



# ■ Madrid System Update and News

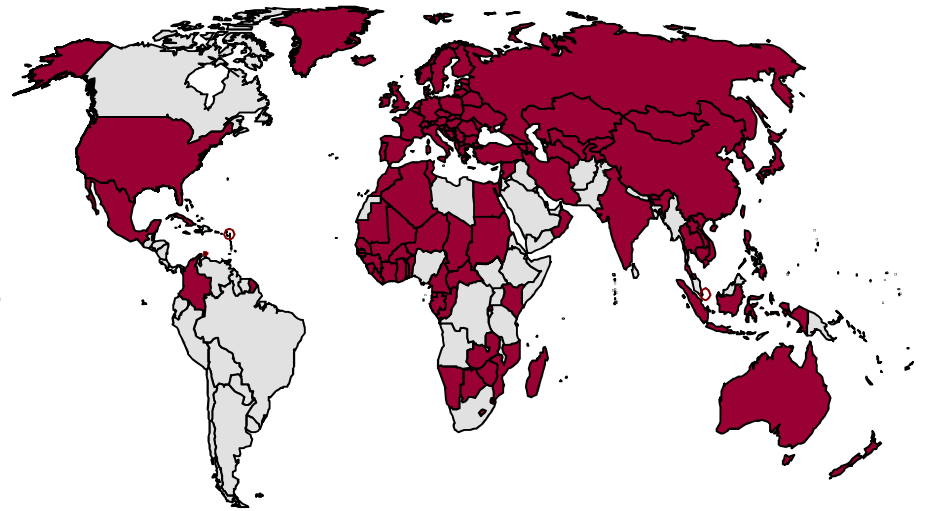
*Regional Meeting of Intellectual Property Office Officials  
Responsible for the Madrid System, Tokyo, October 23-24, 2017*

**Sara Amini**  
*Senior Project Officer*  
Madrid Registry

**Lucy Headington-Horton**  
*Senior Legal Officer*  
Madrid Registry

# Geographic Coverage

- Currently: 116 countries covered by the 100 members
- Markets that represent more than 80% of world trade



## Accession outlook: 2017 to 2019

- **Africa:** Malawi, Mauritius, South Africa
- **Arab region:** Jordan, Saudi Arabia
- **Asia:** Malaysia, Sri Lanka
- **Europe:** Malta
- **Latin America and the Caribbean:** Barbados, Brazil, El Salvador, Jamaica, Trinidad & Tobago
- **North America:** Canada

