WIPO Economics & Statistics Series

2013

Madrid Yearly Review

International Registrations of Marks

WIPO
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FOREWORD

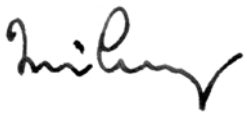
Trademarks are a key element of business success. They allow companies to distinguish their goods and services from those of their competitors, to promote them in the marketplace and to cement customer loyalty.

In today's global and increasingly electronic marketplace, a trademark assures consumers that they purchase what they intend to purchase. Trademark protection hinders attempts to deceive consumers and to "free ride" on a company's reputation and image.

Trademarks are the most widely used form of registered intellectual property. In 2011, around 3 million trademarks were registered in the world across a broad range of economic sectors – from services such as advertising and business management to goods such as clothing and high-tech products.

WIPO's Madrid System for the International Registration of Marks offers companies a rapid, cost-effective route for protecting their marks internationally. Since its inception more than 100 years ago, the system's membership has grown to 88 members at the end of 2012 and is set to further expand in the coming years.

This publication provides statistical information on and analysis of the use of the Madrid system. It expands on the system's previous annual statistical report, offering a new design, richer commentary on key trends and new statistical indicators. Published in a new format and with a new title – the *Madrid Yearly Review* – we hope that this revamped report will interest users of the system, intellectual property offices and the intellectual property community at large.



Francis GURRY
Director General

ACKNOWLEDGEMENTS

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Contact Information
Economics and Statistics Division
Website: www.wipo.int/ipstats/
Email: ipstats.mail@wipo.int

2012 KEY FIGURES

Description	Number	Growth[1]
International Applications	44,018	+4.1%
International Registrations	41,954	+3.1%
Individual Designations in International Registrations	282,602	+0.8%
Subsequent Designations in International Registrations	45,417	+4.6%
Renewals of International Registrations	21,859	+0.2%
International Registrations in Force	approx. 560,000	+1.9%
Share of Madrid designations in total trademark application class counts worldwide[2] (all countries)	47.3%	+0.8%[3]
Share of Madrid designations in total non-resident trademark application class counts (for Madrid members only)	63.9%	+0.8 percentage point[3]
Contracting Parties (Madrid members)	88	+3 members

1 Growth refers to the period 2011-2012.
2 The latest year for which data on total trademark application class counts are available is 2011.
3 Growth refers to the period 2010-2011.

HIGHLIGHTS

International trademark applications grow by 4.1%

Applications for international trademark registrations through the WIPO-administered Madrid system totaled 44,018 in 2012, representing an increase of 4.1% on 2011. This was the third consecutive year of growth since the decrease in 2009. However, the 2012 growth rate was lower than that for the previous two years.

The International Bureau (IB) recorded 41,954 international registrations of trademarks in 2012, representing growth of 3.1% on the previous year. Japan, the Russian Federation, the United Kingdom (UK) and the United States of America (US) accounted for 90% of the growth witnessed in 2012.

Novartis AG files the largest number of Madrid applications

For the second year running, Novartis AG of Switzerland, with 176 international applications, was the largest user of the Madrid system. Boehringer Ingelheim Pharma of Germany (160 applications) ranked second, followed by L'Oréal of France (138) and Glaxo Group of the UK (127). L'Oréal moved from tenth largest filer in 2011 to number three in 2012.

Among the top applicants, Glaxo Group (+76), L'Oréal (+71), Boehringer Ingelheim Pharma (+62) and World Medicine of Turkey (+61) saw the largest increases in applications between 2011 and 2012. BMW of Germany (-41) and Belgium's Janssen Pharmaceutica (-35) filed considerably fewer applications in 2012 than in the previous year. The top 50 Madrid applicant list includes 13 companies from Germany, 8 from France and 11 from Eastern Europe.

Germany accounts for the largest share of total international registrations

With 6,702 international registrations, trademark holders in Germany were the largest users of the Madrid system in 2012, followed by holders from the US (5,125) and France (4,026). The top three origins accounted for 37.8% of the 2012 total, which is one percentage point below their 2011 share, reflecting a decrease in registrations for holders domiciled in Germany and France.

