



## WORLD INTELLECTUAL PROPERTY ORGANIZATION

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### MADRID AGREEMENT AND PROTOCOL CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS

#### Collective and Guarantee Marks: Poland

1. The Office of Poland has drawn the attention of the International Bureau to the following.
2. Pursuant to the law of trademarks in force in Poland since August 22, 2001, the holder of a collective mark or of a guarantee mark is required to submit to the Office of Poland regulations concerning the use of such mark.
3. Where Poland has been designated under the Madrid Agreement or Protocol (in an international application or in a subsequent designation) and the mark in question is a collective mark or a guarantee mark, the said regulations of use should be submitted *directly to the Office of Poland*, by a representative established in Poland, within two months from the notification by the International Bureau to the Office of Poland of the international registration or subsequent designation, as the case may be. In default, or in the event that the regulations do not comply with the requirements of Polish trademark law, the Office of Poland notifies a provisional refusal accordingly.
4. Moreover, with regard to an international registration dated prior to August 22, 2001, and relating to a collective mark or a guarantee mark, the Office of Poland invites holders to submit directly to that Office, at the time of renewal of such registration and through a representative established in Poland, the regulations governing the use of such mark, in order to forestall requests for the invalidation of such registrations in the event of a dispute concerning the mark.
5. The regulations of use which are required by Polish trademark law should contain, in particular, the following indications:
  - the manner in which the mark is used,
  - the common features of the goods with respect to which the mark is intended to be used,
  - the means of ensuring the control of the use of such mark, and
  - the relevant sanctions in the event of non-compliance with the regulations.

6. Furthermore, the regulations of use concerning a guarantee mark should indicate the precise criteria for, and the means of, acquiring the right to use such mark, as laid down by the holder organization concerned.

7. For further information concerning the above matter, users are invited to contact the Office of Poland directly.

October 5, 2004