contact us | Sitemap

Home > IP Services > Madrid System for the International Registration of Marks > International Application Simulator

## International Application Simulator

» [Step 1](#)

The simulator is designed to show you how to use the [Madrid System](#) to seek the protection of your mark\* abroad. At the end of the simulation, it will also help you estimate the cost of registering your mark through the Madrid System, a simple, easy and cost-effective international registration procedure.

You are welcome to start the simulation by specifying below a country or region in which you are established, domiciled or of which you are a national.

Where you are from :

\* A mark, also called a [trademark](#), is a distinctive sign that is used to identify goods and services. In general, registration gives the holder of a mark an exclusive right to use it and prevent its use by others using the mark on related goods and services.

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# List of DCPs

Madrid System

» [Step 1](#) » [Step 2](#)

Madagascar is a party to the [Madrid Protocol](#). Instead of applying for the registration of your mark in each of the countries or regions listed below, you can use the Madrid System to reach the same result. To do so, just contact your [Industrial Property Office](#) (see Madagascar)\*\* to start the filing process.

To continue the simulation, please reply first to the following questions concerning factors which may affect the calculation of the cost for the international registration:

- ▶ The [Nice Classification](#) is an international standard to group the goods or services and the number of classes so resulted is taken into account to calculate the cost for registration. Please indicate in how many classes are grouped the goods or services covered by your mark.
- ▶ Is your mark to be registered in colour or colours? (check the box if yes)
- ▶ Is your mark a [collective mark](#), [certification mark](#) or [quarantee mark](#)? (check the box if yes)
- ▶ Does your mark include figurative elements (such as a logo, shape, colour scheme, etc.)? (check the box if yes)
- ▶ In which of the below countries or regions would you like to apply for the protection of your mark? (check the relevant boxes) The full name appears once you hover the mouse cursor over a code ([Code standards](#)).

<input type="checkbox"/> AG	<input type="checkbox"/> AL	<input type="checkbox"/> AM	<input type="checkbox"/> AN	<input type="checkbox"/> AT	<input type="checkbox"/> AU	<input type="checkbox"/> AZ	<input type="checkbox"/> BG	<input type="checkbox"/> BH	<input type="checkbox"/> BT
<input type="checkbox"/> BW	<input type="checkbox"/> BX	<input type="checkbox"/> BY	<input checked="" type="checkbox"/> CH	<input checked="" type="checkbox"/> CN	<input type="checkbox"/> CU	<input type="checkbox"/> CY	<input type="checkbox"/> CZ	<input type="checkbox"/> DE	<input type="checkbox"/> DK
<input type="checkbox"/> EE	<input checked="" type="checkbox"/> EM	<input type="checkbox"/> ES	<input type="checkbox"/> FI	<input checked="" type="checkbox"/> FR	<input type="checkbox"/> GB	<input type="checkbox"/> GE	<input type="checkbox"/> GR	<input type="checkbox"/> HR	<input type="checkbox"/> HU
<input type="checkbox"/> IE	<input type="checkbox"/> IR	<input type="checkbox"/> IS	<input type="checkbox"/> IT	<input checked="" type="checkbox"/> JP	<input checked="" type="checkbox"/> KE	<input type="checkbox"/> KG	<input type="checkbox"/> KP	<input type="checkbox"/> KR	<input type="checkbox"/> LI
<input type="checkbox"/> LS	<input type="checkbox"/> LT	<input type="checkbox"/> LV	<input checked="" type="checkbox"/> MA	<input type="checkbox"/> MC	<input type="checkbox"/> MD	<input type="checkbox"/> ME	<input type="checkbox"/> MK	<input type="checkbox"/> MN	<input type="checkbox"/> MZ
<input type="checkbox"/> NA	<input type="checkbox"/> NO	<input type="checkbox"/> OM	<input type="checkbox"/> PL	<input type="checkbox"/> PT	<input type="checkbox"/> RO	<input type="checkbox"/> RS	<input type="checkbox"/> RU	<input type="checkbox"/> SE	<input type="checkbox"/> SG
<input type="checkbox"/> SI	<input type="checkbox"/> SK	<input type="checkbox"/> SL	<input type="checkbox"/> SM	<input type="checkbox"/> SY	<input type="checkbox"/> SZ	<input type="checkbox"/> TM	<input type="checkbox"/> TR	<input type="checkbox"/> UA	<input checked="" type="checkbox"/> US
<input type="checkbox"/> UZ	<input type="checkbox"/> VN	<input type="checkbox"/> ZM							