Of the top 10 origins, Japan (+19.9%), the Russian Federation (+19.7%) and the UK (+11.8) saw double-digit growth in 2012, while China (-12%) and Switzerland (-7.2%) saw considerable declines in registrations.

China is the most frequently designated Madrid member

The total number of designations (individual and subsequent) specified in international registrations increased by 1.3% in 2012. This total comprised 282,602 individual and 45,417 subsequent designations. China (20,120) was the most designated Madrid member, accounting for 6.1% of total designations, followed by the European Union (EU) (16,889), the Russian Federation (16,634) and the US (16,411), each accounting for around 5% of the total.

Among the top 20 most designated Madrid members, Kazakhstan (+18.4), Israel (+15.9%) and China (+7.5%) saw the fastest growth in designations received between 2011 and 2012. Germany (-5.3%) and Egypt (-4%) saw the sharpest declines in designations over the same period.

Marks related to computer hardware and software account for the largest share of total registrations

The most frequently specified class in international registrations was Class 9, which includes computer hardware and software. Class 9 accounted for 9% of total registrations, followed by Class 35 (covering services such as office functions, advertising and business management), Class 42 (covering services provided by, for example, scientific, industrial or technological engineering and computer specialists) and Class 25 (covering clothing, footwear and headgear).

Among the top 20 classes, Classes 42 and 33 (covering alcoholic beverages) saw the strongest growth in 2012 – with 8.4% and 7.3%, respectively.

The total number of renewals issued remains unchanged in 2012

In 2012, 21,859 international registrations were renewed, a figure similar to that of 2011 (21,754). Holders in Germany accounted for the largest share (26.4%) of these renewals, followed by holders in France (19.2%), Switzerland (11.1%), Italy (8.3%) and the Netherlands (6%). The top five origins accounted for around 71% of the 2012 total, which is three percentage points below their combined 2011 share.

These 21,859 renewals contained 251,432 individual designations, representing a 0.8% decrease on 2011. Switzerland (with 11,480 designations) was the most designated Madrid member in renewals, followed by Italy (10,657) and the Benelux countries (10,653) – Belgium, the Netherlands and Luxembourg – whose designations were received by the regional Benelux Office for Intellectual Property (BOIP).

Around 560,000 international registrations in force in 2012

The total number of registrations in force (i.e., active registrations) grew by 1.9% in 2012. The approximately 560,000 active registrations in 2012 contained over 5.6 million active designations. Holders from Germany (22%), France (15%), Switzerland (10%) and Italy (8%) accounted for more than half of total active registrations in 2012.

The majority (63%) of firms or individuals holding an active international registration had only one registration in their portfolios. Another 16.7% of holders had only two active registrations. Only 331 out of 185,503 holders (0.18%) had portfolios with over 100 active registrations.

Average fees per Madrid international registration decrease

The average fee per international registration declined from a peak of 3,734 Swiss francs (CHF) in 2008 to CHF 2,926 in 2012. In 2012, registration fees ranged from CHF 369 to CHF 71,157. For around 70% of all registrations, holders paid a sum lower than the average fee.

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SUMMARY OF THE MADRID SYSTEM

Introduction

The Madrid system makes it possible for an applicant to apply for trademark[4] registration in a large number of countries by filing a single international application via a national or regional intellectual property (IP) office. It simplifies the process of multinational trademark registration by eliminating the requirement to file an individual application in each jurisdiction in which protection is sought. The system also simplifies the subsequent management of the mark, since it is possible to centrally request and record further changes, or to renew the registration, through a single procedural step.

Two treaties administered by the World Intellectual Property Organization (WIPO) govern the Madrid System for the International Registration of Marks. These treaties are the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to the Madrid Agreement – referred to jointly as the Madrid system. The Madrid Agreement was concluded in 1891, and the Madrid Protocol came into operation in 1996 and, as of December 31, 2012, the system comprised 88 Contracting Parties.[5] States party to the Agreement and/or the Protocol, as well as international intergovernmental organizations (namely, the European Union (EU)) party to the Protocol, are referred to collectively as Contracting Parties (hereafter as Madrid members), and together form the Madrid Union.

