

Madrid System

- KIPO's Experiences as Office of Origin

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International Education Division
IIPTI/KIPO



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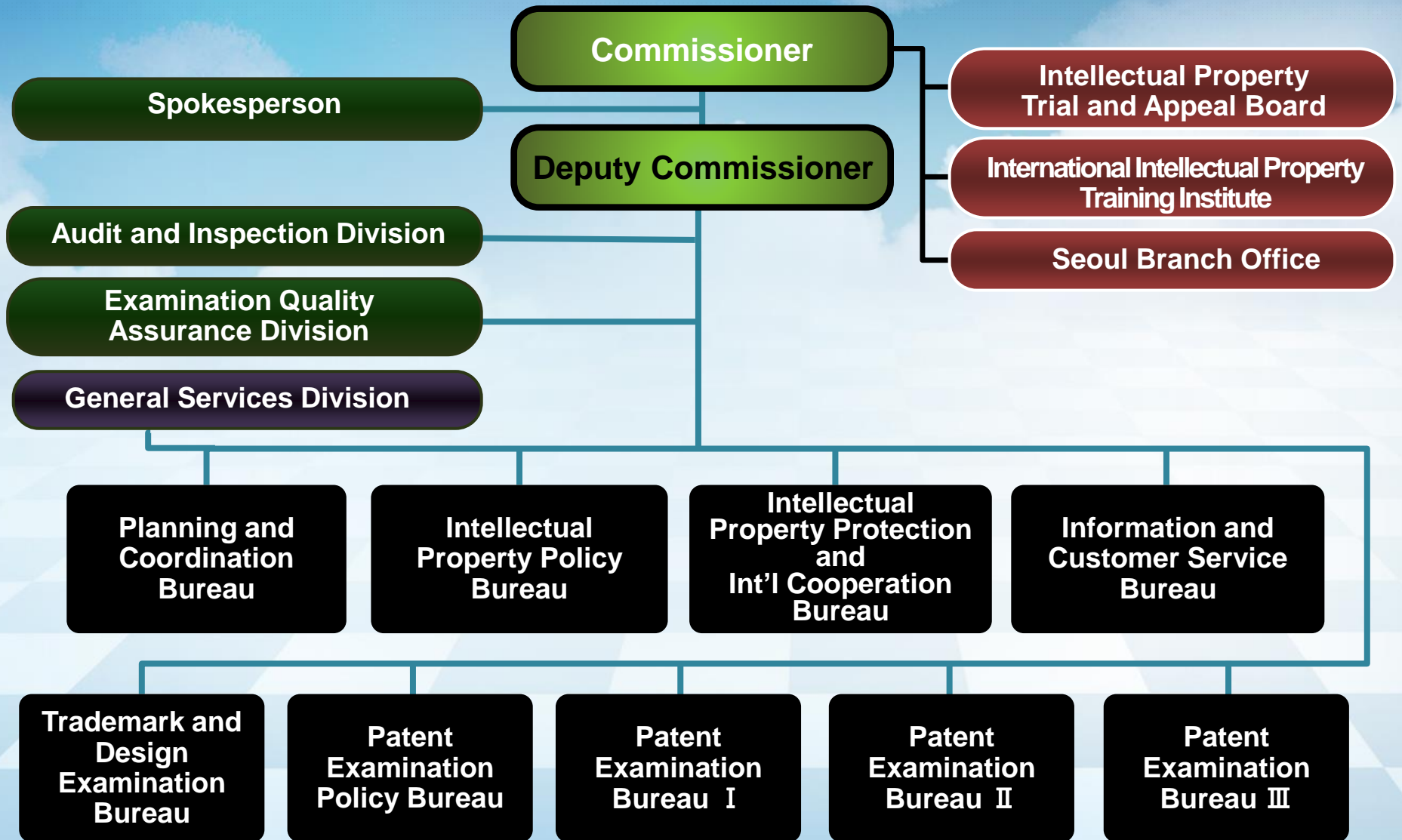
KOREAN INTELLECTUAL PROPERTY OFFICE



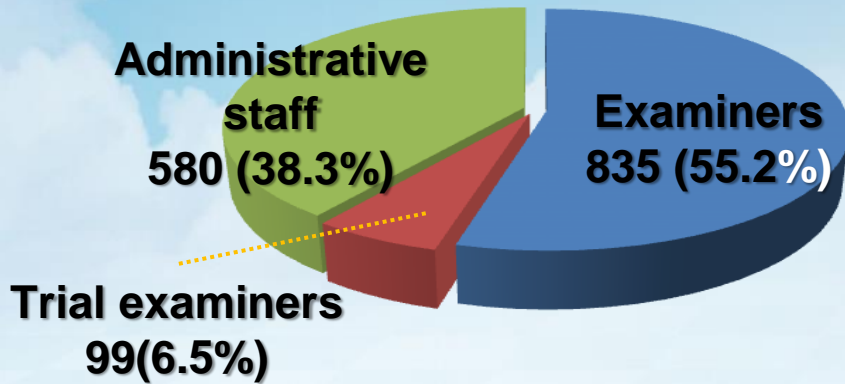
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General Information

