



Adapting your international registration to your business needs: presenting and recording changes

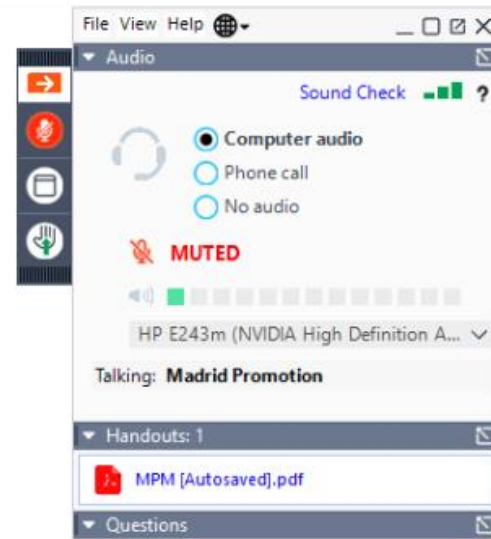
Webinar of the Madrid System

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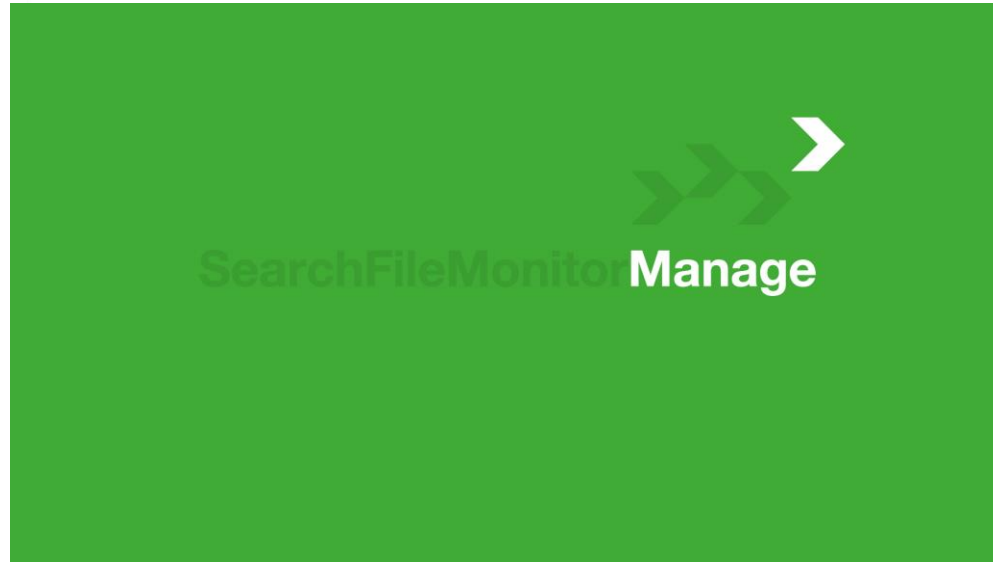
How to use GoToWebinar



Structure of the Webinar

- Presentation: Adapting your international registration to your business needs: presenting and recording changes
- Interactive questions during the webinar
- Questions & answers session at the end
- Presentation slides available for download. Recording will be uploaded on the [Madrid Webinar page](#).
- Short survey to provide feedback

What is a modification?



Managing the International Registration

- Appointment of a Representative
- Change in Name, Address of the Representative
- Change in Name, Address of the Holder
- Change in Ownership
- Limitation, Renunciation and Cancellation

Appointment of a Representative

- Form [MM12](#) / a simple letter / a power of attorney
- Can be presented to WIPO directly
- No fee
- The appointment of a representative can be included in different types of modification requests

Changes in the Name and/or Address of the Representative

- Form [MM10](#)
- Can be presented to WIPO directly
- No fee
- WIPO will inform the designated Contracting Parties of the changes concerning the holder's representative before WIPO

Question

- Who must sign the request for the appointment of a representative?
 - the currently recorded representative
 - the newly appointed representative
 - a lawyer acting on behalf of the representative
 - the recorded holder of the international registration

Changes in the Name and/or Address of the Holder

- Form MM9
- To be presented to WIPO directly
- Fee: 150 Swiss francs for one or several international registrations

Question

- In case your request for a change in the name of holder is considered irregular, what is the time limit to remedy the irregularity?
 - No time limit, the request is rejected
 - 3 months
 - 6 months