Depending on the Madrid member whose IP office is the office of origin and the Madrid members in which trademark protection is sought, the international application may be governed only by the Protocol, only by the Agreement, or by both.

4 For the sake of simplicity, the term trademark is often used interchangeably with mark in this publication, regardless of whether the registration concerns goods or services.

5 One Contracting Party (Mexico) deposited its instrument of accession to the Protocol on November 19, 2012, and the Protocol entered into force on February 19, 2013.

Advantages of the Madrid system

The Madrid system offers many advantages for both applicants and IP offices compared to the direct route which involves filing separate applications in multiple countries. It facilitates the process of obtaining protection in multiple jurisdictions by making it possible for applicants to submit one application in a single language and pay a single set of fees in one currency. The Madrid system also makes the maintenance and management of the registration easier, as any renewal or change in the registration (such as a change of ownership or limitation to the list of goods and services) is recorded centrally in the International Register. In short, these renewals or changes can be effected one time rather than separately with each designated Madrid member's IP office. There is also only one expiration date for trademark owners and Madrid members to refer to, and one registration to renew. In addition, the Madrid system allows trademark owners to make changes to their international registrations, that is, changes that have effect in only some designated Madrid members. Similarly, their registrations can be transferred with regard to only some designated Madrid members, or for only some goods and services, or they can limit the list of goods and services with respect to only some designated Madrid members. IP offices benefit by not having to examine marks for compliance with formal requirements, classify the goods or services or republish the marks.

International application and registration procedure

When deciding to seek protection for marks in multiple jurisdictions, an applicant can file separate applications with each office directly ("Paris route") or file a single international application through the Madrid system. Figure 1 illustrates the procedure for filing applications in multiple jurisdictions via the Paris route (under the Paris Convention for the Protection of Industrial Property) and via the Madrid system.

In order to file an international application for a mark, the mark must first have been applied for, or registered, at an IP office of a Madrid member (referred to as the office of origin). [6] Furthermore, under Madrid system procedures, the International Bureau (IB) of WIPO can only accept international applications that have been filed through a valid office of origin.

An international application can be filed by a person or legal entity that has the necessary connection – through commercial establishment, domicile or nationality – with a member of the Madrid Union. The Madrid system cannot be used to protect a mark outside the Madrid Union. The IB accepts international applications filed in three languages: English, French and Spanish; however, offices of origin can limit this to one or two of these languages. Among other things, the international application must contain a reproduction of the mark (identical to that in the basic application or registration, which must be confirmed by the office of origin) and a list of the goods and services for which protection is sought. The international application must also designate the Madrid members in which the mark is to be protected. Additional Madrid members can be designated at a later date.[7] The IB then notifies the designated Madrid members in whose jurisdictions protection has been requested, and the mark is recorded in the International Register and published in the *WIPO Gazette of International Marks* (hereafter the *Gazette*).

The international application is subject to a basic fee, a complementary fee in respect of each designated Madrid member (for which no individual designation fee is optionally stipulated by the designated Madrid member) and a supplementary fee in respect of each class of goods and services beyond the third.