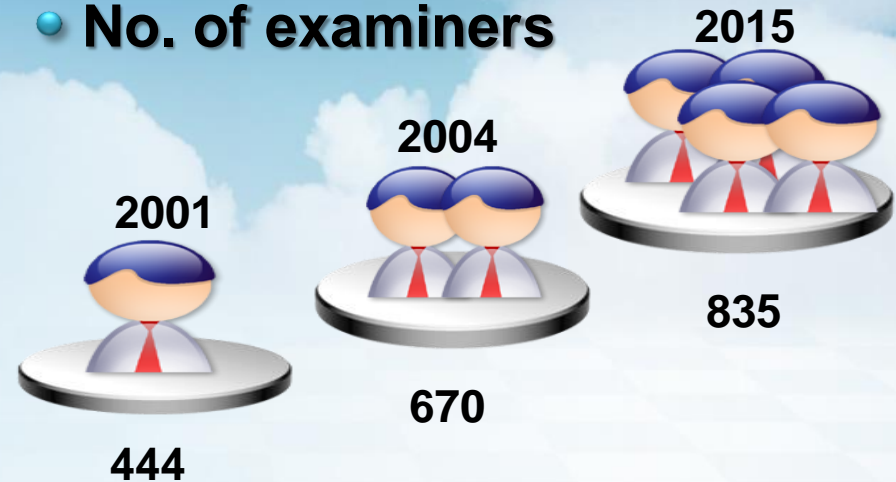




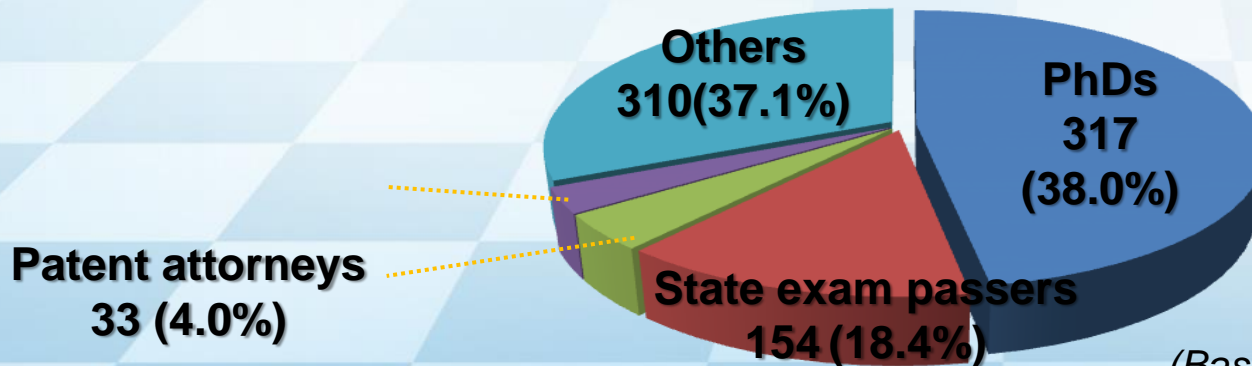
• **Total staff: 1,514**



• **No. of examiners**



• **Total examiners : 835**



(Based on the number of staff in 2015)

