

Madrid Agreement and Protocol Concerning the International Registration of Marks

New terms and conditions for electronic communication between the International Bureau of the World Intellectual Property Organization (WIPO) and applicants and holders of international registrations

1. Under Section 11(a)(ii) of the Administrative Instructions for the Application of the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating Thereto, “communications between the International Bureau of WIPO and applicants and holders may take place by electronic means, at a time and in a manner and format to be determined by the International Bureau of WIPO, the particulars of which shall be published in the *WIPO Gazette of International Marks*”.

2. To that effect, the International Bureau of WIPO is publishing, as part of this Information Notice, new terms and conditions for electronic communication, as reproduced in page 2, which replace those published as part of Information Notice No. 36/2011.

TERMS AND CONDITIONS FOR ELECTRONIC COMMUNICATION BETWEEN THE INTERNATIONAL BUREAU OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO) AND APPLICANTS AND HOLDERS OF INTERNATIONAL REGISTRATIONS (MAY 2015)

GENERAL TERMS

The following terms and conditions apply to applicants and holders of international registrations who have opted to receive communications from the International Bureau of WIPO by electronic means.

Applicants and holders who have opted for this service are deemed to have read and agreed to these terms and conditions.

According to Rule 3(5)(b) of the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement (the Common Regulations), any electronic communication addressed to the recorded representative shall have the same effect as if it had been addressed to the applicant or holder.

Concerning WIPO privacy policy, reference is made to the Terms of Use of WIPO Internet Sites, which can be found at: <http://www.wipo.int/tools/en/disclaim.html>.

COMMUNICATIONS COVERED BY THIS SERVICE

All communications under the Common Regulations addressed to applicants or holders of international registrations who have opted to receive electronic communications from the International Bureau of WIPO will be sent electronically.

However, certificates of international registration and of the renewal of an international registration, as well as unofficial notices of expiry under Rule 29 and notifications of non-renewal under Rule 31(4) of the Common Regulations will be sent by the International Bureau of WIPO to the holder by post.

MEANS OF ELECTRONIC COMMUNICATION

The International Bureau of WIPO will send communications addressed to applicants and holders by electronic mail (e-mail) to the e-mail address indicated by them for this purpose.

Documents sent by electronic means will be transmitted as e-mail attachments in portable document format (PDF). Certain documents, due to their size, might be made available for download, in the same format, by providing a link in the electronic communication.

DISCLAIMER

When the International Bureau of WIPO becomes aware of the delivery failure of an electronic communication, this communication and all the documents concerned will be sent by post. The International Bureau of WIPO is not responsible for any failure, delay, error or other problem in the delivery of electronic communications due to reasons not directly attributable to its electronic communication systems, such as, for instance, reasons attributable to the applicant's or holder's Internet service provider or e-mail management or filtering software.

June 4, 2015