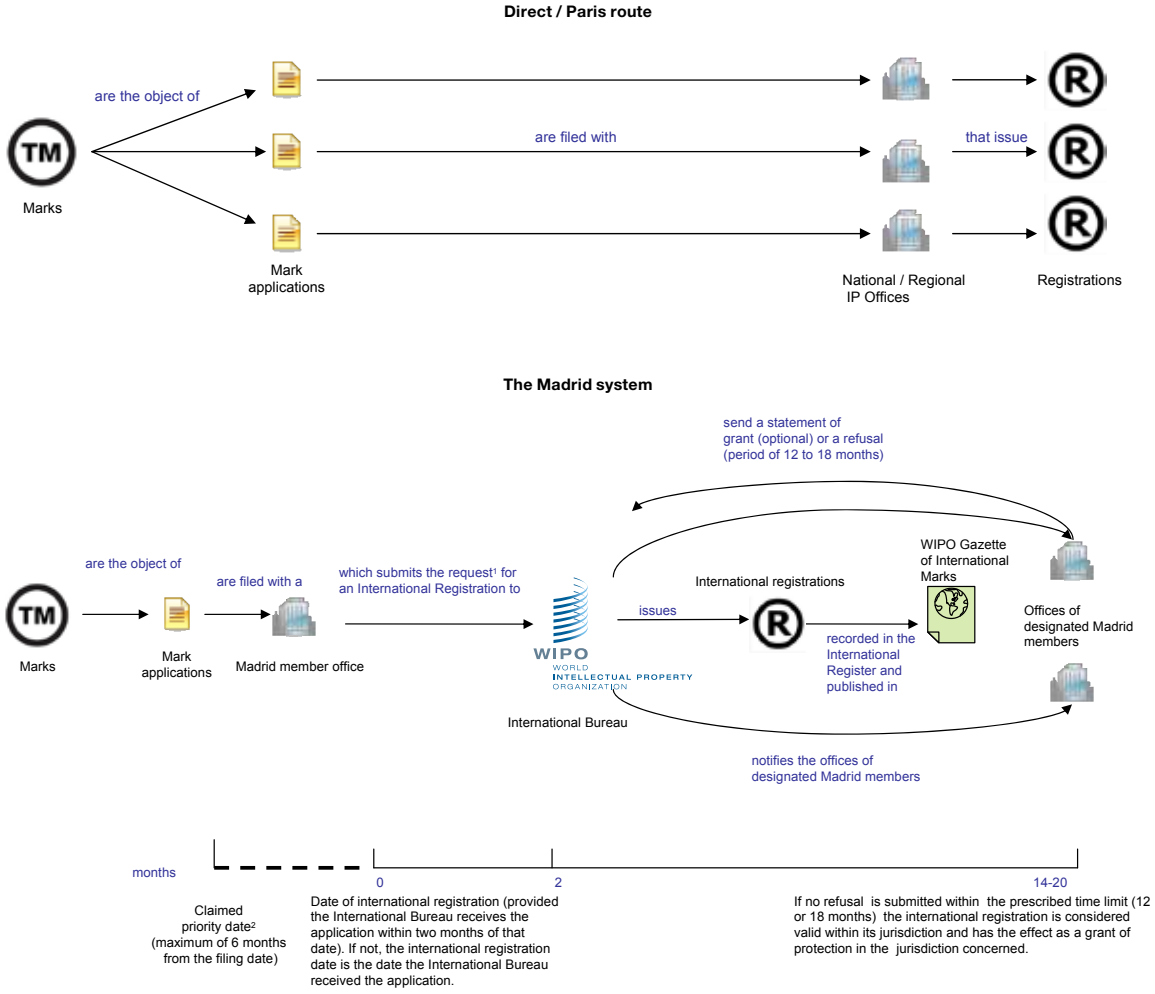
The IB is responsible for carrying out an examination to verify that the international application meets all formal requirements. In the case of non-compliance, applicants are invited to remedy the international application within a three-month time limit. If the application is not remedied in the allotted time, it is considered abandoned. The IB does not undertake substantive examination and, therefore, cannot reject an international application based on substantive grounds. The decision of whether or not to grant protection in each designated Madrid member remains, therefore, the prerogative of national or regional IP offices, and the rights are limited to the jurisdiction of the granting authority. The office of the designated Madrid member examines the international registration according to its national or regional legislation, and can decide whether or not to grant protection for the mark. A provisional refusal must be submitted to the IB within the time limit specified in the Agreement or Protocol (12 or 18 months). If no refusal is communicated by a designated Madrid member within the specific refusal period, or if a designated Madrid member issues a grant of protection within the applicable time limit, the mark is then considered protected in that Madrid member's jurisdiction.

For the first five years from the registration date, the international registration is dependent on the mark applied for or registered at the office of origin (the basic mark). If, for some reason, the basic mark is abandoned or cancelled (totally or partially) during this initial period, the international registration is cancelled to the same extent (totally or partially) as a consequence. The office of origin must therefore inform the IB of any change of terms regarding the basic mark. If the international registration is cancelled, the cancellation is published in the Gazette, and the affected designated Madrid members are notified

6 In this publication, the generic term IP office is used to refer to a national or regional office that receives trademark applications and issues registrations, since not all are specifically named trademark office .