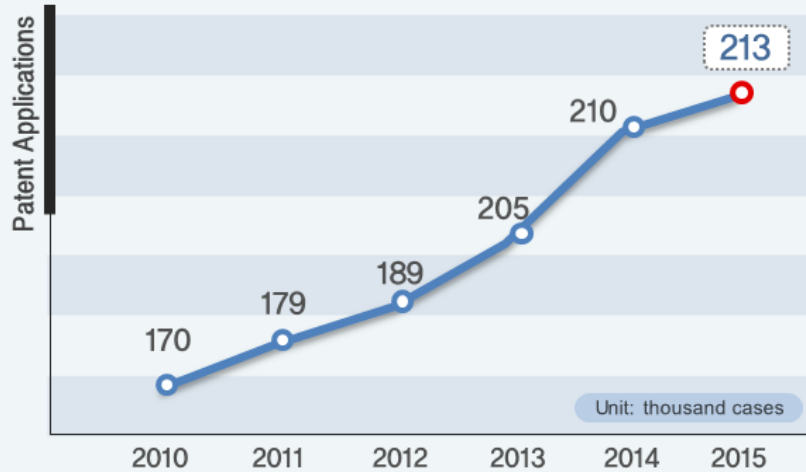
Patent Applications

213,696

+ 1.6%

Number of applications in 2015

Growth in 2015



Trademark Applications

185,444

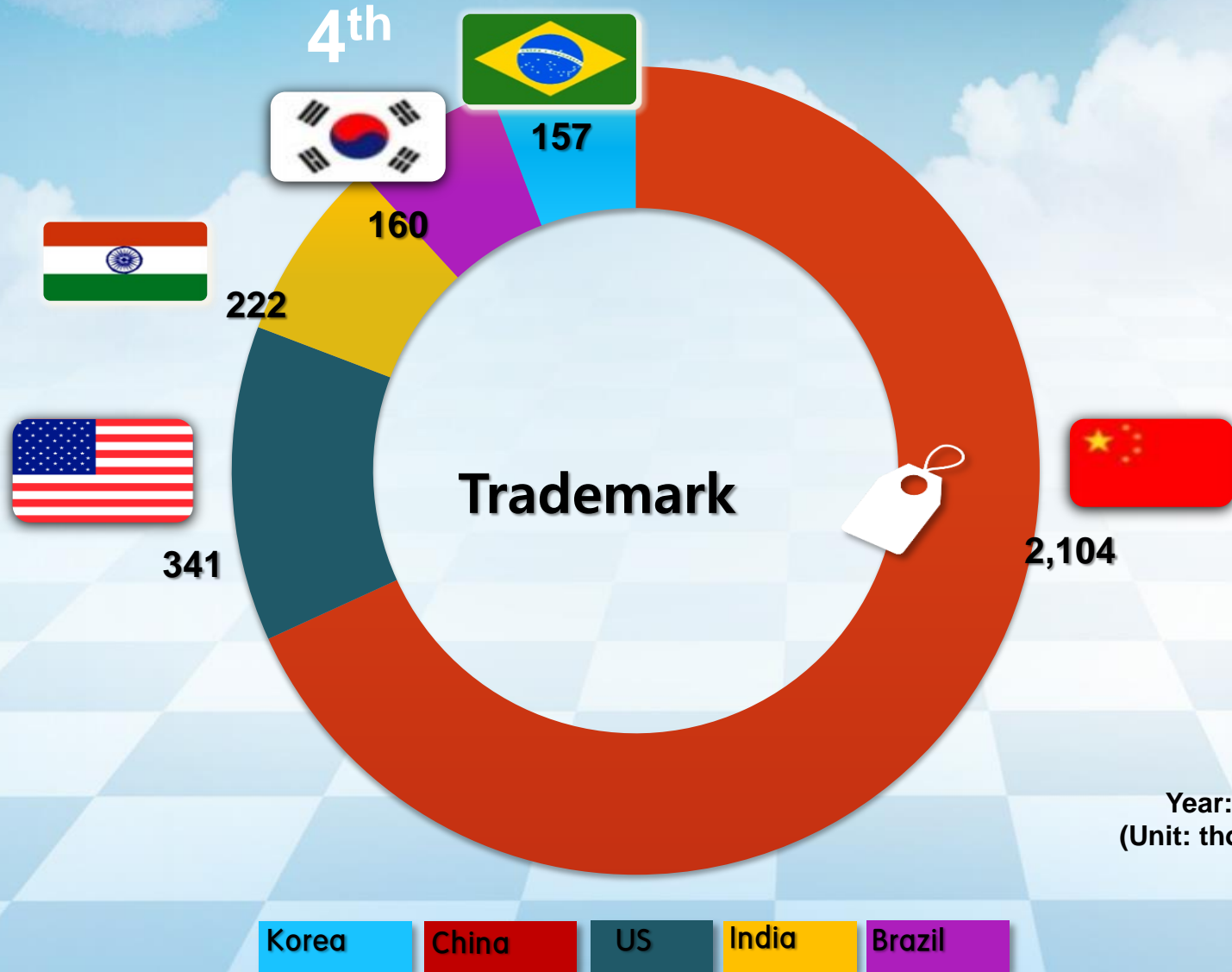
+ 23.4%

Number of applications in 2015

Growth in 2015



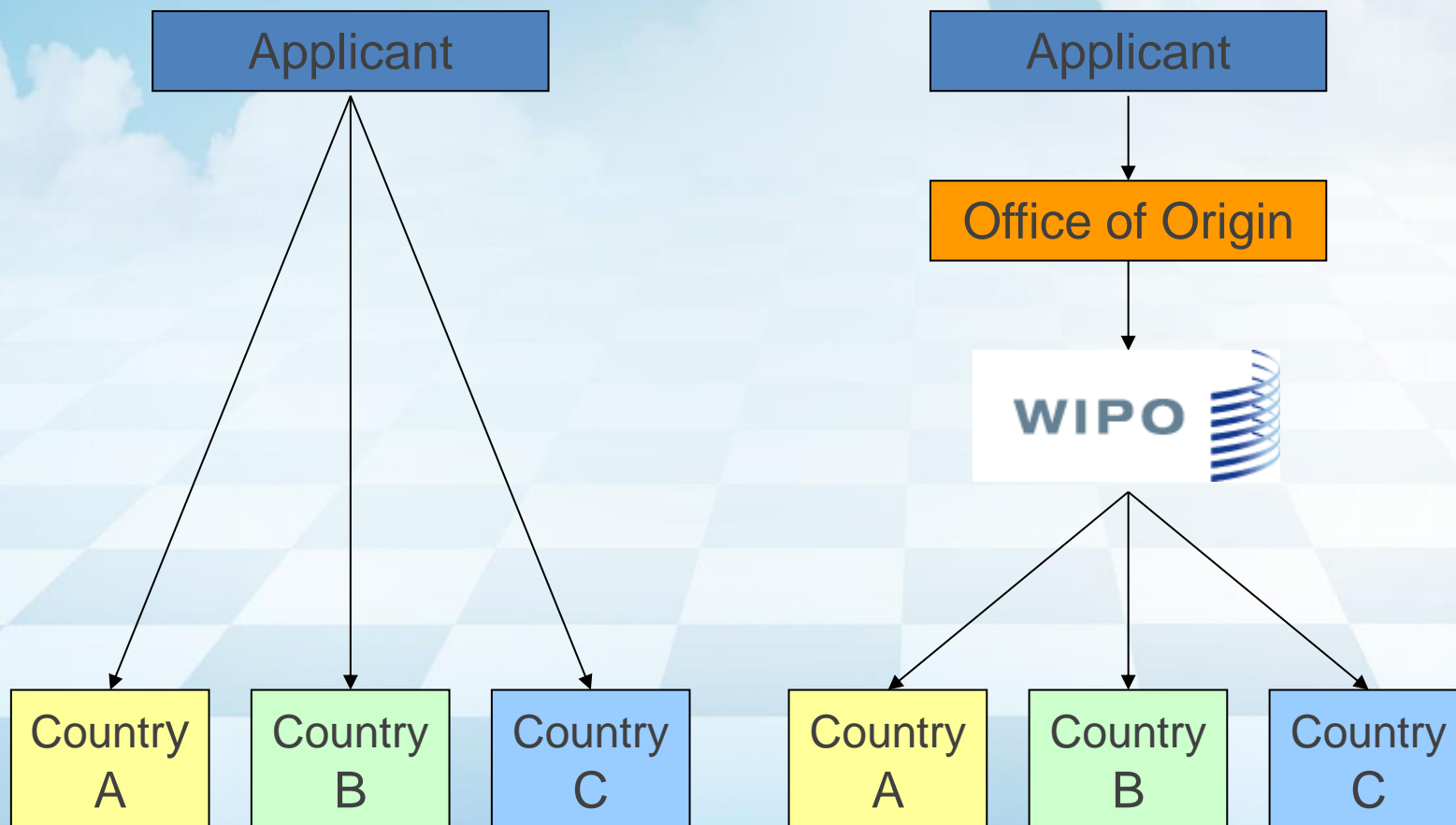
No. of trademark applications by country (2014)



Madrid System

The image features a bright, clear blue sky with a sun in the upper right corner, casting a lens flare. The lower portion of the image shows a lush green field in the foreground, with a modern city skyline of various skyscrapers in the middle ground. Two large, curved, semi-transparent arcs—one blue and one green—frame the scene from the left and right sides, creating a sense of depth and movement. The overall aesthetic is clean, modern, and optimistic.

National Route vs. Madrid Route



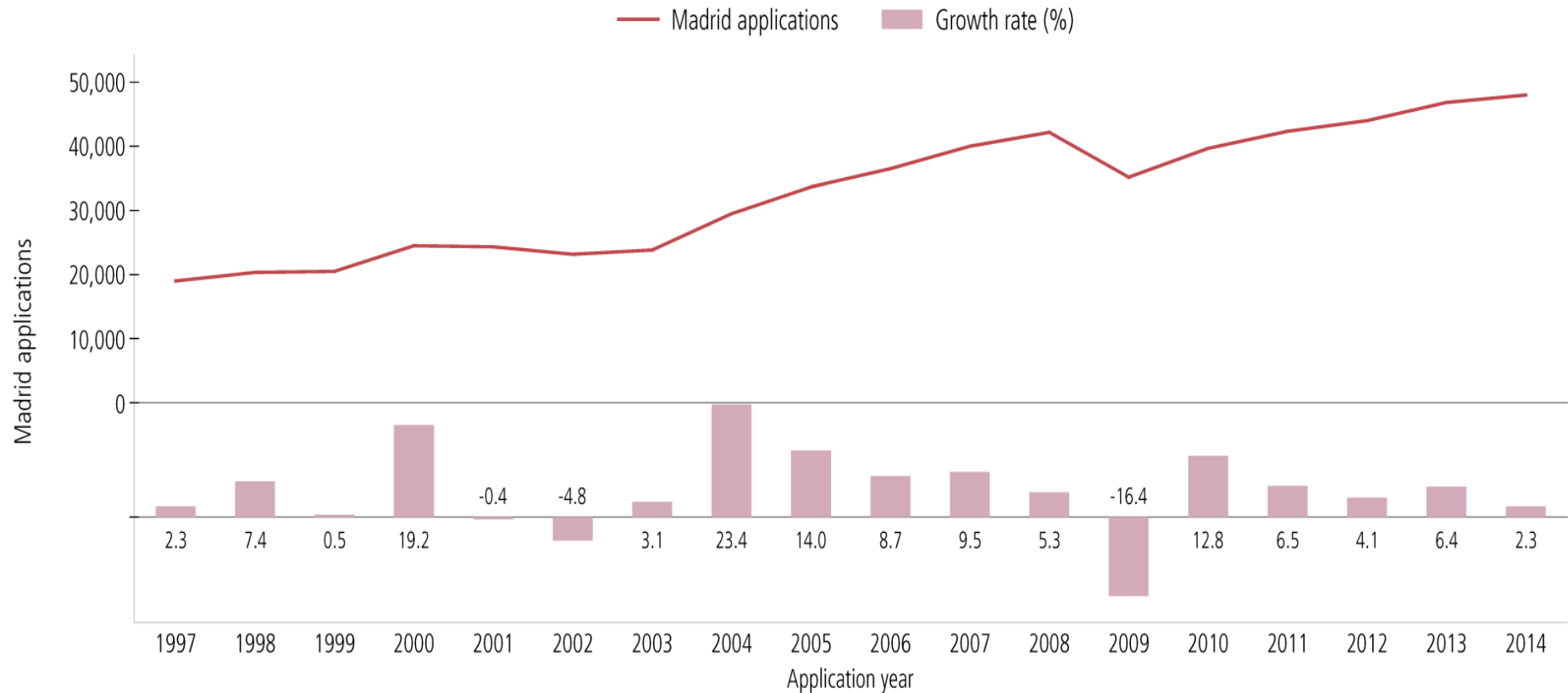
- A registration system for 97 members (Including EU and OAPI) & covering 113 countries
- Entitlement and basic mark (application or registration)
- One application – one language – one set of fees
- One registration covering multiple territories & Expansion to new export markets (subsequent designation)
- Fixed time limit for refusal – 12 or 18 months
- Only formal examination by WIPO
- Centralized management of portfolio



