

Madrid Agreement and Protocol Concerning the International Registration of Marks

Electronic communication between the International Bureau of the World Intellectual Property Organization (WIPO) and holders of international registrations

1. Under Section 11(a)(ii) of the Administrative Instructions for the Application of the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating Thereto, “communications between the International Bureau of WIPO 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 of WIPO, the particulars of which shall be published in the *WIPO Gazette of International Marks*”.
2. It will be recalled that electronic communication is available to holders of international registrations and their representatives since August 28, 2007, and that it was the subject of Information Notice No. 15/2007.
3. The International Bureau of WIPO intends to increase the use of electronic communication, as a faster, more efficient and secure means to effectively deliver information, for the benefit of the users of the Madrid system.
4. To that effect, the International Bureau of WIPO is publishing, as part of this Information Notice, new terms and conditions for electronic communication, as reproduced in pages 2 and 3. Those terms and conditions replace those published as part of Information Notice No. 15/2007.
5. Holders of international registrations and their representatives are strongly encouraged to take advantage of electronic communication. They may send a message to the following address: e-marks@wipo.int, indicating the email address which they would like the International Bureau of WIPO to use for this purpose, as well as the list of all international registrations concerned.

Terms and conditions for electronic communication between the International Bureau of the World Intellectual Property Organization (WIPO) and applicants and holders of international registrations (October 2011)

GENERAL TERMS

The following terms and conditions extend to applicants and holders of international registrations who have requested to only receive electronic communication from the International Bureau of WIPO regarding international applications or international registrations in respect of which they are, correspondingly, the applicant or the holder.

Upon making the aforementioned request, it is implied that the said applicants and holders have read and agreed to these terms and conditions.

Under Rule 3(5)(b) of the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement, any electronic communication addressed to the representative, recorded under Rule 3(4)(a), shall have the same effect as if it had been addressed to the applicant or holder.

Concerning WIPO privacy policy, a reference is made to the Terms of Use of WIPO Internet Sites, which can be found at: <http://www.wipo.int/tools/en/disclaim.html>.

DOCUMENTS COVERED BY THIS SERVICE

Under Section 11(a)(ii) of the Administrative Instructions for the Application of the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating Thereto, the International Bureau of WIPO will publish in the *WIPO Gazette of International Marks* a list indicating the documents which are communicated electronically.

Where new documents become the subject of electronic communication, the International Bureau of WIPO will promptly update the aforementioned list and publish it, without delay, in the *WIPO Gazette of International Marks*.

Documents which are not included in the list of those which are communicated electronically will be sent by ordinary mail.

MEANS OF ELECTRONIC COMMUNICATION

The International Bureau of WIPO will start sending applicants and holders the documents in question by electronic mail (e-mail), following receipt of the e-mail address that is indicated for this purpose. The documents concerned will be communicated as attachments in portable document format (PDF).

DISCLAIMER

The International Bureau of WIPO will send electronic communication, covered by these terms and conditions, using a registered e-mail facility, so as to maximize the chances of their timely and error-free transmission.

The registered e-mail facility used by the International Bureau of WIPO provides legally verifiable proof concerning content, time and delivery in respect to electronic communication. This facility alerts the International Bureau of WIPO of the delivery failure of an electronic communication.

In case of delivery failure of an electronic communication, the documents concerned will be communicated using ordinary mail.

The International Bureau of WIPO is not responsible for any delay, error or other problem in the delivery of electronic communication caused by the applicant's or holder's service provider.

DATE OF TRANSMISSION

Electronic communication covered by these terms and conditions will include information on the date and time it exited the WIPO e-mail system.

October 17, 2011