

Working Group on the Legal Development of the Madrid System for the International Registration of Marks

Ninth Session

Geneva, July 4 to 8, 2011

INFORMATION CONCERNING CEASING OF EFFECT AND TRANSFORMATION

Document prepared by the International Bureau

1. The Working Group on the Legal Development of the Madrid System for the International Registration of Marks (hereinafter referred to as “the Working Group”) concluded its eighth session with a request that the Secretariat prepare a document compiling information concerning notifications of ceasing of effect and transformations. The Working Group decided that the exercise of collecting and providing that information to the International Bureau would run for a period of six months, from July to December, 2010. The Working Group understood that the furnishing of such additional information would not be mandatory. It was further established that the document presenting the information would not analyze or comment upon it, allowing the delegations to draw their own conclusions from the information made available.
2. As determined by Rule 22 of the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement (hereinafter referred to as “the Common Regulations”), where, pursuant to Article 6(3) of the Madrid Agreement Concerning the International Registration of Marks or Article 6(3) of the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (hereinafter referred to, respectively, as “the Madrid Agreement” and “the Protocol”), the protection resulting from an international registration may no longer be invoked, in whole or in part, as a result of the total or partial ceasing of effect of the basic mark – upon which the international registration is dependent for a period of five years from the date of such registration – the Office of origin is required to notify the International Bureau, which would then proceed to cancel the international registration, to the extent requested in the notification.

3. This procedure was considered in document MM/LD/WG/8/4, entitled "How Could a Mechanism of Central Attack be Envisaged in the Absence of a Basic Mark?", which was discussed during the eighth session of the Working Group. The said document noted that the information maintained by the International Bureau concerning notifications under Rule 22 of the Common Regulations does not determine the extent to which the cancellations of the international registrations in question are the result of a mere ceasing of effect, (i.e., as a result of *ex officio* refusal, limitation, abandonment or withdrawal of the basic mark), or, in fact, the result of what might be perceived as an "attack", in the sense of an opposition or other third party action. As a result, the International Bureau does not have any information concerning the real impact the current mechanism of central attack has in the Madrid system.
4. The document also noted that information concerning transformations, under Article 9*quinquies* of the Protocol, which allows for the conversion of international registrations into national or regional applications in the designated Contracting Parties, following the cancellation of an international registration after the ceasing of effect of a basic mark, is not reported to the International Bureau by the concerned Offices.
5. It is in the aforementioned context that the Working Group decided to undertake this probing exercise. The procedure for the collection of information concerning notifications of ceasing of effect and transformation was detailed in an Annex to Note C.M. 1354, dated September 17, 2010. Under the aforesaid procedure, Offices of the Contracting Parties of the Madrid system were asked to confirm their participation in the proposed exercise until October 8, 2010. This deadline was later extended until October 29, 2010.
6. The Offices of the following 24 Contracting Parties confirmed their willingness to participate in the proposed exercise: Australia, Austria, Bulgaria, China, Croatia, Czech Republic, European Union (EU), Finland, Germany, Japan, Lithuania, Norway, Poland, Portugal, Republic of Korea, Russian Federation, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia and the United States of America.
7. The Offices of the participating Contracting Parties were Offices of origin in 65 per cent of the total number of applications received by the International Bureau in 2010. These Offices were also the subject of 45 per cent of all designations made in 2010. Furthermore, the aforesaid Offices sent 90 per cent of the notifications of ceasing of effect recorded by the International Bureau in 2010.
8. During the period of the exercise, Offices which had agreed to furnish the requested information to the International Bureau were asked to conduct a certain amount of enquiry in order to ascertain the underlying grounds for a notification of a ceasing of effect. Where a notification under Rule 22 of the Common Regulations was the result of a third party intervention, Offices were requested to report that said ceasing of effect appeared to have resulted from central attack.
9. Offices could report the requested information, case-by-case, inserting a reference to the appearance of central attack in part V of Model Form 9, or its equivalent in a self-generated form. As an alternative, Offices could forward the said information at the end of the period of the exercise, in the form of a summary, indicating the number of notifications of mere ceasing of effect and notifications of ceasing of effect resulting from a central attack, providing a breakdown between total and partial cancellations.

10. It was understood that notifications of ceasing of effect sent to the International Bureau by Offices which had agreed to participate in the exercise and had not reported any incidence of central attack, would be regarded as notifications of mere ceasing of effect.
11. Concerning transformations, Offices were also given the choice of reporting the information on a case-by-case basis or reporting it at the end of the period of the exercise, by simply providing the number of requests that, under Article 9*quinquies* of the Protocol, the Office had received during the aforementioned period.
12. Offices which had agreed to participate in the exercise were asked to send the information to the International Bureau by January 15, 2011, at the latest.
13. The participating Offices reported to have sent, during the period of the exercise, 1,240 notifications of ceasing of effect; however, it is to be noted that these Offices reported that only 215 of those notifications appeared to have resulted from central attack. During the same period, these Offices were the Office of origin in 14,104 international applications. Finally, the participating Offices reported 96 transformations. A summary of the key findings is provided as part of this document (see Table I).