Statistical Overview

The background of the slide is a composite image. The top half shows a clear blue sky with a bright sun in the upper right corner, creating a lens flare effect. The bottom half shows a green field in the foreground and a silhouette of a city skyline in the distance. The text 'Statistical Overview' is centered in a dark blue, sans-serif font.

Figure A.1.1 Trend in international applications



Source: WIPO Statistics Database, March 2015.

Contracting Parties	2013	2014	2015
United States of America	5,893	5,414	8,486
European Union	6,814	6,996	8,131
Germany	4,357	3,883	4,603
France	3,514	3,377	3,718
Switzerland	2,885	2,994	3,128
Japan	1,855	1,729	2,407
China	2,455	1,738	2,231
Australia	1,195	1,246	2,229
Italy	2,118	2,070	2,165
United Kingdom	1,580	1,560	2,068

Contracting Parties	2013	2014	2015
China	20,275	20,309	24,849
United States of America	17,322	17,268	21,996
European Union	17,598	17,270	21,721
Russian Federation	18,239	16,573	17,436
Japan	13,179	12,814	15,776
Switzerland	13,215	12,759	14,584
Australia	11,675	11,533	14,292
Republic of Korea	10,967	10,402	12,997
India	1,916	8,138	11,391
Mexico	5,095	8,533	10,569

Office of Origin

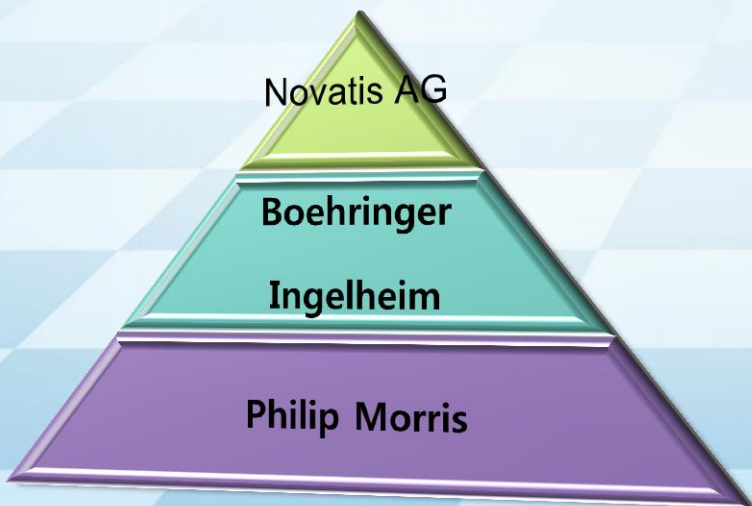
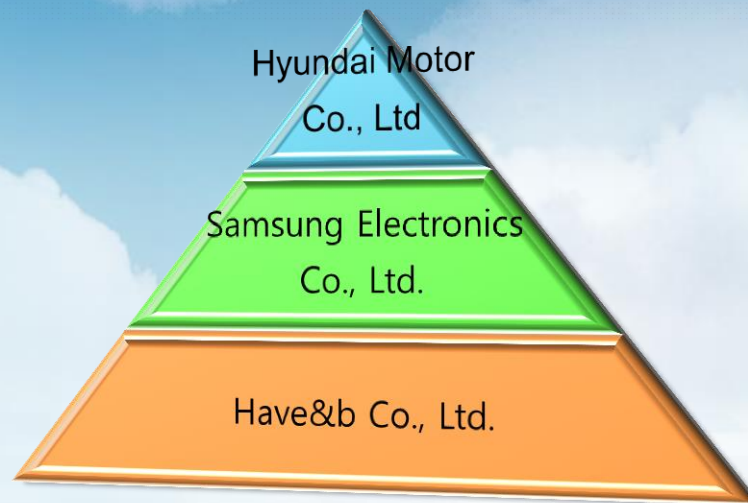
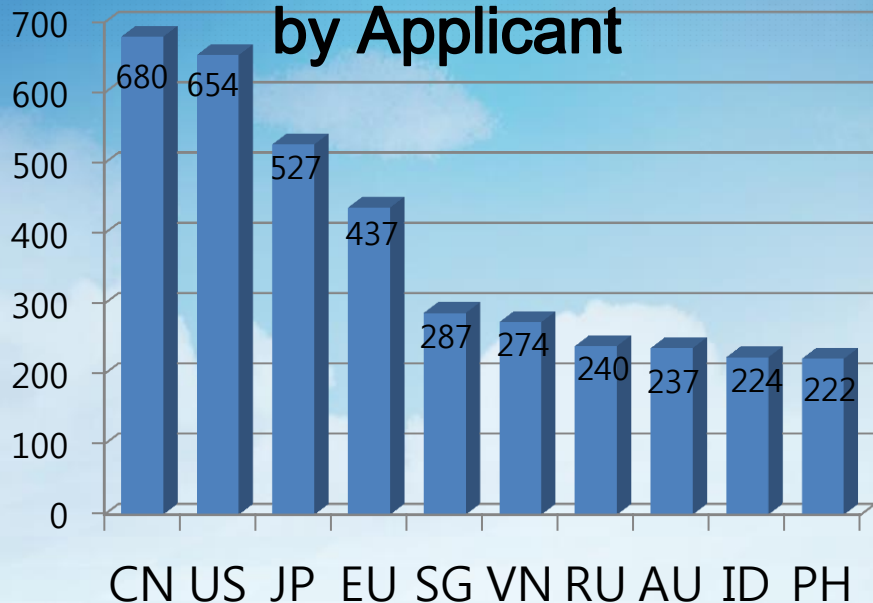