# Madrid System Users

Broad cross-section of industries from around the world



Used by individual entrepreneurs, small and large businesses



# 2016 Statistics

**52,550** applications filed (7.2% increase)

## Top filers

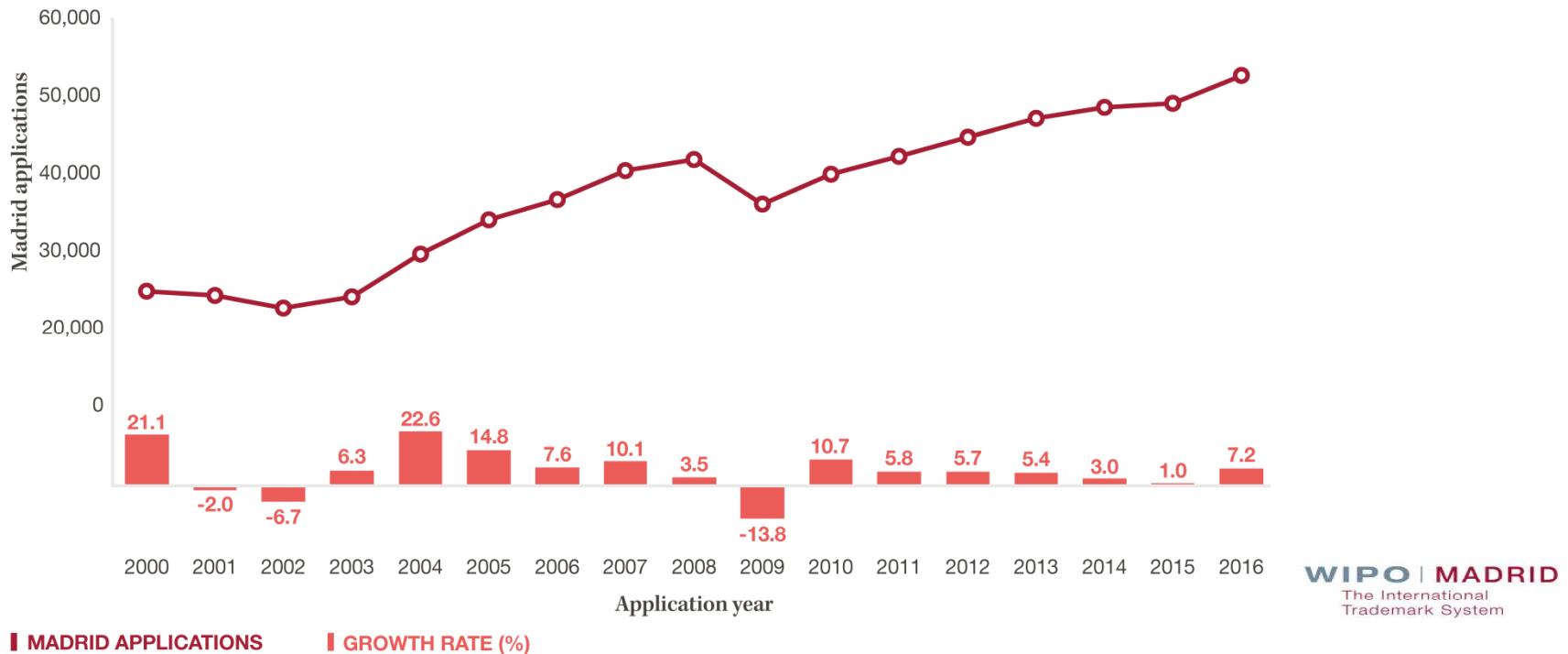
■ L'ORÉAL

■ GLAXO GROUP LIMITED

■ BMW

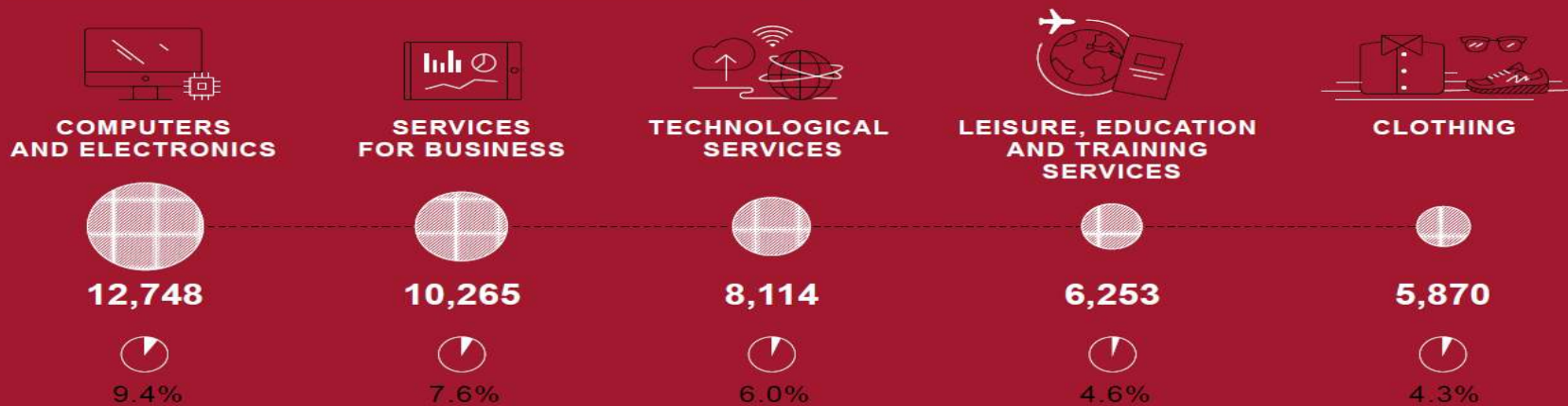
# International Applications

Figure A.1.1 Trend in international applications

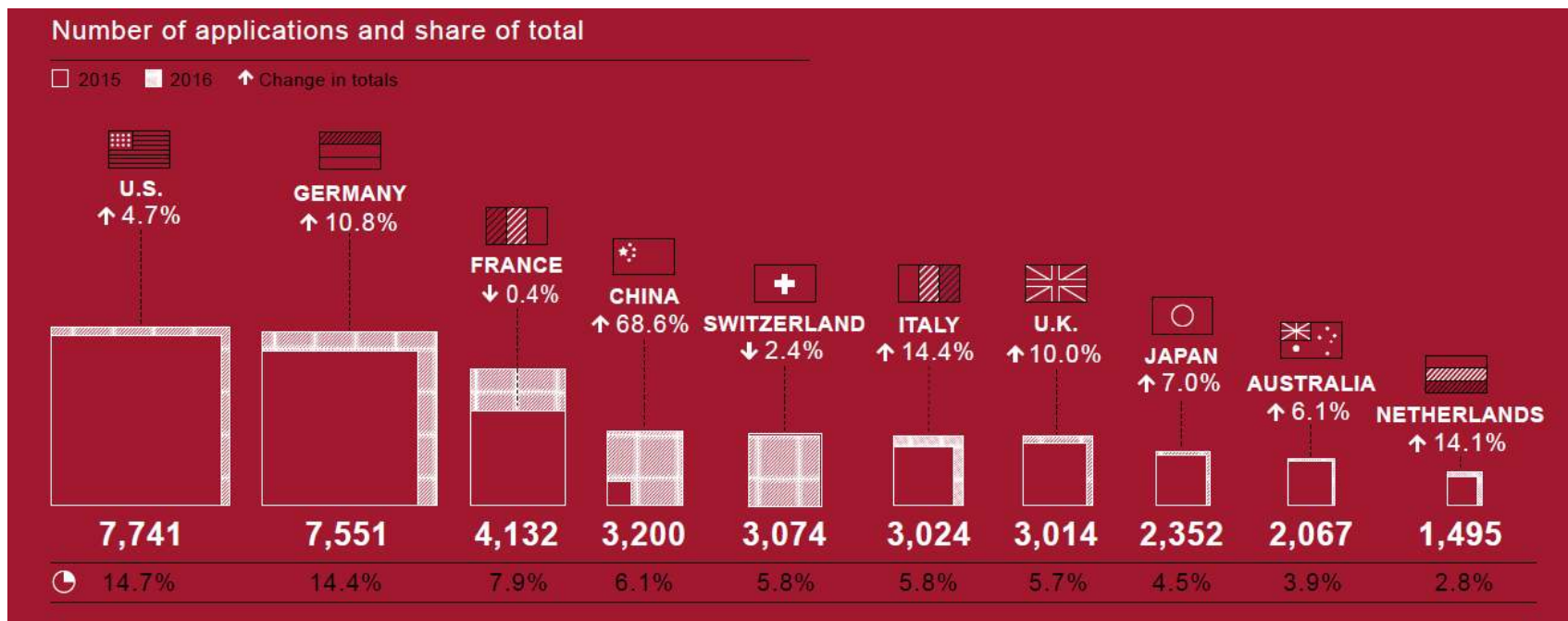


# Top Five Classes

Number of classes specified in international applications and share of total

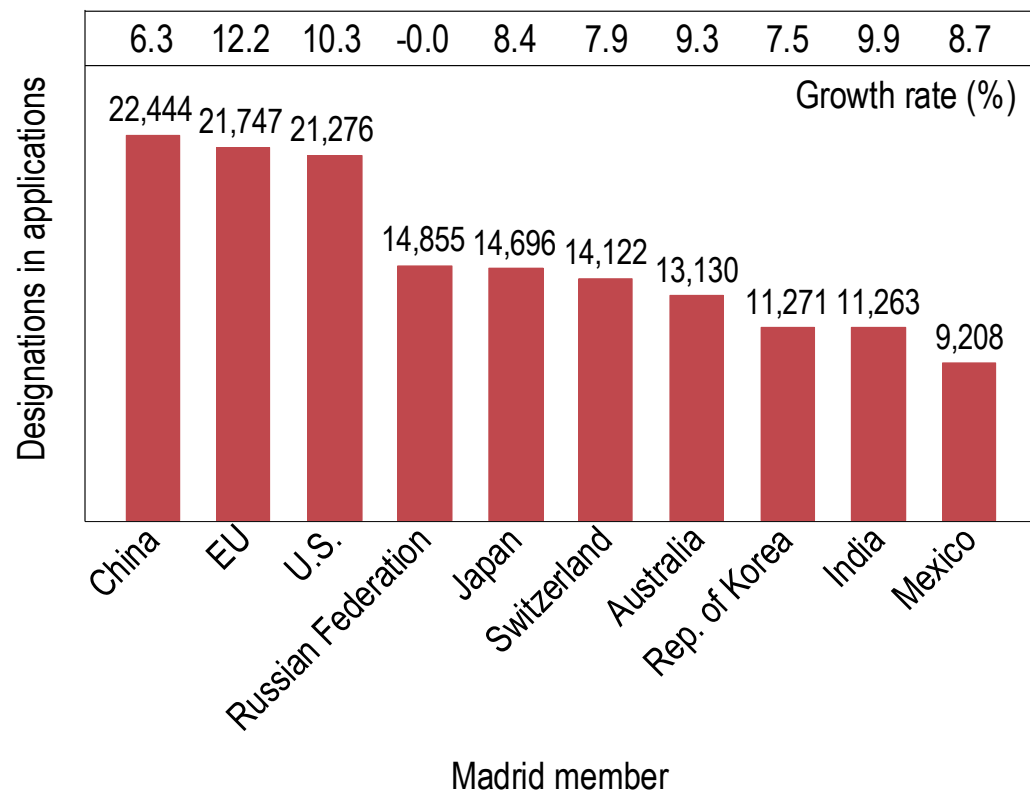


# Top Ten Filing Origins





# Top Ten Designated Contracting Parties





# Legal Developments

# Recent Legal Developments

- **The freeze of the application of Article 14 of the Madrid Agreement (2016)**
  - No longer possible to accede only to the Agreement
- **Outcome of Working Group & Roundtable**
  - Changes to the Common Regulations that would:
    - assist Offices of designated Contracting Parties (dCP's)
    - clarify tasks by the International Bureau (IB)
    - be beneficial for holders
- **Road Map**



## Proposed Revised Road Map June 2017

Short term		<b>Reporting to Roundtable</b>  Geographical coverage of the Madrid System  Performance framework  Time to process regular transactions (maximum processing time)  E- Madrid
Working Group	Roundtable	