Table I

International Applications, Notifications of Ceasing of Effect, Ceasing of Effect Which Appear to Have Resulted from Central Attack and Transformations
July 1 to December 31, 2010

Contracting Party	International Applications	Notifications of Ceasing of Effect	Ceasing of Effect Which Appear to Have Resulted from Central Attack	Transformations
AT	518	43	4	2
AU	484	25	1	9
BG	128	1	1	N/A
CH ¹	1,551	30	0	5
CN	980	6	2	27
CZ ²	157	1	1	1
DE ³	2,631	220	58	0
EM	2,456	165	116	11
ES	291	1	1	2
FI ⁴	99	6	1	1
HR ⁵	81	5	0	3
JP	863	80	1	15
KR	192	48	0	N/A
LT	47	3	3	1
MK ⁶	7	61	1	1
NO ⁷	178	N/A	N/A	N/A
PL	174	10	0	1
PT	61	1	0	1
RU	594	1	1	4
SE	126	13	0	1
SG	109	2	1	8
SI ⁸	171	0	0	1
SK ⁹	75	6	6	1
US	2,131	512	17	1
TOTAL	14,104	1,240	215	96

14. Offices participating in the exercise also provided further details with respect to the information furnished as part of the exercise. It is to be noted that almost 60 per cent of these notifications concerned only a partial ceasing of effect, with part of the international registration still remaining in effect. Also, 70 per cent of the notifications which appear to have resulted from central attack, as reported by the participating Offices, concerned a partial ceasing of effect. A table providing detailed information is also offered as part of this document (see table II).

1 The Office of Switzerland reported 14 transformations during 2010.
2 The Office of the Czech Republic reported two transformations during 2010.
3 The Office of Germany reported two transformations during 2010.
4 The Office of Finland reported two transformations during 2010.
5 The Office of Croatia reported three transformations during 2010.
6 The Office of the former Yugoslav Republic of Macedonia reported seven transformations during 2010.
7 The Office of Norway reported that for the period from April to December 2010 it had sent to the International Bureau 21 notifications of ceasing of effect, of which one resulted from a central attack. The Office of Norway also reported 10 transformations during 2010.
8 The Office of Slovenia reported one transformation during 2010.
9 The Office of Slovakia reported one transformation during 2010.

Table II

Notifications of Ceasing of Effect Which Appear to Have Resulted from Central Attack – July 1 to December 31, 2010

Contracting Party	Notifications of Ceasing of Effect (CE)	CE Total	CE Partial	Central Attack (CA)	CA / CE	CA Total	CA Partial
AT	43	11	32	4	9.30%	1	3
AU	25	13	12	1	4.00%	1	
BG	1	1		1	100.00%	1	
CH	30	4	26	0	0.00%		
CN	6	5	1	2	33.33%	2	
CZ ¹⁰	1		1	1	100.00%		1
DE	220	57	163	58	26.36%	13	45
EM ¹¹	165	30	135	116	70.30%	20	96
ES	1	1		1	100.00%	1	
FI ¹²	6	3	3	1	16.66%		1
HR ¹³	5	1	4	0	0.00%		
JP ¹⁴	80	27	53	1	1.25%	1	
KR ¹⁵	48	20	28	0	0.00%		
LT	3	1	2	3	100%	1	2
MK ¹⁶	61	28	33	1	1.63%	1	
NO ¹⁷	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PL	10	4	6	0	0%		
PT	1	1		0	0%		
RU	1	1		1	100%	1	
SE	13	9	4	0	0.00%		
SG	2	2		1	50.00%	1	