Designated Office

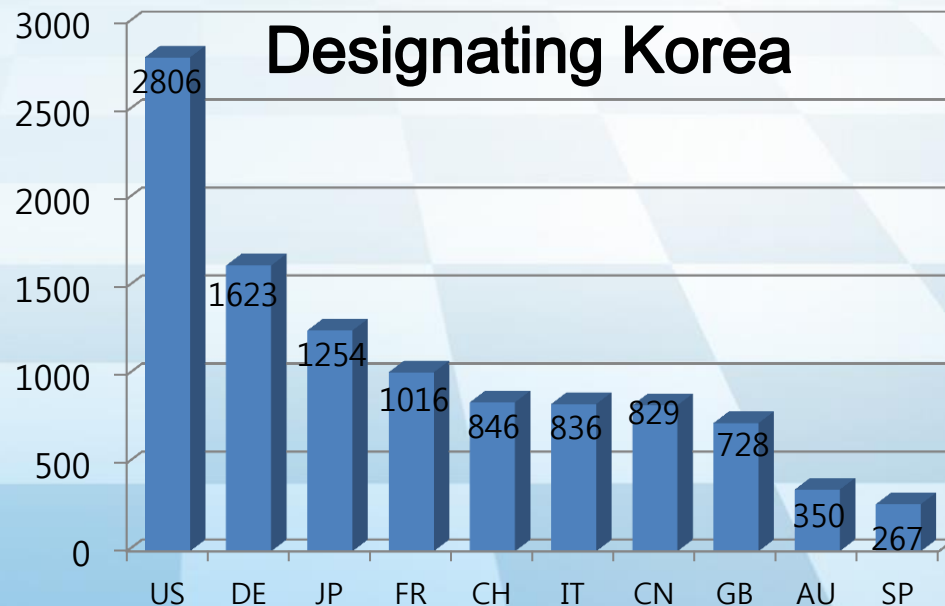


Countries Designated

by Applicant

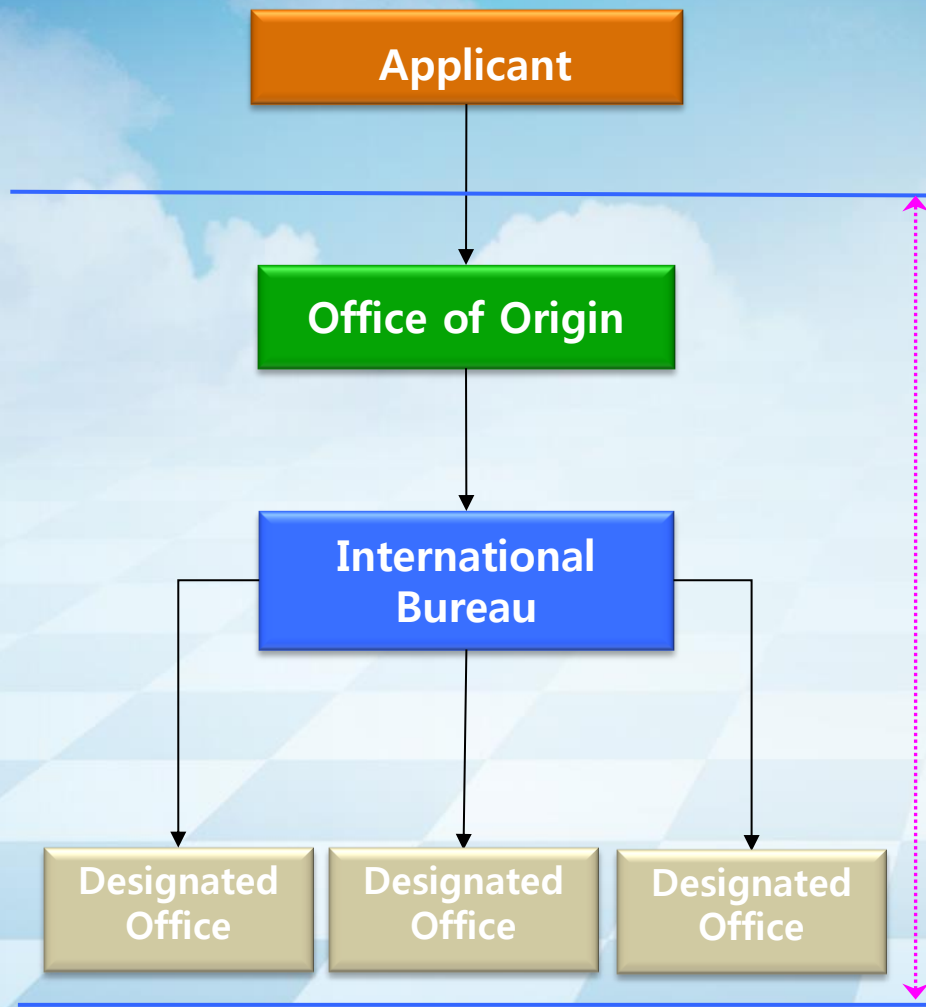


Countries Designating Korea



KIPO's Role as Office of Origin

The slide features a vibrant blue and green background with a sun in the upper right and a city skyline at the bottom. The title "KIPO's Role as Office of Origin" is centered in a dark blue font with a white outline.



Office of Origin

- ✓ **Formal requirements** (Mark, G&S, Entitlement to file, etc.)
- ✓ **Certifying Int. Application based on Basic Requirement**

International Bureau

- ✓ **Examination of Int. Application** (Formality, NICE classification, Fee)
- ✓ **Translation (E/F/S)**
- ✓ **International Registration**

Designated Office

- ✓ **Substantive examination**
- ✓ **Grant/Refusal of trademark protection** in their own territory

International Application Division => 5

International Trademark Examination Division => 25



Formality check

- On-Screen
- Notification

Basic Examination

- Check the concurrence between designated goods and mark of the goods

Submission of Replacement docs

- Request for replacement docs

Send to WIPO

- Send paper docs/electronic data



International Bureau

Trademark Examination Policy Div. => 3

Paper/Electronic data

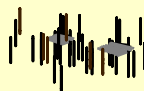
- Receive data

Data Conformity

- Paper/Electronic data
- Give receipt/Application No.