# Calculation

Madrid System

WORLD INTELLECTUAL PROPERTY ORGANIZATION IP SERVICES

ABOUT WIPO IP SERVICES PROGRAM ACTIVITIES RESOURCES NEWS & EVENTS

Home > IP Services > Madrid System for the International Registration of Marks > International Application Simulator

### International Application Simulator

» [Step 1](#) » [Step 2](#) » [Step 3](#)

Based on the information provided on the previous screens, your application is to be governed by the [Madrid Protocol](#). It can be completed as below:

- 1. Ensure that your mark has been registered or the subject of an application of registration first with your [Industrial Property Office](#) (Madagascar), as your international application must be based on such a basic mark;
- 2. Fill in the application form **MM2** in English, French or Spanish;
- 3. Deposit the form MM2 with your [Industrial Property Office](#) (Madagascar), not with WIPO directly;
- 4. Pay the international registration fee of 8278.0 Swiss Francs as estimated **here**. In addition, your IP Office may charge a handling fee for receiving and forwarding the application to WIPO. If you wish to recalculate the cost due to some changes, you can use the [cost calculator](#) directly.

We recommend that you read the [General Information](#) and other useful information published on the [Madrid System website](#) before filing.

This [collection of information](#) can provide you with information concerning the national or regional procedures before Industrial Property Offices under the Madrid Union.

We thank you for using the simulator and wish you a successful international registration of your mark under the Madrid System. Your [feedback](#) is welcome.

[Restart the Simulation](#)

**CHF 8,278**

# Calculation

Madrid System

Amount of fees payable for your international application as simulated above

Basic fee where any reproduction of the mark is in color :	90
Complementary fee :3 x 73.00 CHF	219
<b>Switzerland</b>	
Individual fee :	450
<b>China</b>	
Collective individual fee :	929
Individual fee / supplementary fee (collective mark):2 x 465.00 (1 class free)	930
<b>European Community</b>	
Collective individual fee :	4151
<b>Japan</b>	
Individual fee (first part):	115
Individual fee / supplementary fee (first part):2 x 88.00 (1 class free)	176
<b>United States of America</b>	
Individual fee / supplementary fee :3 x 406.00 (0 classes free)	1218
<b>TOTAL: (CHF)</b>	<b>8278.0</b>

**Comments**

- » The **complementary fee** (if applicable) is related to the number of Contracting Parties
- » The **supplementary fee** (if applicable) is related to the number of classes beyond the third
- » **Individual fees** (if applicable) are payable for some Protocol Contracting Parties

[Click Here to go back to the top.](#)

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# Advantages of the Madrid System

Regal developments  
Advantages of the Madrid System

## Recent Developments in the Madrid System (1)

- Repeal of the Safeguard Clause
  - Protocol regulates the relations in the mutual relations of Contracting Parties bound by both treaties
- Full Trilingual Regime
- Increase of the standard fees - from 75 to 100 CHF

## Recent Developments in the Madrid System (2)



Madrid System

- Due to enter into force on Sept. 1, 2009 following amendments:
  - Improve accessibility of information regarding the state of IRs in designated CPs : a statement of grant of protection will become obligatory
  - Madrid Assembly in 2008, took decision to conduct a study for a possible enlarging of the language regime for introducing Arabic, Russian, Chinese and Portuguese as official filing languages

## Recent Accessions



Madrid System

- Madagascar (P): January 28, 2008
- Ghana (P): September 16, 2008
- Sao Tome and Principe (P): December 8, 2008
- Bosnia-Herzegovina (P): January 27, 2009
- Egypt (P): September 3, 2009

## Prospective Accessions



Madrid System

- Most promising
  - Colombia, Israel, Tajikistan (A), Kazakhstan (A), Sudan (A)
- Under consideration
  - .....

