

## **Madrid Agreement and Protocol Concerning the International Registration of Marks**

### **Amendments to the Administrative Instructions for the Application of the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating Thereto as from April 1, 2018**

1. In accordance with Rule 41(1)(a) of the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement, the Director General of the World Intellectual Property Organization (WIPO) has, after consulting the Offices of the Contracting Parties, amended the Administrative Instructions for the Application of the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating Thereto (the Administrative Instructions).
2. Sections 4 and 11 of the Administrative Instructions have been amended to require the publication on the WIPO website of the official forms as well as of the particulars regarding electronic communications between the International Bureau of WIPO and applicants and holders.
3. Access to the official forms as well as information on the Madrid Portfolio Manager (MPM) and Contact Madrid service, through which electronic communications from applicants and holders to the International Bureau of WIPO must take place, are available at the following address: <http://www.wipo.int/madrid/en/customerservice/>.
4. In addition, Sections 8, 9 and 10 of the Administrative Instructions have been deleted to discontinue communications via telefacsimile (fax) with the International Bureau of WIPO. As a result, communications under the Madrid System may no longer be addressed to the International Bureau of WIPO by fax.
5. Therefore, applicants and holders must address communications under the Madrid System to the International Bureau of WIPO either by post or through the above-mentioned MPM or Contact Madrid service. Offices of the Contracting Parties must address the said communications either by post or by electronic means, in the way agreed upon with the International Bureau of WIPO.
6. The modified Administrative Instructions, as amended and reproduced in the Annex to the present information notice, entered into force on April 1, 2018.

April 18, 2018

**PROPOSED AMENDMENTS TO THE ADMINISTRATIVE INSTRUCTIONS FOR THE APPLICATION OF THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS AND THE PROTOCOL RELATING THERETO**

**Administrative Instructions for the Application of the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating Thereto**

(as in force on ~~November 1, 2017~~[April 1, 2018](#))

LIST OF SECTIONS

- Part One: Definitions*
- Section 1: Abbreviated Expressions
- Part Two: Forms*
- Section 2: Prescribed Forms
- Section 3: Optional Forms
- Section 4: Publication of Forms
- Section 5: Availability of Forms
- Part Three: Communications with the International Bureau; Signature*
- Section 6: Communication in Writing; Several Documents in One Envelope
- Section 7: Signature
- Section 8: ~~Communications by Telefacsimile~~[\[Deleted\]](#)
- Section 9: ~~The Original Reproduction or Reproductions of the Mark~~[\[Deleted\]](#)
- Section 10: ~~Acknowledgement and Date of Receipt of Telefacsimile by the International Bureau~~[\[Deleted\]](#)
- Section 11: Electronic Communications; Acknowledgement and Date of Receipt of Electronic Transmission by the International Bureau
- Part Four: Requirements Concerning Names and Addresses*
- Section 12: Names and Addresses
- Section 13: Address for Correspondence
- Part Five: Notification of Provisional Refusals*
- Section 14: Date of Sending of Notification of Provisional Refusal
- Section 15: Contents of a Notification of Provisional Refusal Based on an Opposition
- Part Six: Numbering of International Registrations*
- Section 16: Numbering Following Partial Change in Ownership
- Section 17: Numbering Following Merger of International Registrations
- Section 18: Numbering Following Declaration that a Change in Ownership Has No Effect
- Part Seven: Payment of Fees*
- Section 19: Modes of Payment

[...]

## **Part Two Forms**

[...]

### *Section 4: Publication of Forms*

The [International Bureau shall publish the](#) complete list of all available prescribed and optional forms, as referred to in Sections 2 and 3, [on the website of the World Intellectual Property Organization](#)~~shall be published in each issue of the Gazette.~~

[...]

## **Part Three Communications with the International Bureau; Signature**

[...]

### *Section 8: ~~[Deleted]~~Communications by Telefacsimile*

~~Any communication may be addressed to the International Bureau by telefacsimile, provided that, where the communication must be presented on an official form, the official form is used for the purposes of the telefacsimile communication.~~

### *Section 9: ~~[Deleted]~~The Original Reproduction or Reproductions of the Mark*

~~(a) Where the international application is sent by the Office of origin to the International Bureau by telefacsimile, the original of the page of the official form bearing the reproduction or reproductions of the mark, signed by the Office of origin and containing sufficient indications to allow identification of the international application to which it relates, shall be sent to the International Bureau.~~

~~(b) Where an international application is addressed to the International Bureau by telefacsimile, examination by the International Bureau as to conformity of the international application with the applicable requirements shall start~~

~~(i) upon receipt of the original if such an original is received within a period of one month from the date on which the communication by telefacsimile was received, or~~

~~(ii) upon expiry of the period of one month referred to in subparagraph (i) if the said original is not received by the International Bureau within that period.~~

### *Section 10: ~~[Deleted]~~Acknowledgement and Date of Receipt of Telefacsimile by the International Bureau*

~~(a) The International Bureau shall promptly and by telefacsimile inform the sender of a telefacsimile communication of the receipt of that communication, and, where the telefacsimile communication received is incomplete or illegible, of that fact also, provided that the sender can be identified and can be reached by telefacsimile.~~

~~(b) — Where a communication is transmitted by telefacsimile and, because of the time difference between the place from where the communication is transmitted and Geneva, the date on which the transmittal started is different from the date of receipt by the International Bureau of the complete communication, the earlier of the two dates shall be considered as the date of receipt by the International Bureau.~~

*Section 11: Electronic Communications; Acknowledgement  
and Date of Receipt of Electronic Transmission  
by the International Bureau*

(a) (i) Where an Office so desires, communications between that Office and the International Bureau, including the presentation of the international application, shall be by electronic means in a way agreed upon between the International Bureau and the Office concerned.

(ii) Communications between the International Bureau 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, the particulars of which shall be published [on the website of the World Intellectual Property Organization](#)~~in the Gazette~~.

[...]

[End]