7 The office of origin cannot be designated in an international application, nor can it be subsequently designated.

Figure 1: Overview of the mark registration process



1 An application for international registration (an "international application") may be filed only by a natural person or a legal entity that has a real and effective industrial or commercial establishment in, or is domiciled in, or is a national of, a country party to the Madrid system; that has such an establishment in, or is domiciled in, the territory of an intergovernmental organization party to the Madrid system; or that is a national of a member state of such an organization.

2 An applicant can claim priority of a first national or regional application in an international application within six months of the filing of that first application.

Source: WIPO

International registrations are valid for a period of 10 years and may be renewed for further periods of 10 years. In most jurisdictions, trademark protection can be renewed indefinitely. The IB administers the renewal process by sending a reminder to holders and their respective representatives (if any) six months before renewal is due. The international registration may be renewed in respect of all the designated Madrid members or in respect of only some of them. It may not, however, be renewed in respect of only some of the goods and services recorded in the International Register. Therefore, if holders wish, at the time of renewal, to remove some of the goods and services from the international registration, they must separately request cancellation in respect of those goods and services.

For more information regarding the Madrid system, visit: *www.wipo.int/madrid/en.*

DATA DESCRIPTION

Data are compiled by WIPO in the processing of international applications and registrations through the Madrid system, for which complete data for calendar year 2012 exist. Statistics on the number of direct application class counts at national and regional IP offices are extracted from the WIPO Statistics Database, primarily based on WIPO's Annual IP Survey, via which WIPO receives offices' statistics six months or more after the end of the year concerned. The latest available year to date for direct application data is therefore 2011.

The figures shown in this Review are subject to change.[8]

8 Regular updates are available at *www.wipo.int/ipstats/* and *www.wipo.int/madrid/en/statistics/.*

SECTION A
USE OF THE MADRID SYSTEM

This section contains indicators ordered according to the process by which an international registration is: obtained (from application to eventual registration); used to extend protection geographically across the jurisdictions of several countries; classified in order to seek protection for various goods or services; refused protection, in certain cases; and maintained.

The data reported cover international applications, registrations, refusals, renewals and active registrations (i.e., those in force). The global trend is briefly described, followed by a breakdown of data according to countries of origin, Madrid members designated, and classes under the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification). Global trend data are reported from 1996 or 2000 onwards in order to provide a historical overview, while all other indicators focus mostly on 2012 activity and one-year growth. Data for selected countries and IP offices are included in the figures and tables, and data for all relevant countries and IP offices are provided in the annex. This publication focuses primarily on registrations rather than applications, since a formal examination of the application results in the registration of most international applications.