Notification

- Send a notification to WIPO/Applicant



Translation
• Goods

Re-request translation

- Request for translation

NICE Classification

- Review translations
- Give a similar group code



Substantive Examination

- Goods
- Retroactivity/Opposition
- Make an examination determination



Search System

Upon the decision of registration



Publication
• Application

Register

- Generate registration

IT Development Div. => 5

Maintenance of Madrid System

Application form (MM2)

APPLICATION FOR INTERNATIONAL REGISTRATION GOVERNED EXCLUSIVELY BY THE MADRID PROTOCOL		MM2(E)
<p>For use by the applicant</p> <p>This international application includes the following number of:</p> <ul style="list-style-type: none"> - continuation sheet(s): - MM17 form(s): 	<p>For use by the applicant/Office</p> <p>Applicant's reference: <u>KO-001-0001</u></p> <p>Office's reference: <u>KR2012000001</u></p>	
<p>1 CONTRACTING PARTY WHOSE OFFICE IS THE OFFICE OF ORIGIN</p> <p>Republic of Korea</p>		
<p>2 APPLICANT</p> <p>(a) Name: <u>KIPO CO., LTD.</u></p> <p>(b) Address: <u>189 Cheongsu-ro, Seo-gu, Daejeon 302-701 Republic of Korea</u></p> <p>(c) Address for correspondence:</p> <p>(d) Telephone: <u>+82 42 481 8564</u> Fax: <u>+82 42 472 3507</u></p> <p>E-mail address: <u>kipomadrid@kipo.go.kr</u></p> <p>(e) Preferred language for correspondence: <input checked="" type="checkbox"/> English <input type="checkbox"/> French <input type="checkbox"/> Spanish</p> <p>(f) Other indications (as may be required by certain designated Contracting Parties; for example, if the United States of America is designated, it is necessary to include these indications):</p> <p>(i) if the applicant is a natural person, nationality of applicant: <u>Republic of Korea</u></p> <p>(ii) if the applicant is a legal entity:</p> <ul style="list-style-type: none"> - legal nature of the legal entity: <u>Corporation</u> - State and, where applicable, territorial unit within that State, under the law of which the legal entity is organized: <u>Republic of Korea</u> 		
<p>3 ENTITLEMENT TO FILE</p> <p>(a) Check the appropriate box:</p> <p>(i) <input checked="" type="checkbox"/> where the Contracting Party mentioned in item 1 is a State, the applicant is a national of that State; or</p> <p>(ii) <input type="checkbox"/> where the Contracting Party mentioned in item 1 is an organization, the name of the State of which the applicant is a national:; or</p> <p>(iii) <input type="checkbox"/> the applicant is domiciled in the territory of the Contracting Party mentioned in item 1; or</p> <p>(iv) <input type="checkbox"/> the applicant has a real and effective industrial or commercial establishment in the territory of the Contracting Party mentioned in item 1.</p> <p>(b) Where the address of the applicant, given in item 2(b), is not in the territory of the Contracting Party mentioned in item 1, indicate in the space provided below:</p> <p>(i) if the box in paragraph (a)(iii) of the present item has been checked, the domicile of the applicant in the territory of that Contracting Party, or,</p> <p>(ii) if the box in paragraph (a)(iv) of the present item has been checked, the address of the applicant's industrial or commercial establishment in the territory of that Contracting Party.</p> <p>.....</p>		

Contracting party of Madrid Union
 - Name of country:
 (e.g.) Republic of Korea

Name and address of applicant
 (e) Language for correspondence:
 (e.g.) English
 (f) (i) Natural person: Republic of Korea
 (ii) Legal entity: Corporation

Entitlement to file

(a) (i) Nationality of item 1 (Country)
 (ii) Nationality of item 1 (Organization)
 (iii) Domicile in item 1
 (iv) Establishment in item 1

(b) **An address of the country in item 1 must be indicated, in case that:**

- ✓ Item 3(a)(iii) or (iv) is selected, plus
- ✓ The address of the item 2(b) is not in the country of the item 1

4 APPOINTMENT OF A REPRESENTATIVE (if any)

Name:

Address:

Telephone: Fax:

E-mail address:

(Optional)
Name and address of representative

5 BASIC APPLICATION OR BASIC REGISTRATION

Basic application number: 4020070014303 Date of the basic application: 16/03/2007 (dd/mm/yyyy)

Basic registration number: 4007056610000 Date of the basic registration: 06/04/2007 (dd/mm/yyyy)

(Compulsory)
One or more than two basic applications or registration

- ✓ Basic application/registration number and date
- ✓ Using continuation sheets when being needed

6 PRIORITY CLAIMED

The applicant claims the priority of the earlier filing mentioned below:

Office of earlier filing: KR

Number of earlier filing (if available): 4020080003884

Date of earlier filing: 25/01/2008 (dd/mm/yyyy)

If the earlier filing does not relate to all the goods and services listed in item 10 of this form, indicate in the space provided below the goods and services to which it does relate:

Class 09 Computer operating programs, recorded; computer software, recorded.

If several priorities are claimed, check box and use a continuation sheet giving the above required information for each priority claimed.

(Optional)

- ✓ Priority claims within 6 months
- ✓ Indicating goods and services
 - Only if some of the G&S are claimed priority
- ✓ In case of more than two priority claims
 - Using continuation sheets


NB

- ❖ In case of several earlier filings having different dates
 - G&S of each filing are necessary

7 THE MARK

(a) Place the reproduction of the mark, as it appears in the basic application or basic registration, in the square below.

(b) Where the reproduction in item (a) is in black and white and color is claimed in item 8, place a color reproduction of the mark in the square below.



(c) The applicant declares that he wishes the mark to be considered as a mark in standard characters.

(d) The mark consists of a color or a combination of colors as such.

Where the Office of origin has addressed this form by facsimile, the present space must be completed before addressing the original of this page to the International Bureau.

Number of basic registration or Office reference as shown on the first page of this form:

Signature by the Office of origin:

- (a) **Identical with basic mark**
 - < **Unacceptable mark** >
 - **Unclear image**
 - **Different style of letters from the basic**
 - **Different color of image from the basic**
- (b) **Black and white mark in (a) with color claim in item 8**
- (c) **Standard characters (no special letters or images)**
- (d) **Color or combination of colors only**
- (e) **When Office of origin faxes MM2,**
 - **Basic Registration No. or Office reference No. and signature/seal** should be indicated.

8 COLOR(S) CLAIMED

(a) The applicant claims color as a distinctive feature of the mark.

Color or combination of colors claimed: **Black and red**

(b) Indication, for each color, of the principal parts of the mark that are in that color (as may be required by certain designated Contracting Parties):

The image of circle with an incomplete end is in black; the triangle trespassing the circle is in red; the lower triangle partially overlapped with the upper triangle is in black; the words "KIPO" and "KOREAN INTELLECTUAL PROPERTY OFFICE" are in black.

- (a) **Color claim as distinctive feature (e.g. Black and red)**
- (b) **Indication of colors of the mark (e.g. The image of circle with an incomplete end is in black; the triangle trespassing the circle is in red and; the lower triangle partially overlapped with the upper triangle is in black; the words "KIPO" and "KOREAN INTELLECTUAL PROPERTY OFFICE" are in black.)**

Basic requirement

❖ National Application or Registration

✓ Mark on Int. Application: identical with the mark of National App./Reg.

✓ G&S on Int. Application: not broader than G&S on National App./Reg.