Replacement Transformation New Types of Marks Limitations	Classification principles Correction Correspondence of marks for certification purposes Marks in different scripts Fulfillment of requirements Examination practices of the International Bureau (publication of)	
Medium Term		
Working Group	Roundtable	
Harmonized time limit to reply to a provisional refusal Possible reduction of the dependency period Fee revision and payment options Correction	Examination practices of the IB (publication of) Reducing inconsistencies of classification practices' Updated International Registration certificates Universal provision of full statements of grant of protection from all Contracting parties Option for requesting a search upon designation of the European Union	
Long Term		
Entitlement to file Issues listed in IV of document MM/LD/WG/14/4 Options Concerning Offices. Review Procedure Scope of list of goods and services (possible de-linking)		

# Changes to the Common Regulations (July 1, 2017)

- Introducing or changing the indication of the legal nature where the holder is a legal entity (Rule 25); MM9 form and fee of 150 CHF
- Clarification of the examination of limitations in the IB
  - Classification of limitations in international applications (Rule 12)
  - Checking that class numbers correspond for limitations presented on MM6 form (Rules 25 to 27)

## Changes to the Common Regulations (November 1, 2017)

- Introducing a voluntary description of the mark in international applications and subsequent designations (Rule 9)
- Where an irregularity relating to MM18 form has not been remedied in a subsequent designation, the IB will only abandon the designation of the US (Rule 24)
- The IB will inform dCPs of changes concerning the holder's representative (Rules 3, 25 and 32)

## Changes to the Common Regulations (November 1, 2017)

- It will be easier for dCPs to notify the IB of further decisions concerning the scope of protection (Rule 18*ter*(4))
- Where the dCPs are not able to send communications directly to the holders of IRs, the IB can forward them to the holders (new Rule 23*bis*)
- Two changes concerning ceasing of effect (Rule 22):
  - Office of origin can inform the IB of a final decision
  - A cancellation of an IR will also affect any IRs resulting from partial change in ownership

# Changes to the Common Regulations (February 1, 2017)

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



# Classification Guidelines

- Purpose - to decrease irregularities
- Describes WIPO classification practices
- Divided into three sections:
  - General information - Nice Classification and Madrid
  - Classification principles applied by WIPO
  - Practical information on the acceptable format to list indications of goods and services

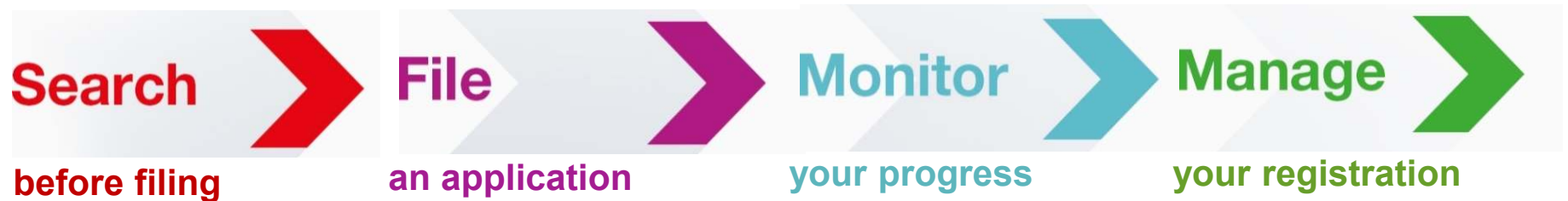




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# Online Resources and E-Services