- ¹⁰ The Office of the Czech Republic reported that during the year 2010 it had sent to the International Bureau two notifications of ceasing of effect (both partial), both of them resulting from central attack.
- ¹¹ The OHIM also reported that two notifications of ceasing of effect were the result of an invalidation (two total), 10 notifications due to a limitation after an opposition and with a final decision (eight partial, two total), 12 notifications due to a withdrawal following an opposition (12 total), 90 notifications due to a limitation after an opposition (88 partial, two total), and two due to a refusal after an opposition (two total).
- ¹² The Office of Finland reported that during the year 2010 it had sent to the International Bureau 33 notifications of ceasing of effect (eight total and 25 partial), of which two resulted from a central attack (one total and one partial).
- ¹³ The Office of Croatia reported that during 2010 it had sent to the International Bureau nine notifications of ceasing of effect (seven total and two partial). No central attack case was reported during 2010.
- ¹⁴ The Office of Japan reported that during 2010 it had sent to the International Bureau 147 notifications of ceasing of effect (45 total and 102 partial), of which three resulted from a central attack (one total and two partial).
- ¹⁵ The Office of the Republic of Korea reported that during 2010 it had sent to the International Bureau 63 notifications of ceasing of effect (24 total and 39 partial).
- ¹⁶ The Office of the former Yugoslav Republic of Macedonia reported that during 2010 it had sent to the International Bureau 111 notifications of ceasing of effect (42 total and 69 partial), of which one resulted from a central attack (total).
- ¹⁷ The Office of Norway reported that for the period from April to December 2010 it had sent to the International Bureau 21 notifications of ceasing of effect (11 total and 10 partial), of which one resulted from a central attack (total).

Contracting Party	Notifications of Ceasing of Effect (CE)	CE Total	CE Partial	Central Attack (CA)	CA / CE	CA Total	CA Partial
SI ¹⁸	0			0	0.00%		
SK ¹⁹	6	6		6	100.00%	6	
US ²⁰	512	275	237	17	3.32%	14	3
TOTAL	1,240	500	740	215	17.33%	64	151

15. Also, as was requested by the Working Group, relevant information gathered by the International Bureau is offered as an Annex to this document. The Annex is comprised of two sections. It begins with information regarding notifications of ceasing of effect concerning registrations recorded during 2005. It is to be noted that most of the international registrations recorded during this particular year would now be independent from the basic mark, save for actions undertaken before the expiry of the dependency period still awaiting resolution. Thus, 2005 is the earliest year on record for which delegations could completely assess the impact that notifications of ceasing of effect had during the period of dependence, concerning international registrations recorded in the aforesaid year. A second section of the Annex provides information with respect to notifications of ceasing of effect recorded by the International Bureau in 2010.
16. The information on “central attack” and transformations for the period from July 1 to December 31, 2010, contained in this document is based on the data furnished by the Offices of the Contracting Parties that confirmed their willingness to participate in the exercise proposed by the Working Group. According to the data provided to the International Bureau, a total of only 215 cases of ceasing of effect appear to have resulted from central attack, and only a total of 96 transformations were reported by the Offices participating in the exercise.

17. *The Working Group is invited to:*
- (i) *consider the above and take note of the contents of the Annex to the present document*
 - (ii) *comment and draw conclusions on the information contained in this document and in the Annex; and,*
 - (iii) *provide guidance to the Secretariat on possible further actions concerning ceasing of effect and transformation.*

[Annex follows]

¹⁸ The Office of Slovenia reported that during 2010 it had not sent to the International Bureau any notifications of ceasing of effect.

¹⁹ The Office of Slovakia reported that during 2010 it had sent to the International Bureau 15 notifications of ceasing of effect (13 total and two partial), of which eight resulted from a central attack (six total and two partial).

²⁰ The Office of the United States of America reported that during 2010 it had sent to the International Bureau 1,118 notifications of ceasing of effect (628 total and 490 partial).

INFORMATION CONCERNING NOTIFICATIONS OF CEASING OF EFFECT AND TRANSFORMATION**I. NOTIFICATIONS OF CEASING OF EFFECT CONCERNING REGISTRATIONS RECORDED IN 2005****(i) Summary Information**

In the year 2005, the International Bureau recorded 33,169 international registrations. Of these, 6,532 international registrations were supported by a basic application, and 26,637 by a basic registration. There were 352,352 designations contained in the aforesaid international registrations (see Table I).

Table I

International Registrations in 2005

International Registrations	Basic Application	Basic Registration	Designations in International Registrations
33,169	6,532	26,637	352,352

Concerning international registrations recorded in 2005, the International Bureau has received 2,192 notifications of ceasing of effect, representing slightly over 6.5 per cent of the total number of the said registrations. The aforementioned notifications are related to 19,662 designations, which approximately represent 5.6 per cent of the total number of designations contained in the international registrations recorded in 2005 (see Table II).

Table IIInternational Registrations in 2005
Notifications of Ceasing of Effect

International Registrations (IR)	Designations in IR	Notifications of Ceasing of Effect (CE)	Notifications of CE / IR	Designations in Notifications of CE	Designations in CE / Designations in IR
33,169	352,352	2,192	6.61%	19,662	5.58%

Of the 2,192 notifications of ceasing of effect recorded by the International Bureau with respect to international registrations recorded in 2005, 876 notifications (40 per cent) concerned a total ceasing of effect, while 1,312 notifications (60 per cent) concerned a partial ceasing of effect (see Table III).