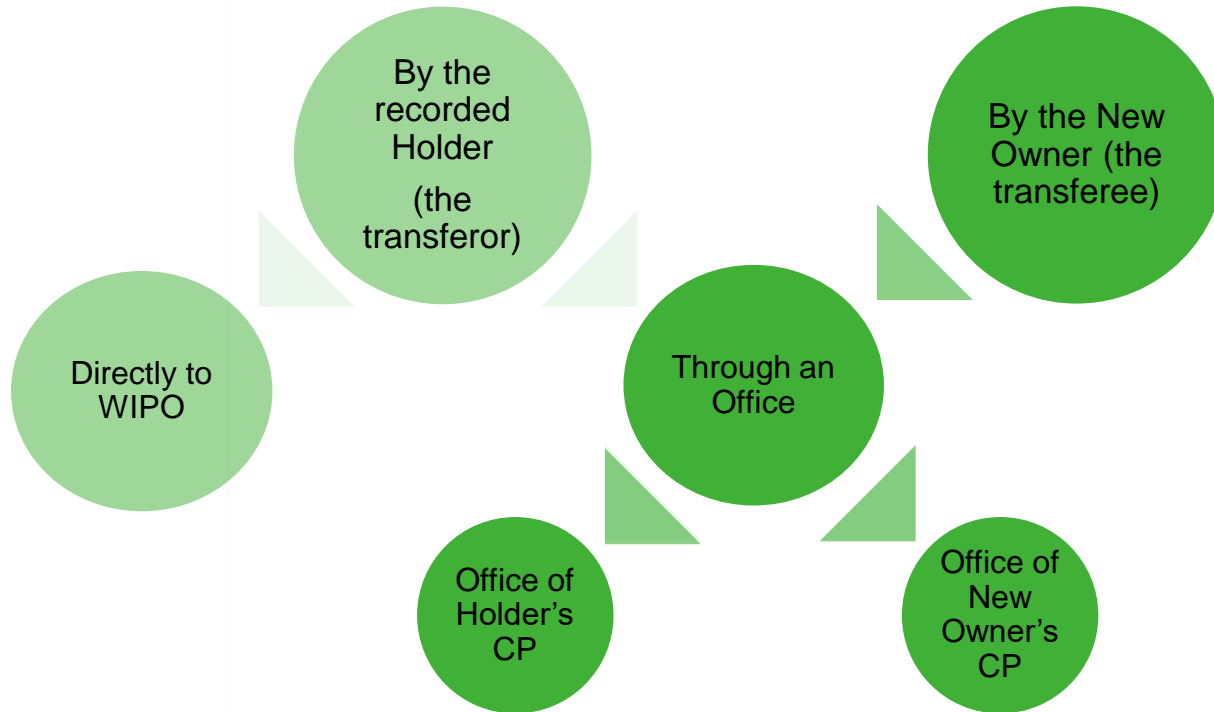
Question

- Will the date of the reply affect the date of the recording of the change in the International Register?
 - Yes
 - No

Change in Ownership

- Form MM5
- Entitlement of the new owner (Transferee)
- A fee of 177 Swiss francs per international registration
- Can be presented directly to WIPO

Change in Ownership: Presentation



Scope of the Change in Ownership

- Total change: all designed Contracting Parties and all goods and services
 - A form MM5 may relate to several international registration numbers
- Partial change: *some/all* designed Contracting Parties and/or *some/all* goods and services
 - one form MM5 has to be used for each international registration number