The Madrid System website and customized E-services are available to help you:





**Search** FileMonitorManage

# Search



Check if similar marks already exist in your target markets

Start with the  
Global Brand  
Database

Access 28+ million records from  
35 national and international collections

## Global Brand Database

Perform a trademark search by text or image in brand data from multiple national and international sources, including trademarks, appellations of origin and official emblems. V: 2017-06-13 14:52

<b>Data from Viet Nam available</b> 2017-04-10 Over 220,000 records added	<b>Free webinars</b> 2017-04-10 Join us on May 2 or 4 for webinars on using the Global Brand Database	<b>Data from Spain available</b> 2016-10-11 Over 740,000 records added	<b>Data from Mongolia available</b> 2016-08-10 Over 15,000 records added	<b>Data from Malaysia available</b> 2016-07 Over 450,000 records added	<b>NEWS</b>
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### SEARCH BY

Brand Names Numbers Dates Class Country

**Text** =

**Image Class** =

**Goods (All)** =

**search**

### FILTER BY

Source	Image	Status	Origin	App. Year *	Expiration *		
AE TM	39,540	AU TM	1,588,897	BN TM	43,087	CA TM	1,509,361
CH TM	386,684	DE TM	1,931,071	DK TM	286,205	DZ TM	30,588
EE TM	57,491	EG TM	113,733	EM TM	1,446,263	ES TM	790,736
GE TM	27,910	ID TM	847,650	IL TM	261,089	JO TM	64,846
JP TM	1,993,699	KH TM	77,054	KR TM	3,275,083	LA TM	38,790
MA TM	159,344	MD TM	38,345	MN TM	62,859	MX TM	1,227,219

Display: List ▾ Sort: Value - asc ▾ **filter**

1 - 30 / 28,752,275 TMview  Display: 30 per page  1 / 958,410

	Brand	Source	Status	Relevance	Origin	Holder	Number	App. Date	Image Class	Nice Cl.	Image
<input type="checkbox"/>	LEAH	NZ TM	Pending	1	NZ	NZ JUNS INTERNATIONAL LIMITED	1068510	2017-06-12		25	
<input type="checkbox"/>	CARBON WHITE	NZ TM	Pending	1	NZ	David Pearce	1068807	2017-06-12		1, 3, 5	
<input type="checkbox"/>	Intelligent Charging	NZ TM	Pending	1	NZ	CHARGEMASTER NZ LIMITED	1068805	2017-06-12		9, 12, 37	
<input type="checkbox"/>	Ultimate Fitness Travel	NZ TM	Pending	1	NZ	James Bradley	1068808	2017-06-12		41	
<input type="checkbox"/>	COME ON DOWNOVER	NZ TM	Pending	1	NZ	Melinda LeCompte	1068806	2017-06-12		35	
<input type="checkbox"/>	Levio	NZ TM	Pending	1	NZ	Ross Neville Boag	1068813	2017-06-12		9	
<input type="checkbox"/>	TJLAW	NZ TM	Pending	1	NZ	tao jiang	1068814	2017-06-12		7, 25	
<input type="checkbox"/>	JAKIRO	NZ TM	Pending	1	NZ	Rachelle Dittmer	1068815	2017-06-12		3, 35	
<input type="checkbox"/>	QUIKLII DECKSPACER	NZ TM	Pending	1	NZ	QUIKLII Pty Ltd	1068817	2017-06-12		6, 19, 37	
<input type="checkbox"/>	UGG Zealandia	NZ TM	Pending	1	NZ	liuhongying	1068816	2017-06-12		25	



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# File



**Madrid  
Goods & Services  
Manager**



**Member Profiles  
Database**



**Fee Calculator**



# Madrid Goods & Services Manager



- Compile and verify your list of goods and services

7 Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except implements other than hand-operated; incubators for eggs; automatic vending machines).										
dCP Accepted by dCP					dCP Rejected by dCP					dCP Status unknown
CH	CN	DE	EM	JP	KR	RU	US	070080	knives [parts of machines]	
CH	CN	DE	EM	JP	KR	RU	US	070226	saw blades [parts of machines]	
CH	CN	DE	EM	JP	KR	RU	US	070133	sifting installations	
CH	CN	DE	EM	JP	KR	RU	US	070153	disintegrators	
CH	CN	DE	EM	JP	KR	RU	US	070026	mixing machines	
CH	CN	DE	EM	JP	KR	RU	US		machines and machine tools	
CH	CN	DE	EM	JP	KR	RU	US	070450	heat exchangers [parts of machines]	
CH	CN	DE	EM	JP	KR	RU	US	070480	rotary steam presses, portable, for fabrics	

# Member Profiles Database



Compare  
trademark rules  
& examination  
procedures in  
the IP Offices of  
Madrid System  
members

General information

Filing rules and procedures

Designation rules and procedures

## Madrid Member Profiles

Access a wide range of information on the practices and procedures of [Madrid System](#) members. Simply select the member(s) of interest to you, and choose the type of information you want to see.