## Benefits For Trademark Owners



Madrid System

- Faster
  - A single international application has the same legal effect as a national application
  - A fixed dead line for refusal
- Simpler
  - A single Renewal date
  - A single transaction to change company details
- Cheaper
  - No need to pay local agents at the filing stage
  - No translation of the paperwork into several languages

# Benefits For the Government



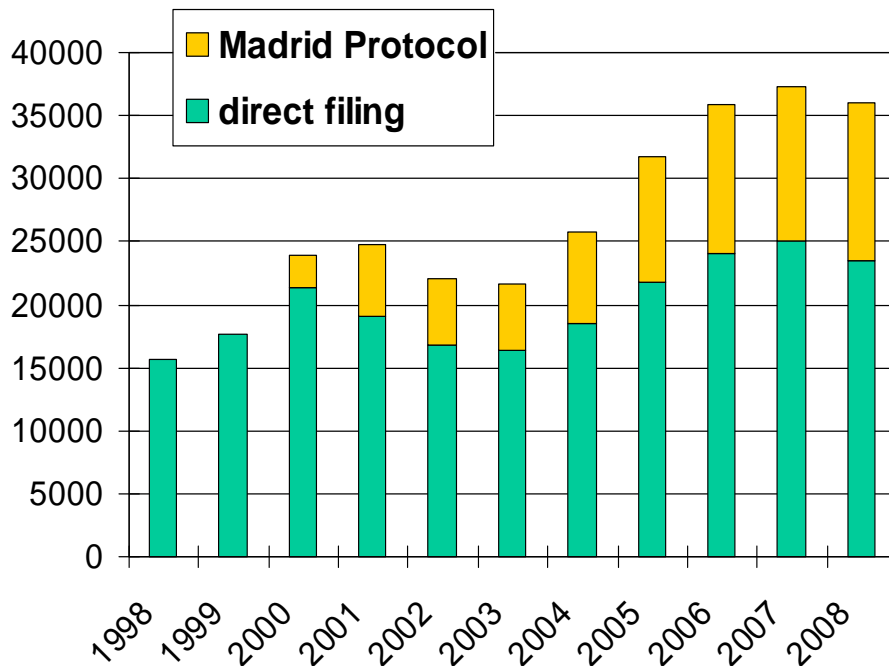
Madrid System

- Positive Effect on Economic Growth
  - Empowers SMEs, a important engine for economic growth, by contributing to the opening of new markets and assisting in the development of exports
  - Creates a more favorable climate for foreign investment
- Advantages for the Government's Finance
  - Generates revenue

# Trademark Applications by non-residents with the JPO



Madrid System



## Benefits For the IP Offices



Madrid System

- Would not bring an overwhelming number of new applications.
- Eases burden due to formalities examination and other services provided by IB, e.g., publication in WIPO Gazette, searchable databases (Internet and optical disks), etc.

## Benefits For Local Agents



Madrid System

- Increased designations can result in pre-registration and post-registration business for local counsel, e.g.,
  - clearance of mark
  - refusals
  - oppositions
  - enforcement
- In an expanding local economy, the Madrid System serves as an incentive to file international applications and maintain portfolios of international registrations

## Conclusion – The Madrid System



Madrid System

Eases  
Registration & Management

Empowers  
Businesses

**Join the Madrid System!**



Thank you

[Kazutaka.Sawasato@wipo.int](mailto:Kazutaka.Sawasato@wipo.int)

World  
Intellectual  
Property  
Organization

