



## WORLD INTELLECTUAL PROPERTY ORGANIZATION

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### MADRID PROTOCOL CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS

#### Change in the Amounts of Individual Fee: European Community

1. By a communication dated April 30, 2009, and received by the International Bureau of the World Intellectual Property Organization (WIPO) on May 12, 2009, the European Commission has made a declaration modifying the amounts of the individual fee payable in respect of the designation of the European Community in an international application or in a designation subsequent to an international registration under Article 8(7) of the Madrid Protocol.

2. In accordance with Rule 35(2)(b) of the Common Regulations under the Madrid Agreement and Protocol, the Director General of WIPO has, after consultation with the Office of the European Community (hereinafter called "OHIM"), established the following new amounts, in Swiss francs, of the said individual fee:

ITEMS		AMOUNTS (in Swiss francs)
International Application or Subsequent Designation	– for three classes of goods or services	1,311
	– for each additional class	226
	<i>Where the mark is a collective mark:</i>	
	– for three classes of goods or services	2,441
	– for each additional class	452

3. This change will take effect on August 12, 2009. Therefore, these amounts will be payable where the European Community

(a) is designated in an international application which is received, or is deemed to have been received under Rule 11(1)(c), by the Office of origin on or after that date, or

(b) is the subject of a subsequent designation which is received by the Office of the Contracting Party of the holder on or after that date, or is filed direct with the International Bureau on or after that date.

4. The declaration modifying the amounts of individual fee did not concern the amounts applicable with respect to renewal. However, so as to take into account the Swiss franc exchange rate applicable at the time of the receipt by the International Bureau of the said new declaration, that is, May 12, 2009, the International Bureau has, after consultation with OHIM, established the following new amounts, in Swiss francs, of the said renewal fee:

<b>ITEMS</b>		<b>AMOUNTS</b> <i>(in Swiss francs)</i>
Renewal	– for three classes of goods or services	1,808
	– for each additional class	603
	<i>Where the mark is a collective mark:</i>	
	– for three classes of goods or services	4,068
	– for each additional class	1,205

The revised amounts of the renewal fee will be payable as from August 12, 2009 where the European Community has been designated in an international registration which is renewed on or after that date.

5. With respect to the refund scheme applicable to the international application or subsequent designation fees following a refusal of protection by OHIM, users of the Madrid system are informed that Information Notice No. 18/2004 entitled “Refund of Fees Following a Refusal of Protection: European Community” is no longer applicable. However, OHIM has informed the International Bureau that pursuant to Article 13 (last paragraph) of Commission Regulation (EC) No. 355/2009 of 31 March 2009 amending Commission Regulation (EC) No. 2869/95 of 13 December 1995 on the fees payable to the OHIM (hereafter CTMFR), designations of the European Community filed before 12 August 2009 shall continue to be subject to a refund as per Article 13 CTMFR in its version in force previous to the entry into force of Commission Regulation No. 355/2009. Both versions of Article 13 can be consulted at the following address:

<http://oami.europa.eu/ows/rw/pages/CTM/legalReferences/regulations.en.do>. For further information concerning this matter, users are invited to contact OHIM directly.

July 13, 2009