10 GOODS AND SERVICES

(a) Indicate below the goods and services for which the international registration is sought.
Please use font "Courier New" or "Times New Roman", size 12 pt, or above

Class	Goods and services
09	Computer operating programs, recorded; Computer software, recorded; Computer game program.
16	Inking ribbons; Calenders.
38	Information about telecommunication.

e.g. EM, CN, PH, GB, US, JP

(b) The applicant wishes to limit the list of goods and services in respect of one or more designated Contracting Parties, as follows:
Please use font "Courier New" or "Times New Roman", size 12 pt, or above

Contracting Party	Class(es) or list of goods and services for which protection is sought in this Contracting Party
US	09 Computer operating programs, recorded.
JP	16, 38

If the space provided is not sufficient, check the box and use a continuation sheet

(a) Lists of goods and services

- Nice classification (10th edition)
- Semicolon (;) between each goods
- Goods of the international ≤ Goods of the basic

Section	Int. application	National application
Unacceptable	Vehicle	Automobiles
	Metal	Iron and steel
Acceptable	Computer game software	Computer software

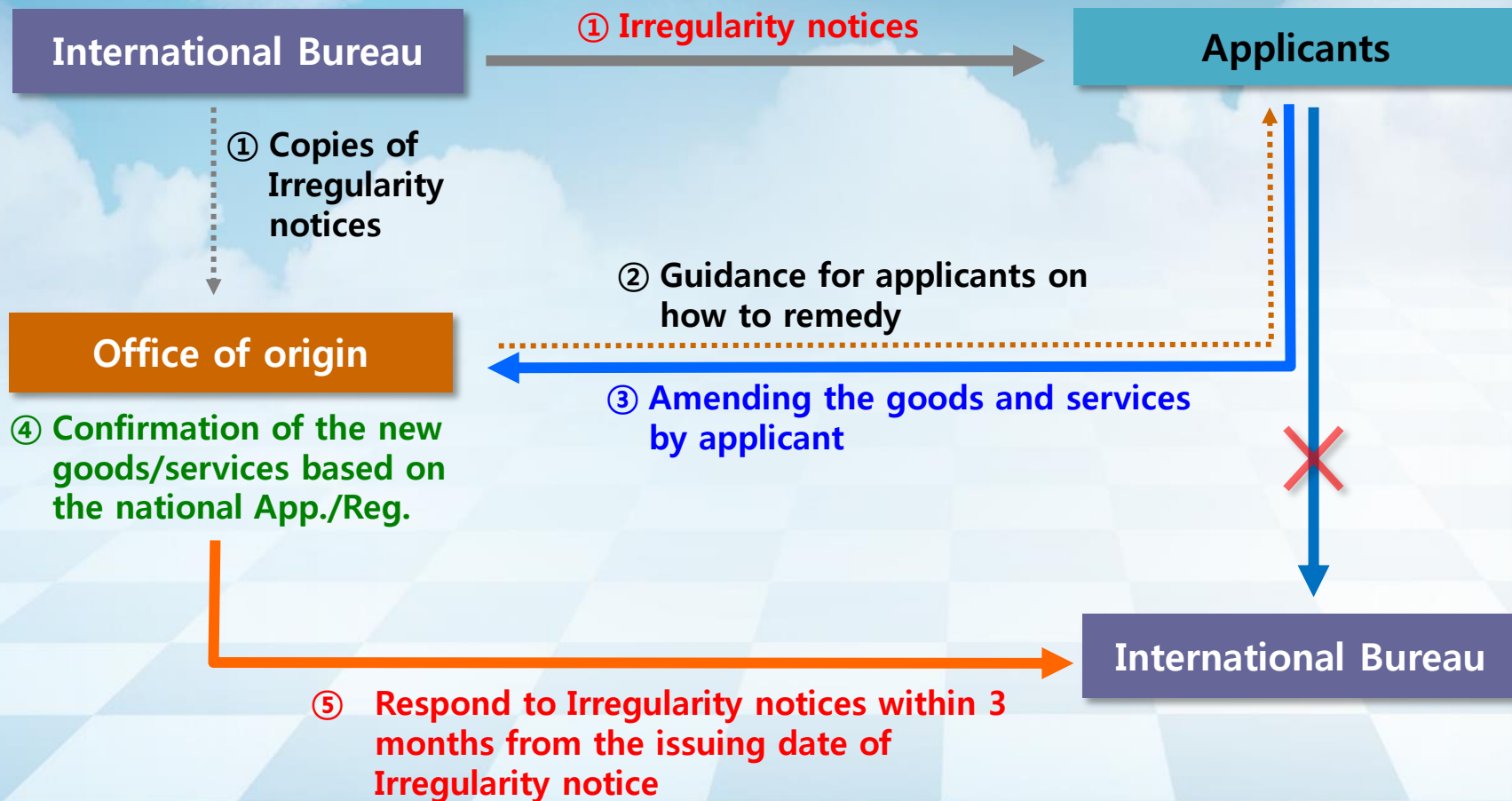
- Using the alphabetical list of goods and services of International Classification, or WIPO electronic tools (G&S manager)

(b) Limitation of goods and services

- Limitation of some of G&S to some of the designated countries
 - In US: limited to "computer operating program recorded" in class 09
 - In JP: limited to class 16, 38

Examples of Irregular terms (KR)

Irregular terms	KIPO's Classification	WIPO's Classification/Suggestion
Medicated creams	03	Class 05
Contact lens washing apparatus	09	Class 05
Fishing gaffs	28	Class 08
computer games apparatus	28	Class 09
DVD discs	09	DVDs / Digital video discs
leather key chains	18	Class 14
Engines for vehicles	12	Engines for automobiles
sleeping mats	24	Class 20
Sharp pencils	16	Mechanical pencils
sujebi [korean broth containing dough flakes]	30	Class 29



Fee calculation sheet

(a) INSTRUCTIONS TO DEBIT FROM A CURRENT ACCOUNT

The International Bureau is hereby instructed to debit the required amount of fees from a current account opened with the International Bureau (if this box is checked, it is not necessary to complete (b)).

Holder of the account: Account number:

Identity of the party giving the instructions:

(b) AMOUNT OF FEES (see Fee Calculator: www.wipo.int/madrid/en/fees/calculator.jsp)

Basic fee: 653 Swiss francs if the reproduction of the mark is in black and white only and 903 Swiss francs if there is a reproduction in color. (For international applications filed by applicants whose country of origin is a Least Developed Country, in accordance with the list established by the United Nations (www.wipo.int/ldcs/en/country), 65 Swiss francs if the reproduction is in black and white only and 90 Swiss francs if there is a reproduction in color.)

