

Madrid Protocol Concerning the International Registration of Marks

Accession to the Madrid Protocol: India

1. On April 8, 2013, the Government of India deposited with the Director General of the World Intellectual Property Organization (WIPO) its instrument of accession to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (“the Madrid Protocol”). The Madrid Protocol will enter into force, with respect to India, on July 8, 2013.

2. The said instrument of accession was accompanied by the following declarations:

– the declaration referred to in Article 5(2)(b) and (c) of the Madrid Protocol, whereby the time limit of one year to notify a provisional refusal of protection is replaced by 18 months, and a provisional refusal resulting from an opposition may be notified after the expiry of the 18-month time limit;

– the declaration referred to in Article 8(7)(a) of the Madrid Protocol, whereby India wishes to receive an individual fee where it is designated in an international application, in a designation subsequent to an international registration subject to Article 14(5) of the Madrid Protocol or in respect of the renewal of an international registration (instead of a share in the revenue produced by the supplementary and complementary fees);

– the declaration referred to in Article 14(5) of the Madrid Protocol, whereby the protection resulting from any international registration effected under the Madrid Protocol before the date of entry into force of the said Protocol, with respect to India, cannot be extended to it.

3. The amounts of the individual fee, indicated by the Government of India under Article 8(7)(a) of the Madrid Protocol, will be the subject of a separate information notice.

4. Accession to the Madrid Protocol by India brings the number of Contracting Parties of the Madrid Protocol to 89 and the total number of Contracting Parties of the Madrid system to 90. A list of the members of the Madrid Union and information on the dates on which these Contracting Parties became party to the Madrid Agreement and/or the Madrid Protocol are available on WIPO’s web site, at the following address: www.wipo.int/madrid/en/members.

May 29, 2013