Partial Change in Ownership and Merger

IRN 123456
Holder: Xavier
DCP: WS and CA
classes 1 and 2

Form MM5
For WS
classes 1
and 2

IRN 123456^A
Holder: Aurea
DCP: WS
classes 1 and 2

Partial Change in Ownership and Merger

IRN 123456
Holder: Xavier
DCP: ~~WS~~ and CA
Classes 1 and 2

Form MM5
For WS
Classes 1
and 2

IRN 123456^A
Holder: Aurea
DCP: WS
Classes 1 and 2

Partial Change in Ownership and Merger

IRN 123456
Holder: Xavier
DCP: ~~WS~~ and CA
classes 1 and 2

Form MM5
For WS
classes 1
and 2

IRN 123456^A
Holder: Aurea
DCP: WS
classes 1 and 2

Form MM5
For all DCP
For all G&S

IRN 123456^A
Holder: Xavier
DCP: WS
classes 1 and 2

Partial Change in Ownership and Merger

IRN 123456

Holder: Xavier

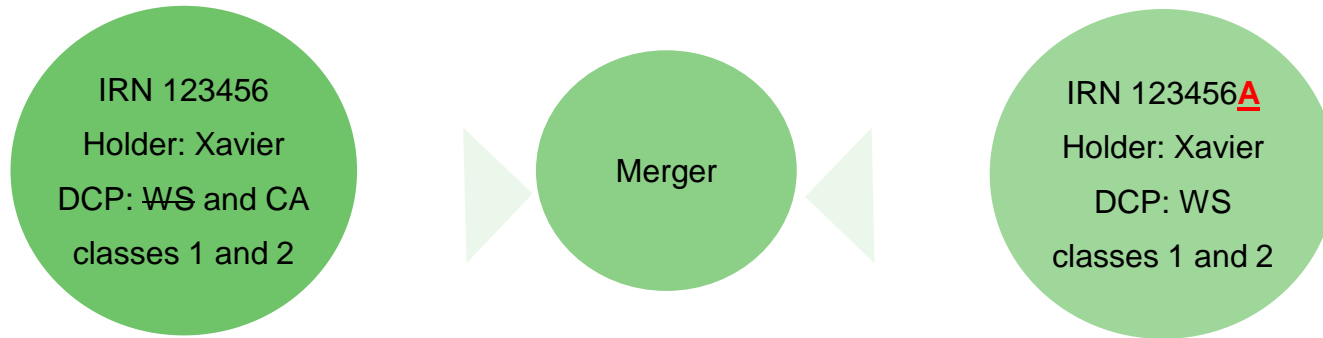
DCP: ~~WS and CA~~
classes 1 and 2

IRN 123456^A

Holder: Xavier

DCP: WS
classes 1 and 2

Partial Change in Ownership and Merger



Partial Change in Ownership and Merger



IRN 123456

Holder: Xavier

DCP: WS and CA

classes 1 and 2

Appointment of a representative

5

APPOINTMENT OF A REPRESENTATIVE BY THE NEW OWNER (TRANSFEREE)¹

Name:

Address:

.....

.....

.....

.....

.....

Telephone: Fax:

E-mail address:

By providing an e-mail address, any further correspondence from the International Bureau related to this/these international registration(s) will be sent only electronically and, therefore, you will no longer receive any paper correspondence. Likewise, any further correspondence from the International Bureau related to other international applications or international registrations for which the same e-mail address has been, or will be, provided will also be sent only electronically. Please note that, for the purpose of electronic communication, there can be only one e-mail address recorded per each international registration.

SIGNATURE OF THE NEW OWNER (TRANSFEREE) APPOINTING THE ABOVE REPRESENTATIVE (compulsory)

.....

¹ This item should be used where the new owner (*transferee*) wishes to appoint a representative. Note that, if the person recorded as the representative of the holder (*transferor*) is to be recorded as the representative of the new owner (*transferee*), such appointment should be made by completing this item.

Question

- If the representative is the same for the transferor and the transferee, should he/she be appointed on the MM5 form?
 - Yes
 - No

Declaration That a Change in Ownership Has No Effect

MADRID PROTOCOL

Model Form 11: Declaration That a Change in Ownership Has No Effect (Rule 27(4) of the Common Regulations)

I. Office making the declaration:

II. Number of the international registration:

III. Name of the holder:

IV. Reasons for which the change in ownership has no effect:

V. Corresponding essential provisions of the applicable law:

Change in Ownership

- For more information on change in ownership see the [Madrid 'How-to' video](#).

Restrictions on the Protection of the international registration

- Limitation
- Renunciation
- Cancellation

Limitation

- What is a Limitation?
 - It restricts the scope of the list of goods & services in respect of all or some of the designated Contracting Parties
- Form [MM6](#)
- Can be presented to WIPO directly
- The goods & services may be subject to subsequent designation
- Fee of 177 Swiss francs

Declaration that a limitation has no effect

MADRID PROTOCOL

Model Form 13: Declaration That a Limitation Has No Effect (Rule 27(5) of the Common Regulations)

I.	Office making the declaration:
II.	Number of the international registration:
III.	Name of the holder:
IV.	Reasons for which the limitation has no effect:
V.	Corresponding essential provisions of the applicable law:

Question

- When a single MM6 form relates to several international registration numbers. You will have to pay:
 - 177 Swiss francs per form MM6
 - 177 Swiss francs per international registration

Renunciation

- What is a Renunciation?
 - It abandons the effects of an international registration for all the goods & services, in respect of one or some of the designated Contracting Parties
- Form [MM7](#)
- Can be presented to WIPO directly
- The Contracting Partie(s) may be subject to subsequent designation
- No fee

Cancellation

- What is a cancellation?
 - It permanently removes the effects of an international registration for all or some of the goods & services and in respect of all the designated Contracting Parties
- Form [MM8](#)
- Can be presented to WIPO directly
- A new international application would have to be filed if you later wish to obtain protection for the part of the international registration that has been cancelled
- No fee

Question

- Can the goods and services cancelled be subsequently designated again?
 - Yes
 - No

Limitation and cancellation: Impact on the renewal fees

■ Limitation

- Reducing the number of classes for which a Contracting Party is designated before the renewal is due, will potentially reduce the individual fees

■ Cancellation

- Totally deleting one or several classes before the renewal is due, will potentially reduce the amount of fees due



Q&A Session about Modifications

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