Table III

International Registrations in 2005
Notifications of Total and Partial Ceasing of Effect

Notifications of Ceasing of Effect (CE)	Total CE	Total CE / CE	Partial CE	Partial CE / CE
2,192	876	39.96%	1,312	59.85%

Of the aforesaid 2,192 notifications of ceasing of effect, 1,447 (66 per cent) were related to a basic application; of these, 614 concerned a total ceasing of effect, and 833 a partial ceasing of effect (see Table IV).

Table IV

International Registrations in 2005
Notifications of Ceasing of Effect Concerning a Basic Application

Notifications of Ceasing of Effect (CE)	CE - Basic Application (BA)	CE - BA / CE	Total CE - BA	Partial CE - BA
2,192	1,447	66.01%	614	833

On the other hand, 745 notifications of ceasing of effect recorded by the International Bureau with respect to international registrations recorded in 2005 (34 per cent of the total) were related to a basic registration; of these, 265 concerned a total ceasing of effect, while 480 concerned a partial ceasing of effect (see Table V).

Table V

International Registrations in 2005
Notifications of Ceasing of Effect Concerning a Basic Registration

Notifications of Ceasing of Effect (CE)	CE - Basic Registration (BR)	CE - BR / CE	Total CE - BR	Partial CE - BR
2,192	745	33.99%	265	480

Of the 19,662 designations affected by the notifications of ceasing of effect concerning registrations recorded in 2005, 14,459 were transformable into national or regional applications under Article 9*quinquies* of the Protocol, while 5,203 were non-transformable (see Table VI).

Table VI

International Registrations in 2005
Transformable Designations

Designations in Ceasing of Effect	Transformable Designations	Non-transformable Designations
19,662	14,459	5,203

(ii) Detailed Information

Thirty-three Contracting Parties of the Madrid system have sent notifications of ceasing of effect to the International Bureau with respect to international registrations recorded in 2005. The five Contracting Parties which have sent the highest number of notifications of ceasing of effect, the United States of America (43.84%), Germany (13.41%), the European Union (7.25%), Switzerland (4.79%) and Japan (4.74%), account for 1,623 of the aforesaid notifications or slightly over 74 per cent of the total (see Table VII).

Table VII

International Registrations in 2005
Notifications of Ceasing of Effect per Contracting Party (I)

Contracting Party	Notifications of Ceasing of Effect (CE)	% of Total Notifications of CE	Cumulative	Cumulative / Total Notifications of CE
US	961	43.84%	961	43.84%
DE	294	13.41%	1,255	57.25%
EM	159	7.25%	1,414	64.51%
CH	105	4.79%	1,519	69.30%
JP	104	4.74%	1,623	74.04%
GB	97	4.43%	1,720	78.47%
BX	75	3.42%	1,795	81.89%
AT	70	3.19%	1,865	85.08%
AU	62	2.83%	1,927	87.91%
FR	50	2.28%	1,977	90.19%
TR	46	2.10%	2,023	92.29%
SE	32	1.46%	2,055	93.75%
KR	28	1.28%	2,083	95.03%
FI	21	0.96%	2,104	95.99%
DK	19	0.87%	2,123	96.85%
NO	12	0.55%	2,135	97.40%
SG	11	0.50%	2,146	97.90%
CN	8	0.36%	2,154	98.27%
CZ	4	0.18%	2,158	98.45%
EE	4	0.18%	2,162	98.63%
ES	4	0.18%	2,166	98.81%
IT	4	0.18%	2,170	99.00%
BG	3	0.14%	2,173	99.13%
HR	3	0.14%	2,176	99.27%
RO	3	0.14%	2,179	99.41%
SK	3	0.14%	2,182	99.54%
IE	2	0.09%	2,184	99.64%
LT	2	0.09%	2,186	99.73%
RU	2	0.09%	2,188	99.82%
IS	1	0.05%	2,189	99.86%
MD	1	0.05%	2,190	99.91%
PL	1	0.05%	2,191	99.95%
YU	1	0.05%	2,192	100.00%
TOTAL	2,192			

Taking into account the ratio between the total number of notifications of ceasing of effect sent with respect to registrations recorded in 2005 and the total number of the said international registrations, per Contracting Party of the Office of origin, it can be observed that the five Contracting Parties with the highest ratio are the United States of America (37.19%), the Republic of Korea (25.23%), Japan (11.69%), Finland (10.88%) and the European Union (10.46%) (see Table VIII).