### Resources

- [FAQs](#)
- [News](#)

#### Step 1:

Which member(s) are you interested in?

#### Step 2:

What type(s) of information are you looking for?

#### All members

- African Intellectual Property Organization (OAPI)
- Albania
- Algeria
- Antigua and Barbuda
- Armenia
- Australia
- Austria
- Azerbaijan
- Bahrain
- Belarus
- Benelux

#### All available information

- General information and contact details ↓
- Information about your [Office of Origin](#) ↓
- Information about [members you are designating](#) ↓

Step 1:

Which member(s) are you interested in?

- All members
- African Intellectual Property Organization (OAPI)
- Albania
- Algeria
- Antigua and Barbuda
- Armenia
- Australia
- Austria
- Azerbaijan
- Bahrain
- Belarus
- Benelux
- Bhutan
- Bonaire, Saint Eustasius and Saba

Step 2:

What type(s) of information are you looking for?

Search

Reset

All available information

General information and contact details ↑

- Contact information
- Membership in Madrid Union, date of entry into force
- Declarations and notifications made by Contracting Party
- Laws on trademarks
- Requests for cancellation of registration due to non-use of mark

Information about your Office of Origin ↑

- Methods of filing international application
- Filing language
- Handling fee . Option to pay Madrid System fees through Office

Information about members you are designating ↑

When Designating ↓

Examination before the Office ↓

Provisional Refusals (ex officio) ↑

Oppositions ↓

Third Party Observations ↓

Interim Status ↓

After Protection is Granted ↓

Invalidations ↓

Replacement ↓

Transformation ↓

- Grounds for refusing protection (ex officio)
- Time limit to issue provisional refusal
- Method of communicating ex officio provisional refusal to WIPO
- Partial ex officio provisional refusals
- Time limit to respond to ex officio provisional refusal
- Calculation of time limit to respond to ex officio provisional refusal
- Option to extend time limit to respond to ex officio provisional refusal. Requirements for extension of time limit
- Authority to which response to ex officio provisional refusal should be addressed
- Requirements for responding to ex officio provisional refusal
- Option to review or appeal ex officio provisional refusal

## Madrid Member Profiles

### Results

[New search](#)[Edit search](#)[Save as PDF](#)

#### Summary

- Australia
  - General information and contact details
  - Information about your Office of Origin
  - Information about members you are designating
    - Provisional Refusals (ex officio)

## Australia

Last update on : May 18, 2017

### General information and contact details

**Contact information**

Name of Office: IP Australia  
Address: Discovery House, 47 Bowes St, PHILLIP ACT 2606  
Phone number: +61 2 6283 2999  
Website: [www.ipaustralia.gov.au](http://www.ipaustralia.gov.au)  
Opening hours: Monday - Friday, 9:00 am. to 5:00 pm.  
Official holidays

Contact for questions related to international registrations: Brian Hollingworth  
Email: [brian.hollingworth@ipaustalia.gov.au](mailto:brian.hollingworth@ipaustalia.gov.au)  
Phone number: + 61 2 6283 2089

**Membership in Madrid Union,  
date of entry into force**

Treaty: Madrid Protocol  
Entry into force: 11 July 2001

**Declarations and notifications  
made by Contracting Party**

Declarations and Notifications:

- Extension of refusal period to 18 months (Article 5(2)(b) of the Protocol)
- Possible notification of refusal, based on opposition, after 18-month time limit (Article 5(2)(c) of the Protocol)
- Charge individual fee (Article 8(7)(a) of the Protocol)
- Office collects and forwards fees to International Bureau (Rule 34(2)(b))
- Recording of licenses in International Register has no effect (Rule 20bis(6)(a))

# Fee Calculator



**WIPO**

Home > IP Services > Madrid System > Fees/Fee Calculator

### International Registration of Marks - Fee Calculation

For date:  Office of origin:

Number of classes:  Type:

Colour  Collective mark, certification mark, or guarantee mark

A designation of the Benelux (BX) covers Belgium, Luxembourg and the Netherlands  
A designation of the European Union (EM) covers its 28 Member states  
A designation of the African Intellectual Property Organization (OA) covers its 17 Member states  
Bonaire, Saint Eustatius and Saba (BQ), Curaçao (CW) and Sint Maarten (Dutch part) (SX) are autonomous territories of the Kingdom of the Netherlands that can be individually designated

**Disclaimer**

Fee Calculator results are based on information you have provided and the [Schedule of Fees in effect](#) at the time the estimate is generated. The estimate is provided for information purposes only. For the most accurate estimate, consult the Fee Calculator immediately before you submit a request or your payment order.

