



WORLD INTELLECTUAL PROPERTY ORGANIZATION

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MADRID PROTOCOL CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS

Collective Marks: European Community

1. The Office of the European Community (hereinafter called “OHIM”) has drawn the attention of the International Bureau to the following.
2. Pursuant to Rule 121 of the Regulation Implementing the Community Trade Mark Regulation, the filing of a collective mark requires the submission to OHIM of regulations concerning the use of such mark.
3. Where the European Community is designated under the Madrid Protocol (in an international application or in a subsequent designation) and the mark concerned is a collective mark, the holder of the international registration will be required to submit *directly to OHIM* the regulations concerning the use of the mark, within a two-month time-limit from the date of notification by the International Bureau to OHIM of the international registration or subsequent designation, as the case may be. If this time limit is not complied with, OHIM will notify a provisional refusal based on this ground.
4. The regulations of use must specify:
 - (a) the name of the holder and his office address;
 - (b) the object of the association or the object for which the legal person governed by public law is constituted;
 - (c) the bodies authorized to represent the association or the said legal person;
 - (d) the conditions for membership;
 - (e) the persons authorized to use the mark;
 - (f) where appropriate, the conditions governing use of the mark, including sanctions;
 - (g) where appropriate, the authorization referred to in Article 65, paragraph 2, second sentence of the Community Trade Mark Regulation.
5. The submission of the regulations governing the use of a collective mark is not subject to the payment of a fee.
6. For further information concerning the above matter, users are invited to contact OHIM.

September 10, 2004