

Madrid Protocol Concerning the International Registration of Marks

Suspension of Postal Communication with the International Bureau

1. The International Bureau of the World Intellectual Property Organization (WIPO) wishes to inform users of the Madrid System that, due to the suspension of postal service between Switzerland and a number of countries and to the need to comply with guidance by public health authorities, it is not able to send or receive communications by postal mail until further notice.

2. In view of the above, the International Bureau of WIPO wishes to communicate the measures it will take to preserve the rights and interests of applicants and holders.

I. Communications addressed to the International Bureau of WIPO

3. Applicants, holders and their representatives may continue to send communications under the Madrid System to the International Bureau of WIPO, but they should do so by electronic means only. They may present requests to the International Bureau of WIPO using the upload function in Madrid Portfolio Manager (MPM)¹ or through the Contact Madrid² online service. They may also use other online services, namely, e-Payment³, e-Renewal⁴ and e-Subsequent designation⁵.

II. Communications addressed to applicants, holders or to their representatives

4. The International Bureau of WIPO will continue to send communications under the Madrid System to applicants, holders and representatives who have opted to receive electronic communications by providing an electronic mail (e-mail) address to the International Bureau of WIPO.

¹ Madrid Portfolio Manager (MPM) is accessible by logging onto the WIPO IP Portal only, at: <https://ipportal.wipo.int/>.

² Contact Madrid is available at: <https://www3.wipo.int/contact/en/madrid/>.

³ E-Payment is available at: <https://www.wipo.int/madrid/payment/>.

⁴ E-Renewal is accessible by logging onto the WIPO IP Portal only, at: <https://ipportal.wipo.int/>.

⁵ E-Subsequent designation is available at: <https://www3.wipo.int/osd/>.

5. Where electronic communication is not possible because applicants, holders or their representatives have not yet provided an e-mail address, the International Bureau of WIPO will:

(a) send communications concerning recordings⁶ as soon as the applicant, holder or representative provides an e-mail address to the International Bureau of WIPO (please, see paragraph 10, below); and,

(b) where an international application or a request for recording is irregular, not notify such irregularity until the applicant, holder or representative provides an e-mail address to the International Bureau of WIPO.

6. It is in the best interest of applicants and holders that the International Bureau of WIPO continue to effect international registrations and recordings in the International Register. However, as indicated above, where an international application or request for recording is irregular, the International Bureau of WIPO will not notify applicants or holders of such irregularity when unable to do so by electronic means. As a result, while the period to remedy the irregularity will not begin, the registration or recording in the International Register will be delayed.

7. It is also in the best interest of holders that the International Bureau of WIPO continue to record in the International Register communications from the Offices of designated Contracting Parties, such as, for example, notifications of provisional refusal. The said communications concern the status of protection of the mark in the designated Contracting Parties and, more importantly, contain time-sensitive information on possible requests for review or appeal, such as, for example, the time-limit to respond to a provisional refusal.

8. Following the recording referred to in paragraph 7, above, all the relevant information regarding communications from the Offices of designated Contracting Parties will be publicly available on the Madrid Monitor⁷ online service, including a copy of the said communications. Holders of international registrations or their representatives who have not yet provided an e-mail address are strongly advised to regularly consult Madrid Monitor to follow-up on the status of protection of their marks in the designated Contracting Parties. Holders may also configure Madrid Monitor to receive an automatic electronic alert whenever there is a new recording for their international registrations.

9. Regularly consulting Madrid Monitor will allow holders to safeguard their rights by promptly reacting to communications sent by the Office. The above is of particular importance in the numerous cases where the time-limit to respond to a notification of provisional refusal ends on a fixed-date set by the Office of the designated Contracting Party. For example, in several Contracting Parties the above-mentioned time-limit starts either on the date on which the Office issued the notification or sent it to the International Bureau of WIPO.

10. Further information on Madrid Monitor is available at:
<https://www.wipo.int/madrid/en/monitor/>.

⁶ Recordings concerning representation before the International Bureau (Rule 3(4)(b) and 6 (d) of the Regulations), the possible notification of a provisional refusal under Article 5(2)(c) (Rule 16(2)), the notification of a provisional refusal (Rule 17(4)), a statement of interim status of the mark (Rule 18*bis*(2)), a statement of final disposition of the status of a mark (Rule 18*ter*(5)), a notification of invalidation (Rule 19(2)), a restriction of the holder's right of disposal (Rule 20(3)), licenses (Rule 20*bis*(3)), replacement of a national or regional registration (Rule 21(2)), cancellation of the international registration at the request of the Office of origin (Rule 22(2)), division or merger of the basic mark (Rule 23(2)), a subsequent designation (Rule 24(8)), cancellation, limitation, renunciation and changes (Rule 27(1)), declaration that a change in ownership has no effect (Rule 27(4)(d) and (e)), declaration that a limitation has no effect (Rule 27(5)(d) and (e)), division (Rule 27*bis*(4)), merger (Rule 27*ter*), and a correction in the International Register (Rule 28(2)).

⁷ Madrid Monitor is available at: <https://www3.wipo.int/madrid/monitor/en/>.

III. How to provide an e-mail address to the International Bureau of WIPO

11. In view of the current circumstances, the International Bureau of WIPO urges applicants, holders and representatives to provide an e-mail address to receive electronic communications under the Madrid System if they have not already done so. Applicants may indicate an email address in their international applications. Applicants, holders or representatives who have not yet provided an e-mail address may do so through the Contact Madrid electronic service⁸.

IV. Madrid Portfolio Manager (MPM)

12. The MPM online service is the most effective tool to manage a portfolio of international registrations under the Madrid System. Users may view their international applications, international registrations in force, as well as those that have lapsed, view their status on Madrid Monitor, consult their history and download electronic copies of all their documents, including their international registration certificates. Users may also renew their international registrations and present subsequent designations and requests for recording for their international registrations in force.

13. In view of the current circumstances, applicants, holders and their representatives are strongly encouraged to rely on the MPM online service to manage their international registrations.

14. Further information on MPM is available at: <https://www.wipo.int/madrid/en/manage/>.

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⁸ Contact Madrid is available at: <https://www3.wipo.int/contact/en/madrid/>.