Table VIIIInternational Registrations in 2005
Notifications of Ceasing of Effect per Contracting Party (II)

Contracting Party	International Registrations (IR)	Notifications of Ceasing of Effect (CE)	CE / IR
US	2,584	961	37.19%
KR	111	28	25.23%
JP	890	104	11.69%
FI	193	21	10.88%
EM	1,520	159	10.46%
GB	980	97	9.90%
SG	134	11	8.21%
SE	425	32	7.53%
AU	846	62	7.33%
TR	699	46	6.58%
EE	70	4	5.71%
AT	1,237	70	5.66%
NO	226	12	5.31%
DE	5,845	294	5.03%
RO	62	3	4.84%
CH	2,352	105	4.46%
IE	49	2	4.08%
HR	76	3	3.95%
IS	26	1	3.85%
DK	520	19	3.65%
BX	2,538	75	2.96%
LT	91	2	2.20%
SK	172	3	1.74%
FR	3,706	50	1.35%
MD	89	1	1.12%
BG	305	3	0.98%
CZ	456	4	0.88%
YU	118	1	0.85%
CN	1,315	8	0.61%
ES	858	4	0.47%
PL	301	1	0.33%
RU	602	2	0.33%
IT	2,529	4	0.16%

A comprehensive table with all the relevant information concerning notifications of ceasing of effect with respect to registrations recorded in 2005 has been made available as part of this Annex (see table IX).

Table IXInternational Registrations in 2005
Notifications of Ceasing of Effect per Contracting Party (III)

Contracting Party	International Registrations (IR)	Designations in IR	IR Applications (BA)	IR Registrations (BR)	Notification of Ceasing of Effect (CE)	CE / IR	Total CE	Total CE / CE	Partial CE	Partial CE / CE	CE BA	CE-BA / CE	Total CE-BA	Partial CE-BA	CE BR	CE-BR / CE	Total CE-BR	Partial CE-BR	Designations in CE	
																			Transformable	Not Transformable
AT	1,237	12,417	8	1,229	70	5.66%	31	44.29%	39	55.71%	2	2.88%	1	1	68	97.14%	30	38	148	553
AU	846	4,092	495	351	62	7.33%	36	56.06%	26	41.94%	55	88.71%	33	22	7	11.29%	3	4	337	1
BG	305	4,034	5	300	3	0.98%	3	100.00%		0.00%		0.00%			3	100.00%	3		2	24
BX	2,538	22,237	56	2,482	75	2.96%	24	32.00%	51	68.00%	1	1.33%	1		74	98.67%	23	51	301	554
CH	2,352	28,173	5	2,347	105	4.46%	30	28.57%	75	71.43%		0.00%			105	100.00%	30	75	406	961
CN	1,315	20,257	235	1,080	8	0.61%	2	25.00%	6	75.00%	5	62.50%	1	4	3	37.50%	1	2	36	42
CZ	456	5,740	1	455	4	0.88%	2	50.00%	2	50.00%		0.00%			4	100.00%	2	2	34	79
DE	5,845	71,049	97	5,748	294	5.03%	96	32.65%	198	67.35%	20	6.80%	15	5	274	93.20%	81	193	1,123	2,548
DK	520	4,308	176	344	19	3.65%	5	26.32%	14	73.68%	9	47.37%	3	6	10	52.63%	2	8	125	
EE	70	407	58	12	4	5.71%		0.00%	4	100.00%	4	100.00%		4		0.00%			8	
EM	1,520	10,115	975	545	159	10.46%	63	39.62%	94	59.12%	146	91.82%	57	89	13	8.18%	8	5	953	13
ES	858	7,211	34	824	4	0.47%	3	75.00%	1	25.00%		0.00%			4	100.00%	3	1	41	76
FI	193	1,073	146	47	21	10.88%	5	23.81%	16	76.19%	20	95.24%	4	16	1	4.76%	1		107	
FR	3,706	38,558	86	3,620	50	1.35%	15	30.00%	35	70.00%	5	10.00%	3	2	45	90.00%	12	33	136	240
GB	980	9,154	617	363	97	9.90%	17	17.53%	80	82.47%	85	87.63%	15	70	12	12.37%	2	10	980	
HR	76	1,038	1	75	3	3.95%	3	100.00%		0.00%	1	33.33%	1	1	2	66.67%	2		2	11
IE	49	600	39	10	2	4.08%	1	50.00%	1	50.00%	2	100.00%	1	1		0.00%			34	
IS	26	363	8	18	1	3.85%	1	100.00%		0.00%	1	100.00%	1			0.00%			15	
IT	2,529	29,736	152	2,377	4	0.16%	3	75.00%	1	25.00%	1	25.00%	1		3	75.00%	2	1	8	12
JP	890	8,163	493	397	104	11.69%	30	28.85%	74	71.15%	91	87.50%	25	66	13	12.50%	5	8	627	
KR	111	1,045	76	35	28	25.23%	11	39.29%	17	60.71%	24	85.71%	11	13	4	14.29%		4	219	
LT	91	545	72	19	2	2.20%	1	50.00%	1	50.00%	1	50.00%	1		1	50.00%		1	5	
MD	89	1,195	1	88	1	1.12%	1	100.00%		0.00%		0.00%			1	100.00%	1		1	13
NO	226	1,375	171	55	12	5.31%	8	66.67%	4	33.33%	11	91.67%	7	4	1	8.33%	1		51	
PL	301	4,342	17	284	1	0.33%	1	100.00%		0.00%		0.00%			1	100.00%	1		5	17
RO	62	810	4	58	3	4.84%	2	66.67%	1	33.33%	1	33.33%		1	2	66.67%	2		8	17
RU	602	9,801	16	586	2	0.33%	1	50.00%	1	50.00%		0.00%			2	100.00%	1	1	18	24
SE	425	2,976	244	181	32	7.53%	18	56.25%	13	40.63%	25	78.13%	16	9	7	21.88%	2	5	153	
SG	134	803	96	38	11	8.21%	8	72.73%	3	27.27%	11	100.00%	8	3		0.00%			58	
SK	172	2,019		172	3	1.74%	2	66.67%	1	33.33%		0.00%			3	100.00%	2	1		16
TR	699	10,641	340	359	46	6.58%	22	47.83%	24	52.17%	35	76.09%	13	22	11	23.91%	9	2	611	
US	2,584	21,793	1,759	825	961	37.19%	430	44.75%	530	55.15%	891	92.72%	396	495	70	7.28%	35	35	7,907	
YU	118	920		118	1	0.85%	1	100.00%		0.00%		0.00%			1	100.00%	1			2