Estimate cost for:

- International applications
- Subsequent designations
- Renewals

### International Registration of Marks - Fee Calculation

For date:  Office of origin:

Number of classes:  Type:

- AG Antigua and Barbuda
- AL Albania
- AM Armenia
- AN Andorra
- AU Australia
- AZ Azerbaijan
- BA Bosnia and Herzegovina
- BG Bulgaria
- BH Bahrain
- BN Brunei Darussalam
- BQ Bonaire, Sint Eustatius and Saba
- BT Bhutan
- BW Botswana
- BX Benelux
- BY Belarus
- CN China
- CO Colombia
- CU Cuba
- CW Curaçao
- CY Cyprus
- CZ Czech Republic
- DE Germany
- DK Denmark
- DZ Algeria
- EE Estonia
- EG Egypt
- EM European Union
- ES Spain
- FI Finland
- FR France
- GB United Kingdom
- GE Georgia
- GH Ghana
- GM Gambia
- GR Greece
- HR Croatia
- HU Hungary
- IE Ireland
- IL Israel
- IN India
- IR Islamic Republic of Iran
- IS Iceland
- IT Italy
- JP Japan
- KE Kenya
- KG Kyrgyzstan
- KH Cambodia
- KP Democratic People's Republic of Korea
- KR Republic of Korea
- KZ Kazakhstan
- LA Lao People's Democratic Republic
- LI Liechtenstein
- LR Liberia
- LS Lesotho
- LT Lithuania
- LV Latvia
- MA Morocco
- MC Monaco
- MD Republic of Moldova
- ME Montenegro
- MG Madagascar
- MK The former Yugoslav Republic of Macedonia
- MN Mongolia
- MX Mexico
- MZ Mozambique
- NA Namibia
- NO Norway
- NZ New Zealand
- OA African Intellectual Property Organization (OAPI)
- OM Oman
- PH Philippines
- PL Poland
- PT Portugal
- RO Romania
- RS Serbia
- RU Russian Federation
- RW Rwanda
- SD Sudan
- SE Sweden
- SG Singapore
- SI Slovenia
- SK Slovakia
- SL Sierra Leone
- SM San Marino
- ST Sao Tome and Principe
- SX Sint Maarten (Dutch part)
- SY Syrian Arab Republic
- SZ Swaziland
- TJ Tajikistan
- TM Turkmenistan
- TN Tunisia
- TR Turkey
- UA Ukraine
- US United States of America
- UZ Uzbekistan
- VN Viet Nam
- ZM Zambia
- ZW Zimbabwe

Colour  Collective mark, certification mark, or guarantee mark

A designation of the Benelux (BX) covers Belgium, Luxembourg and the Netherlands  
 A designation of the European Union (EM) covers its [28 Member states](#)  
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 Bonaire, Saint Eustatius and Saba (BQ), Curaçao (CW) and Sint Maarten (Dutch part) (SX) are autonomous territories of the Kingdom of the Netherlands that can be individually designated

Basic fee where no reproduction of the mark is in color :	<input type="text" value="653"/>
Complementary fee : (LV) 1 x 100.00 CHF	<input type="text" value="100"/>
<b>Australia</b>	
Individual fee (international application):	<input type="text" value="263"/>
Individual fee per additional class (international application): 2 x 263.00 (Number of classes beyond the first)	<input type="text" value="526"/>
<b>European Union</b>	
for the second class 1	<input type="text" value="55"/>
Individual fee (international application):	<input type="text" value="597"/>
Individual fee per additional class (international application): 1 x 164.00 (Number of classes beyond the second)	<input type="text" value="164"/>
<b>TOTAL: Swiss francs (CHF)</b>	<input type="text" value="2855"/>

#### Disclaimer

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# Monitor

- Monitor the status of your international application throughout WIPO's examination process.
- Once WIPO has registered your trademark, find out when protection is granted or refused in target markets.

TM



# Madrid Monitor

**Madrid  
System**

**Official  
gazette**

**Real-time  
status**

**e-alerts**

## Madrid Monitor

Your gateway to the Madrid System, keeping you up to date on your trademark.

Follow the status of your international application or trademark registration, access detailed information on all trademarks registered through the Madrid System, and keep an eye on competitors' trademarks.

