



PROTECTING YOUR MARKS ABROAD

THE MADRID SYSTEM



WIPO | MADRID

The International
Trademark System

Today's global economy provides a world of opportunity for smart businesses – both large and small – selling goods and services beyond their national borders.

Globalization and technological developments have provided even the smallest of enterprises with unprecedented access to export markets. However, operating in international markets means competing on the world stage. In a competitive market, a strong brand can be your best commercial asset – helping you to build consumer loyalty and command premium prices.

The demand for consumer goods and services has also created an ever-increasing supply of similar, often illegally-copied, products and services. Registering your mark internationally - so as to protect and differentiate your products and services from those of competitors - is both the first step in protecting your commercial interests abroad and an integral part of any successful global business strategy.

The origins of trademarks can be traced back to ancient times, when craftsmen reproduced their signatures, or “marks”, on their products. Over the years these marks evolved into today's system of mark registration and protection.

In the Madrid system, the term “mark” refers to trademarks (goods only), service marks (services only), certification marks, collective marks and guarantee marks.

Generally, a mark can be any sign or combination of signs capable of distinguishing the goods or services of one individual or enterprise from those of another. Typically, marks consist of words, names, numerals, symbols or any combination of those, whether in color or in black and white. So-called “non-traditional” marks can consist of color alone, three-dimensional signs, sounds, or anything else that functions as a mark and otherwise meets the requirements of the jurisdiction in which registration is sought.

By registering a trademark, the holder of the registration obtains exclusive rights over the use of that mark in connection with the goods or services for which it is registered in the designated territory or region.

THE MADRID SYSTEM

The World Intellectual Property Organization (WIPO) is the leading global forum for the promotion of intellectual property (IP).

WIPO supports businesses around the world – from multinational corporations to small and medium-sized enterprises (SMEs) – by providing quality global IP services to help protect business investment in innovation.

Our international mark registration service, the Madrid system, provides a simple, low-cost and effective means of obtaining and maintaining protection for marks in multiple countries. Over the past 120 years, the Madrid system has helped businesses protect more than a million marks worldwide.

BENEFITS OF THE MADRID SYSTEM

The Madrid system is a one-stop solution for registering and managing marks in multiple territories.

Because filing a single international application is equivalent to filing a bundle of national applications, the Madrid system saves you time and money. The system's centralized registration also offers a simple and efficient way to manage your mark portfolio.

The Madrid system is used by one-third of all applicants throughout the world seeking protection for their marks abroad*. Many of these applicants are SMEs. Some 80 per cent of Madrid system users are small IP rights holders with a portfolio of just one or two registered marks.

* Source: World Intellectual Property Indicators (2011)

one stop solution

With the Madrid system:

File one international application instead of multiple national applications;

File in one language (English, French or Spanish);

Pay one set of fees in one currency (Swiss francs);

Obtain an international registration covering multiple territories;

Expand your protection in new territories;

Renew every 10 years with one simple procedure;

Manage your portfolio of marks through one centralized system.

GLOBAL
REACH



The Madrid system is the only global registration system for marks, supporting activity in markets that account for over 80 per cent of world trade. The system offers simultaneous protection in the territories of its members, including the countries of the European Union (EU), the majority of developed countries and many developing and transition economies.



* Note: More countries are joining the Madrid system every year. For a list of all current members, see www.wipo.int/madrid/en/members/

HOW THE MADRID SYSTEM WORKS

Filing your application

In order to use the Madrid system you must be a citizen of, be domiciled in, or have your business in the territory of one of the members of the Madrid Union.

Obtaining an international mark registration through the Madrid system is simple and cost-effective.

Managing your portfolio of marks

Among other advantages, the Madrid system also offers the option of increasing the number of territories in which you wish to have your mark protected after you have obtained your international registration. This gives you the flexibility to expand the scope of protection in line with your evolving business strategy and financial situation.

The Madrid system also provides a centralized solution for maintaining and managing your portfolio of international registrations, by filing with WIPO.

Additionally, by using WIPO's free online tools and services, you can directly access your registration documents, renew registrations, request changes, manage your contact details and pay fees.

THREE STAGES TO FILING

STAGE 1 APPLICATION THROUGH YOUR NATIONAL OR REGIONAL IP OFFICE

Before you can file an international application, you need to have already registered - or have filed an application - through your “home” IP Office. You then need to submit your international application through this same IP Office, which will certify and forward it to WIPO.

STAGE 2 FORMAL EXAMINATION BY WIPO

WIPO conducts a formal examination of your international application. Once approved, your mark is recorded in the International Register and published in the WIPO Gazette of International Marks. WIPO will then send you a certificate of your international registration and notify the IP Offices in all the territories where you wish to have your mark protected - as designated in your international registration.

STAGE 3 SUBSTANTIVE EXAMINATION BY NATIONAL OR REGIONAL DESIGNATED OFFICES

The IP Offices of the territories in which you have applied for protection will assess your mark in accordance with their legislation and decide within 12 or 18 months whether or not it can be protected in their territories. WIPO will inform you of their decisions after consolidating the International Register. If an IP Office refuses to protect your mark, either totally or partially, this decision will not affect the decisions of other IP Offices. Furthermore, you can make your case directly to the IP Office concerned. If an IP Office finally accepts to protect your mark, it will issue a statement of grant of protection.

The international registration of your mark is valid for 10 years. You can renew the registration at the end of each 10-year period.

FREE ONLINE SERVICES

The following online tools and services have been designed to assist you throughout the process of registering internationally and then managing your portfolio after obtaining protection for your mark through the Madrid system.

Before filing your application

The Madrid system website

The website contains detailed information on how to use the Madrid system, including: who can file and where; a list of members; general filing information; legal texts; online services; testimonials from users; tutorials and official publications.

www.wipo.int/madrid

ROMARIN Madrid system database

The ROMARIN international trademark information database enables you to perform a preliminary search of all international marks recorded in the International Register under the Madrid system, as well as of data related to past registrations and applications/requests being processed. You can see what your competitors are doing, as well as what marks are already recorded and for which goods and services.

www.wipo.int/romarin

Filing your application

International Application Simulator - your step-by-step guide to filing an application

The simulator shows you how to complete your international application and includes an online fee calculator to estimate the costs involved in protecting your mark abroad.

www.wipo.int/madrid/en/madrid_simulator

Madrid Goods and Services Manager (MGS) - your multilingual tool for classifying and identifying your goods and services

MGS helps you fill in your application form with WIPO-recommended descriptions of goods and services. MGS is available in the three official languages of the Madrid system (English, French and Spanish), as well as in several other languages

www.wipo.int/mgs

Madrid Real-time Status (MRS) – your mark application status at any time

MRS allows you to track the status of your international application, as well as any other requests you have submitted for recording in the International Register.

www.wipo.int/mrs



After your application has been accepted

Madrid Portfolio Manager (MPM) – your mark registrations in detail

Use MPM to: access all documents related to your registration; renew protection; make changes; pay fees; and update your contact details.

www3.wipo.int/mpm

Madrid Electronic Alert (MEA) - your mark watch list

MEA is a 'watch service' that helps you to keep an eye on events recorded in the International Register that may be of particular interest to your business.

www3.wipo.int/mea

E-Payment

E-payment is your easy, online payment system. You can settle notified invoices by credit card, or through your deposit account opened with WIPO (in Swiss francs).

<https://webaccess.wipo.int/epayment>

For more information,
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