(iii) Time of the Ceasing of Effect

Taking into account the date of the basic application or basic registration and the date on which the basic mark ceased to have effect, with respect to international registrations recorded in 2005, the International Bureau has been able to determine that in 54 per cent of the cases, the ceasing of effect took place within 25 months from the date of the basic application or registration, and in 78 per cent of the cases, within 43 months from the aforementioned date (see table X).

Table X

International Registrations in 2005
Time of the Ceasing of Effect with Respect to the Basic Mark

Period (in months)	Notifications of Ceasing of Effect (CE)	CE / Total	Cumulative
0 - 6	140	6.48%	6.48%
7 - 12	313	14.49%	20.97%
13 - 18	364	16.85%	37.82%
19 - 24	338	15.65%	53.47%
25 - 30	239	11.06%	64.54%
31 - 36	166	7.69%	72.22%
37 - 42	130	6.02%	78.24%
43 - 48	110	5.09%	83.33%
49 - 50	107	4.95%	88.29%
55 - 60	67	3.10%	91.39%
61 - 66	32	1.48%	92.87%
67 - 72	9	0.42%	93.29%
73 - 78	5	0.23%	93.52%
79 - 84	29	1.34%	94.86%
85 - 90	9	0.42%	95.28%
91 - 96	4	0.19%	95.46%
97 - 102	3	0.14%	95.60%
103 - 108	4	0.19%	95.79%
109 - 114	2	0.09%	95.88%
115 +	89	4.12%	100.00%
TOTAL	2,160 ¹		

¹ Information is not available in 32 cases.

Taking into account the date of the international registration and the date on which the basic mark ceased to have effect, with respect to international registrations recorded in 2005, the International Bureau has been able to determine the period of effects of the international registration. It can be observed that 50 per cent of the aforementioned international registrations had effect for less than 19 months, while 73 per cent had effect for less than 31 months (see Table XI).

Table XI

International Registrations in 2005
Notifications of Ceasing of Effect
Period of Effects of the International Registration

Period of Effects (in Months)	Notifications of Ceasing of Effect (CE)	CE / Total	Cumulative
0 - 6	278	12.95%	12.95%
7 - 12	423	19.71%	32.67%
13 - 18	385	17.94%	50.61%
19 - 24	296	13.79%	64.40%
25 - 30	189	8.81%	73.21%
31 - 36	184	8.57%	81.78%
37 - 42	113	5.27%	87.05%
43 - 48	135	6.29%	93.34%
49 - 54	92	4.29%	97.62%
55 - 60	46	2.14%	99.77%
60 +	5	0.23%	100.00%
TOTAL	2,146 ²		

II. NOTIFICATIONS OF CEASING OF EFFECT RECORDED IN 2010

(i) Summary Information

In the year 2010, the International Bureau recorded 2,276 notifications of ceasing of effect, of which 927 (41 per cent) concerned a total ceasing of effect, while 1,349 notifications (59 per cent) concerned a partial ceasing of effect (see Table XII).