### RESOURCES

- Quick Start Guide [PDF](#)

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### RESOURCES

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- News

Search | WIPO Gazette | Support

- simple
- advanced
- realtime
- image

### Search for

IRN 1054554

Start your search by entering words, numbers, dates, classes or to change the assigned field(s), use the drop down menu next to

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Search | WIPO Gazette | Support

### Current Search

IRN:1054554

image | download | monitor

1 - 1 / 1

Brand	Image	Status	Or	Holder	Reg. No	Reg. Date	Nice Cl.	Vienna Cl.
NESPRESSO		Active	CH	Société des Produits Nestlé S.A.	1054554	2010-09-13	9, 11, 16, 21, 29, 30, 35, 37, 39, 40, 41, 42, 43	27.05

1 - 1 / 1

### Filters

- ▼ Status
  - Active 1
  - Pending 0
  - Inactive 0
- ▼ Origin
  - CH 1
- Designation
- Nice Cl.
- Type of Mark
- Reg. Year
- Vienna Cl.

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- simple
- advanced**
- realtime
- image

Search for

MARK\_ALL\_HOL nestle

Start your search by entering words, numbers, dates, classes or countries. To change the assigned field(s), use the drop down menu next to your search terms.

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Refine Terms

- holder only
- mark only

Filters

- Status
  - Active 2,005
  - Pending 8
  - Inactive 742
- Origin
  - CH 1,950
  - FR 253
  - CZ 117
  - DE 95
  - ...
- Designation
- Nice Cl.
- Type of Mark
- Reg. Year

Current Search

MARK\_ALL\_HOL.nestle

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Brand	Image	Status	Or	Holder	Reg. No	Reg. Date	Nice Cl.	Vienna Cl.
Nestlé		Active	CH	Société des Produits Nestlé S.A.	1352578	2017-02-15	5, 29, 30	05.03, 28.04, 27.05, 29.01
Nestlé		Active	CH	Société des Produits Nestlé SA	1236912	2014-11-24	30	02.09, 27.05, 29.01
Nestlé		Active	CH	Société des Produits Nestlé S.A.	1234270	2014-11-18	29, 32	01.15, 02.09, 27.05, 29.01
Nestlé		Active	CH	Société des Produits Nestlé S.A.	1136632	2012-10-22	30	01.15, 02.09, 27.05

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#### Refine Terms

holder only  
mark only

#### Filters

Status ✕ Origin ✕

STATUS  
Active 69  
Pending 0  
Inactive 0

Origin  
CH 69

Designation

Nice Cl.





Type of Mark

#### Current Search

MARK\_ALL:nestle ✕

image download monitor

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Brand	Image	Status	Ori	Holder	Reg. No	Reg. Date	Nice Cl.	Vienna Cl.
Nestlé		Active	CH	Société des Produits Nestlé S.A.	1352578	2017-02-15	5, 29, 30	05.03, 26.04, 27.05, 29.01
Nestlé		Active	CH	Société des Produits Nestlé SA	1236912	2014-11-24	30	02.09, 27.05, 29.01
Nestlé		Active	CH	Société des Produits Nestlé S.A.	1234270	2014-11-18	29, 32	01.15, 02.09, 27.05, 29.01
Nestlé		Active	CH	Société des Produits Nestlé S.A.	1136632	2012-10-22	30	01.15, 02.09, 27.05

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International Trademark  
WIPO | MADRID

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### 1236912- Nestlé

- [Full details](#) [Summary](#) [By Office](#) [Documents](#) [Realtime Status](#)

#### Current Status

180	Expected expiration date of the registration/renewal	24.11.2024
151	Date of the registration	24.11.2014
270	Language of the application	French
732	Name and address of the holder of the registration	Société des Produits Nestlé SA CH-1800 Vevey (CH)
812	Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment	CH
740	Name and address of the representative	

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### RESOURCES

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The WIPO Gazette of International Marks is the official publication of the Madrid System. Every week the International Bureau publishes data regarding new international registrations, renewals, subsequent designations and modifications affecting existing international registrations.

Publication date

Year  No.

Search

IRN  Holder  Mark

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Mark	IRN	Holder	Origin	Transaction	Gazette
	1236912	Société des Produits Nestlé SA		Grant of protection	2015 / 25
	1236912	Société des Produits Nestlé SA	CH	Registration	2015 / 7
<b>Nestlé</b>	1236912	Société des Produits Nestlé SA		Refusal	2016 / 18

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# Manage

Use the [Madrid Portfolio Manager](#) as your mark and business evolve



**Secure  
Access**



**Track status**



**Renew**



**Designate**

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