

Madrid Protocol Concerning the International Registration of Marks

Amendments to the Regulations under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks in force as from November 1, 2022

1. At its fifty-sixth (32nd ordinary) session, the Madrid Union Assembly adopted amendments to Rules 3, 5 and 30 of the Regulations under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (hereinafter referred to as “the Regulations” and “the Protocol”) that will enter into force on November 1, 2022.
2. The amended text of the Regulations is available in the Annex to the present Information Notice.

Appointment of a Representative Before the International Bureau

3. Amendments to Rule 3(2)(b) of the Regulations will require that applicants and holders of international registrations use the relevant official form to appoint a representative before the International Bureau of the World Intellectual Property Organization (WIPO). Applicants and holders will no longer be able to appoint a representative before the International Bureau of WIPO in a signed letter. Applicants and holders must use the [eMadrid](#) online service or form MM12* for this purpose.
4. Failure to meet the above-mentioned requirement will result in an irregular appointment. In such a case, in accordance with Rule 3(3) of the Regulations, the International Bureau of WIPO will inform the applicant or holder and the purported representative of this fact and will send all relevant communications only to the applicant or holder until the appointment is made using the prescribed form.
5. Applicants can continue to appoint a representative in the international application ([eMadrid](#) online services or form MM2*). Likewise, new holders (transferees) can continue to appoint a representative in the request for the recording of a change in ownership ([eMadrid](#) online service or form MM5*).

* All official forms are available at the following address: <https://www.wipo.int/madrid/en/forms/>.

Excuse in Meeting Time Limits

6. Amendments to Rule 5(5) of the Regulations will delete unnecessary references to other paragraphs in the same Rule that have been deleted. These are mere editorial amendments without practical implications.

Renewal of the International Registration

7. Amendments to Rule 30(1)(b) of the Regulations will allow holders to renew their international registrations as early as six months before the expiry date, up from three months.

8. In addition, the International Bureau of WIPO will inscribe the renewal of the international registration, issue the corresponding renewal certificate and notify the designated Contracting Parties as soon as it confirms that the holder has paid the required fees, instead of waiting until the expiry date to inscribe the said renewal.

9. The amendments and change in practice described above, will not affect the new period of validity of the international registration. The new period of validity of the international registration will continue to be 10 years counted from the expiry of the preceding period, as prescribed in Article 7(1) of the Protocol.

10. The above-mentioned measures respond to frequent requests from holders and representatives of users' associations to have the possibility to renew international registrations as early as possible and to receive the renewal certificate soon after they have done so when, for example, they must prove that their international registrations remain in effect.

11. As prescribed in Article 7(3) of the Protocol, holders will continue to receive an unofficial notice six months before the expiry of their international registrations reminding them of this fact and asking them to make sure that the information in the International Register is up-to-date and that their international registrations reflect their current interests before they renew those registrations.

12. Holders must request the recording of changes to their international registrations well before paying the renewal fees if such changes are to be accounted for in the calculation of the renewal fees, or reflected in the renewal certificate.

13. For example, changes in the name or address of the holder must be recorded before the renewal of the international registration is inscribed for the updated information to appear in the renewal certificate. Likewise, cancellations, renunciations or limitations also must be recorded before the renewal of the international registration is inscribed for these changes to be taken into account when calculating the amount of the renewal fees.

14. Changes recorded after the renewal of the international registration has been inscribed cannot be taken into account retroactively. For example, a cancellation or an invalidation recorded after the renewal of the international registration has been inscribed will not result in a retroactive recalculation of the renewal fees.

15. Holders who request the recording of a subsequent designation between the date on which the renewal has been inscribed and the date of expiry of the current period of validity must request a complementary renewal and pay the corresponding renewal fees for the newly subsequently designated Contracting Parties. In accordance with Rule 24(3)(c)(ii) of the Regulations, holders will continue to have the option to request that the subsequent designation take effect at the start of the new period of validity of the international registration to avoid paying renewal fees for the newly subsequently designated Contracting Parties.

Regulations Under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks

as in force on ~~November 1, 2021~~ November 1, 2022

[...]

Chapter 1 General Provisions

[...]

Rule 3 Representation Before the International Bureau

[...]

(2) *[Appointment of the Representative]*

[...]

(b) The appointment of a representative may also be made in a separate communication, provided it is made on the relevant official form, which and it may relate to one or more specified international applications or international registrations of the same applicant or holder. The said ~~communication form~~ shall be presented to the International Bureau

(i) by the applicant, the holder or the appointed representative, or

(ii) by the Office of the Contracting Party of the holder.

The ~~communication form~~ shall be signed by the applicant or the holder, or by the Office ~~through which it was presented~~ presenting the request.

[...]

Rule 5 Excuse in Delay in Meeting Time Limits

[...]

(5) *[International Application and Subsequent Designation]* Where the International Bureau receives an international application or a subsequent designation beyond the two-month period referred to in Article 3(4) of the Protocol and in Rule 24(6)(b), and the Office concerned indicates that the late receipt resulted from circumstances referred to in paragraph (1), ~~(2) or (3)~~, paragraphs (1), (2) or (3) and ~~paragraph~~ (4) shall apply.

[...]

Chapter 6
Renewals

Rule 30
Details Concerning Renewal

(1) *[Fees]*

[...]

- (b) If any payment made for the purposes of renewal is received by the International Bureau earlier than ~~three~~six months before the date on which the renewal of the international registration is due, it shall be considered as having been received ~~three~~six months before the date on which renewal is due.

[...]

[End of Annex]