Table XII

Notifications of Ceasing of Effect Recorded in 2010
Total and Partial Ceasing of Effect

Notifications of Ceasing of Effect (CE)	Total CE	Total CE / CE	Partial CE	Partial CE / CE
2,276	927	40.73%	1,349	59.27%

² Information is not available in 46 cases.

Of the 2,276 notifications of ceasing of effect recorded by the International Bureau in 2010, 1,690 (74 per cent) were related to a basic application, while 586 (26 per cent) were related to a basic registration (see Table XIII).

Table XIII

Notifications of Ceasing of Effect Recorded in 2010
Basic Application – Basic Registration

Notifications of Ceasing of Effect (CE)	CE - Basic Application (BA)	CE - BA / CE	CE - Basic Registration (BR)	CE - BR / CE
2,276	1,690	74.25%	586	25.75%

Of the 19,081 designations affected by the notifications of ceasing of effect recorded by the International Bureau in 2010, 16,877 were transformable into national or regional applications under Article 9*quinquies* of the Protocol, while 2,204 were non-transformable (see Table XIV).

Table XIV

Notifications of Ceasing of Effect Recorded in 2010
Transformable Designations

Designations in Ceasing of Effect	Transformable Designations	Non-transformable Designations
19,081	16,877	2,204

(ii) Detailed Information

A comprehensive table with all the relevant information concerning notifications of ceasing of effect recorded in 2010 has been made available as part of this Annex (see Table XV).

Table XV

Notifications of Ceasing of Effect per Contracting Party Recorded in 2010

Contracting Party	Notification of Ceasing of Effect (CE)	Total CE	Total CE / CE	Partial CE	Partial CE / CE	CE Basic Application (BA)	CE-BA / CE	CE Basic Registration (BR)	CE-BR / CE	Designations in CE	Transferor mable Designations	Non-Transferor mable Designations
AT	55	24	43.64%	31	56.36%	15	27.27%	40	72.73%	544	423	121
AU	15	11	73.33%	4	26.67%	14	93.33%	1	6.67%	81	74	7
BG	6	1	16.67%	5	83.33%	4	66.67%	2	33.33%	70	51	19
BX	41	6	14.63%	35	85.37%	10	24.39%	31	75.61%	426	343	83
CH	109	36	33.03%	73	66.97%	22	20.18%	87	79.82%	1,629	1,252	377
CN	1	1	100.00%		0.00%	1	100.00%	0	0.00%	5	5	0
CZ	7	4	57.14%	3	42.86%		0.00%	7	100.00%	137	76	61
DE	346	80	23.12%	266	76.88%	99	28.61%	247	71.39%	3,885	2,943	942
DK	10	4	40.00%	6	60.00%	8	80.00%	2	20.00%	47	47	0
EE	14	2	14.29%	12	85.71%	14	100.00%	0	0.00%	71	67	4
EM	482	86	17.84%	396	82.16%	465	96.47%	17	3.53%	3,108	2,932	176
ES	2	2	100.00%		0.00%	1	50.00%	1	50.00%	26	15	11
FI	25	7	28.00%	18	72.00%	18	72.00%	7	28.00%	156	152	4
FR	37	7	18.92%	30	81.08%	13	35.14%	24	64.86%	322	243	79
GB	9	6	66.67%	3	33.33%	9	100.00%	0	0.00%	109	106	3
HR	8	6	75.00%	2	25.00%	6	75.00%	2	25.00%	99	75	24
HU	4	4	100.00%		0.00%	2	50.00%	2	50.00%	20	20	0
IE	1		0.00%	1	100.00%	1	100.00%	0	0.00%	33	33	0
IT	2	2	100.00%		0.00%		0.00%	2	100.00%	4	2	2
JP	75	21	28.00%	54	72.00%	60	80.00%	15	20.00%	444	415	29
KR	25	11	44.00%	14	56.00%	20	80.00%	5	20.00%	128	123	5
LI	18	18	100.00%		0.00%		0.00%	18	100.00%	307	167	140
LT	3	2	66.67%	1	33.33%	3	100.00%	0	0.00%	22	22	0
LV	3	3	100.00%		0.00%	2	66.67%	1	33.33%	34	16	18
NO	16	12	75.00%	4	25.00%	15	93.75%	1	6.25%	124	116	8
RO	2	1	50.00%	1	50.00%		0.00%	2	100.00%	10	7	3
RS	5	2	40.00%	3	60.00%	5	100.00%	0	0.00%	58	58	0
RU	3		0.00%	3	100.00%	1	33.33%	2	66.67%	55	47	8
SE	16	5	31.25%	11	68.75%	10	62.50%	6	37.50%	105	101	4
SG	9	5	55.56%	4	44.44%	7	77.78%	2	22.22%	80	77	3
SI	1		0.00%	1	100.00%		0.00%	1	100.00%	13	13	0
SK	2	2	100.00%		0.00%		0.00%	2	100.00%	13	6	7
TR	8	7	87.50%	1	12.50%	4	50.00%	4	50.00%	180	177	3
US	916	549	59.93%	367	40.07%	861	94.00%	55	6.00%	6,736	6,673	63