Complementary and supplementary fees:

Number of designations for which complementary fee is applicable	Complementary fee	Total amount of the complementary fees
..... x 100 Swiss francs	= =>
Number of classes of goods and services beyond three	Supplementary fee	Total amount of the supplementary fees
..... x 100 Swiss francs	= =>

Individual fees (Swiss francs):

Designated Contracting Parties	Individual fee	Designated Contracting Parties	Individual fee
.....
.....
.....
Total individual fees =>		

GRAND TOTAL (Swiss francs) =>

(c) METHOD OF PAYMENT

Identity of the party effecting the payment:

Payment received and acknowledged by WIPO WIPO receipt number:

Payment made to WIPO bank account Payment identification: @/num/yyyy

IBAN No. CH51 0483 5048 7080 8100 0
 Credit Suisse, CH-1211 Geneva 70
 Swift/BIC: CRESCHZ80A

Payment made to WIPO postal account Payment identification: @/num/yyyy

IBAN No. CH03 0900 0000 1200 5000 8
 Swift/BIC: POFICHBE

In case of holders having a current account opened with the IB (the IB will debit the fee)

Basic fee

- Mark in black and white: 653 CHF (least developed countries: 65 CHF)
- Mark in color: 903 CHF (least developed countries: 90 CHF)

Complementary and supplementary fee (the designated countries, non-available individual fee)

- Complementary fee: 100 CHF for each designated country
- Supplementary fee: 100 CHF for each class in excess of 3 classes

Individual fee (instead of complementary/supplementary)

- Fee amounts depended on each country
- * see the website (www.wipo.int/madrid/en/fees)

Remittance to WIPO's bank account or postal account

- Indicating the bank account of the remitter and the date when the payment was made

Easy calculation for the amount of fee
(www.wipo.int/madrid/en/fees/calculator.jsp)

WIPO MADRID
The International Trademark System

WORLD INTELLECTUAL PROPERTY ORGANIZATION

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

Home > IP Services > Madrid System for the International Registration of Marks > Fees/Fee Calculator

International Registration of Mark Calculation

For date: **10.03.2013** Office of origin: Republic of Korea

Number of classes: 1 Type: New application

Colour Collective mark, certification mark Includes figurative elements

<input type="checkbox"/> AG	<input type="checkbox"/> AL	<input type="checkbox"/> AM	<input type="checkbox"/> AT	<input type="checkbox"/> AZ	<input type="checkbox"/> BA	<input type="checkbox"/> BG	<input type="checkbox"/> BH	<input type="checkbox"/> BQ	
<input type="checkbox"/> BT	<input type="checkbox"/> BW	<input type="checkbox"/> BX	<input type="checkbox"/> BY	<input checked="" type="checkbox"/> CN	<input type="checkbox"/> CO	<input type="checkbox"/> CU	<input type="checkbox"/> CW	<input type="checkbox"/> CY	
<input type="checkbox"/> CZ	<input type="checkbox"/> DE	<input type="checkbox"/> DK	<input type="checkbox"/> EE	<input type="checkbox"/> EG	<input type="checkbox"/> EM	<input type="checkbox"/> ES	<input type="checkbox"/> FI	<input type="checkbox"/> FR	<input type="checkbox"/> GB
<input type="checkbox"/> GE	<input type="checkbox"/> GH	<input type="checkbox"/> GR	<input type="checkbox"/> HR	<input type="checkbox"/> HU	<input type="checkbox"/> IE	<input type="checkbox"/> IL	<input type="checkbox"/> IR	<input type="checkbox"/> IS	<input type="checkbox"/> IT
<input checked="" type="checkbox"/> JP	<input type="checkbox"/> KE	<input type="checkbox"/> KG	<input type="checkbox"/> KP	<input type="checkbox"/> KZ	<input type="checkbox"/> LI	<input type="checkbox"/> LR	<input type="checkbox"/> LS	<input type="checkbox"/> LT	<input type="checkbox"/> LV
<input type="checkbox"/> MA	<input type="checkbox"/> MC	<input type="checkbox"/> MD	<input type="checkbox"/> ME	<input type="checkbox"/> MG	<input type="checkbox"/> MK	<input type="checkbox"/> MN	<input type="checkbox"/> MO	<input type="checkbox"/> NP	<input type="checkbox"/> NO
<input type="checkbox"/> NZ	<input type="checkbox"/> OM	<input type="checkbox"/> PH	<input type="checkbox"/> PL	<input type="checkbox"/> PT	<input type="checkbox"/> RO	<input type="checkbox"/> RS	<input type="checkbox"/> RU	<input type="checkbox"/> SK	<input type="checkbox"/> SI
<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"/> ST	<input type="checkbox"/> SV	<input type="checkbox"/> TH	<input type="checkbox"/> TJ
<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"/> YU	<input type="checkbox"/> ZA	<input type="checkbox"/> ZW	<input type="checkbox"/> CA

Select All Clear All

Basic fee where no reproduction of the mark is in color :
China
Individual fee :
Japan
Individual fee (first part):
This may be subject of the payment of a second part of the individual fee which can be estimated separately by
United States of America
Individual fee :
TOTAL: (CHF)

e.g. Korean application

- ✓ WIPO bank account
 - IBAN : CH51 0483 5048 7080 8100 0
 - SWIFT: CRESCH ZZ80A
- ✓ Debit from a current account

The background features a bright blue sky with a sun in the upper right corner, casting rays. The bottom of the image shows a green field with a city skyline in the distance. Two curved bands, one light green and one light blue, sweep across the bottom of the frame.

Improving the Efficiency of the Office of Origin

- Notification service to individual/corporate applicants w/o an agent to assist w/ Madrid international application
 - 10+% of applicants w/o an agent
- Notification on ToDo items and due dates at each phase of international application
- When applying for Patent Applicant Code, if applicant requests, emails and SMS are sent on relevant info (due dates, formal exam results, etc.)

- For WIPO irregularity notice, KIPO notifies applicant on due date of amendment, to prevent overdue, registration delay

<Amendments in 2015> (# of cases, %)

category	within 30 days	within 60 days	within 90 days
cases	151	73	29
%	59.6	28.9	11.5

- Due date notices and irregularity notices are re-sent 1 month prior to the due dates

- Easier access for the public & companies to international patent/trademark application
 - +/- of Madrid applications, what to do when applying under Madrid System, frequent errors, FAQ



- Quarterly information since March 2011

WIPO  MADRID
The International Trademark System
WORLD INTELLECTUAL PROPERTY ORGANIZATION

마드리드(MADRID) 소식

제21호 (2016년 6월)

마드리드 국제
상표출원 관련

- I 마드리드 국제출원 절차 개선 추진
- II 국제출원서 첨부서류 작성방법

- Correction on wrong classifications
- Correction on English typos, errors
- When KIPO and WIPO classifications differ, talks/presentations on KIPO standards/practices
- Request inclusion of English terminology recognized by KIPO and major POs in WIPO Madrid Goods and Service (MGS) DB

Examples of Irregular Terms (KR)

Irregular Terms	KIPO's Classification	WIPO's Classification/Suggestion
Fishing gaffs	28	Class 08
computer games apparatus	28	Class 09
DVD discs	09	DVDs / Digital video discs
leather key chains	18	Class 14
Engines for vehicles	12	Engines for automobiles

Thank You



Korean Intellectual
Property Office