(iii) Time of the Ceasing of Effect

Taking into account the date of the basic application or basic registration and the date on which the basic mark ceased to have effect, with respect to notification of ceasing of effect recorded in 2010, the International Bureau has been able to determine that in 60 per cent of the cases, the ceasing of effect took place within 25 months from the date of the basic application or registration, while in 83 per cent of the cases, it took place within 43 months from the aforementioned date (see table XVI).

Table XVI

Notifications of Ceasing of Effect Recorded in 2010
Time of the Ceasing of Effect with Respect to the Basic Mark

Period (in Months)	Notifications of Ceasing of effect	CE / Total	Cumulative
0 - 6	266	11.72%	11.72%
7 - 12	441	19.43%	31.15%
13 - 18	382	16.83%	47.97%
19 - 24	290	12.78%	60.75%
25 - 30	247	10.88%	71.63%
31 - 36	166	7.31%	78.94%
37 - 42	104	4.58%	83.52%
43 - 48	123	5.42%	88.94%
49 - 54	62	2.73%	91.67%
55 - 60	47	2.07%	93.74%
61 - 66	25	1.10%	94.85%
67 - 72	7	0.31%	95.15%
73 - 78	10	0.44%	95.59%
79 - 84	23	1.01%	96.61%
85 - 90	5	0.22%	96.83%
91 - 96	3	0.13%	96.96%
97 - 102	4	0.18%	97.14%
103 - 108	4	0.18%	97.31%
109 - 114	6	0.26%	97.58%
115 +	55	2.42%	100.00%
TOTAL	2,270 ³		

³ Information is not available in six cases.

Taking into account the date of the international registration and the date on which the basic mark ceased to have effect, with respect to notifications of ceasing of effect recorded in 2010, the International Bureau has been able to determine the period of effect of international registrations. It can be observed that 60 per cent of the aforementioned international registrations were in effect for less than 19 months, and 80 per cent for less than 31 months (see Table XVII).

Table XVII

Notifications of Ceasing of Effect Recorded in 2010
Period of Effects of the International Registration

Period in Force (in Months)	Notifications of Ceasing of Effect (CE)	CE / Total	Cumulative
0 – 6	479	21.38%	21.38%
7 – 12	471	21.03%	42.41%
13 – 18	399	17.81%	60.22%
19 – 24	272	12.14%	72.37%
25 – 30	167	7.46%	79.82%
31 – 36	144	6.43%	86.25%
37 – 42	98	4.38%	90.63%
43 – 48	92	4.11%	94.73%
49 – 54	65	2.90%	97.63%
55 – 60	31	1.38%	99.02%
60 +	22	0.98%	100.00%
TOTAL	2,240 ⁴		

⁴ Information is not available in 36 cases.

(iv) Ceasing of Effect Recorded from July 1 to December 31, 2010

In the period from July 1 to December 31, 2010, the International Bureau recorded 937 notifications of ceasing of effect (see table XVIII).

Table XVIII

Notifications of Ceasing of Effect per Contracting Party
Recorded Between July 1 and December 31, 2010

Contracting Party	Notifications of Ceasing of Effect (CE)	Total CE	Partial CE	Affected Designations	Transformable	Non-transformable
AT	15	8	7	125	104	21
AU	14	11	3	71	65	6
BG	2	1	1	37	22	15
BX	14	1	13	148	104	44
CH	53	12	41	694	567	127
CN	1	1		5	5	
CZ	3	1	2	65	34	31
DE	172	57	115	1,760	1,310	450
DK	6	4	2	23	23	
EE	6	1	5	28	28	
EM	71	42	29	539	511	28
FI	4	3	1	12	12	
FR	8	2	6	63	53	10
GB	4	2	2	21	20	1
HR	5	5		19	19	
HU	2	2		10	10	
IT	2	2		4	2	2
JP	15	9	6	71	68	3
KR	14	7	7	74	71	3
LI	14	14		211	111	100
LT	1	1		7	7	
LV	1	1		30	12	18
RS	5	2	3	58	58	
RU	2		2	43	35	8
SE	9	5	4	67	64	3
SG	2	2		32	31	1
SI	1		1	13	13	
SK	2	2		13	6	7
TR	3	3		94	93	1
US	486	350	136	3,709	3,674	35
TOTAL	937	551	386	8,046	7,132	914

[End of Annex and of document]