A.1

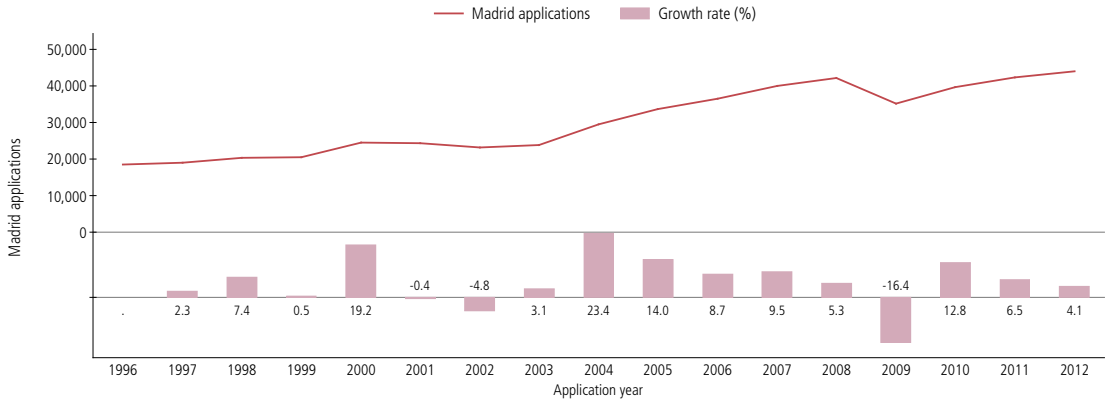
MADRID INTERNATIONAL APPLICATIONS

A.1.1 International applications

In 2012, a total of 44,018 international applications were filed under the Madrid system, representing the highest number of applications filed and growth of 4.1% on 2011 (Figure A.1.1). However, this growth rate is lower than growth rates for the previous two years. Germany with 6,545 filings – or 14.9% of the total – was the largest user of the Madrid system in 2012. The United States of America (US) (5,430) ranked second, followed by France (4,100), Switzerland (2,898) and Italy (2,787). The overall growth in applications was primarily driven by applicants from Japan, the United Kingdom (UK) and the US, together accounting for around 80% of total growth.

Between 1996 and 2003, numbers of applications ranged from around 18,500 to approximately 24,000. The large increase of 19.2% in 2000 is associated with the general increase in trademark applications worldwide at the peak of the "dot-com boom". Growth increased sharply in 2004 (23.4%) due, in part, to the accession of the US to the Madrid system in 2003. Double-digit growth continued in 2005 with the accession of the European Union (EU) to the Madrid system, with total international applications from all Madrid members culminating in just over 42,000 in 2008. The height of the global economic crisis in 2009 coincided with the largest year-on-year drop of nearly 7,000 applications, resulting in application filing activity similar to that of 2005. However, the three years following this decline showed consistent growth, and international applications now stand at the highest level recorded since the existence of the Madrid system.

Figure A.1.1 International applications



Source: WIPO Statistics Database, March 2013

A.1.2 Top Madrid applicants

Table A.1.2 presents the top 50 applicants – ranked 1 to 46, as some filed the same numbers of applications – that sought international trademark protection via the Madrid system. This list includes applicants active in a variety of industries ranging from automobile manufacturing, to retail and clothing, to pharmaceuticals. About a third (16) of the top 50 applicants are active in the pharmaceutical industry, and 10 of these are among the top 20. The following five industries: automobile, engineering and electronics, food or beverage production, cosmetics and perfumes, and information technology, were similarly represented with three to four applicants each.

For the second year running, Novartis AG of Switzerland, with 176 international applications, was the largest user of the Madrid system, closely followed by Boehringer Ingelheim Pharma of Germany with 160 applications. These two companies saw increases of 41 and 63 percent, respectively, in the numbers of applications filed compared to the previous year. France's L'Oréal moved from the tenth largest filer in 2011 to number three in 2012. Five applicants filed more than 100 international applications in 2012, compared to only two in the previous year.

While the majority of these listed applicants filed more applications in 2012 than in 2011, about a quarter of them filed fewer, with the German automobile, motorcycle and engine manufacturer BMW filing 55% fewer and Belgium's Janssen Pharmaceutica filing less than half the number it filed in 2011.

The geographical locations of these companies vary; however, a large number of them are domiciled in Germany, representing about a quarter (13) of the top applicants – although this is down from 19 in 2011. France counted eight top applicants, Switzerland was used by five, three were from the US and two from Japan. Interestingly, 11 of the applicants in the top 50 were located in Eastern Europe, compared to only 5 the previous year.

Table A.1.2 Top Madrid applicants

2012 Rank	Applicant's Name	Origin	Madrid International Applications		
			2010	2011	2012
1	NOVARTIS AG	Switzerland	118	125	176
2	BOEHRINGER INGELHEIM PHARMA GMBH & CO.	Germany	112	98	160
3	L'OREAL	France	43	67	138
4	GLAXO GROUP LIMITED	United Kingdom	60	51	127
5	SOCIÉTÉ DES PRODUITS NESTLÉ SA	Switzerland	68	80	105
6	RICHTER GEDEON NYRT.	Hungary	8	89	91
7	BSH BOSCH UND SIEMENS HAUSGERÄTE GMBH	Germany	65	74	90
8	PHILIP MORRIS BRANDS S.A.R.L.	Switzerland	137	110	88
9	KONINKLIJKE PHILIPS ELECTRONICS N.V.	Netherlands	76	92	83
10	EGIS GYÓGYSZERGYÁR	Hungary	53	57	73
11	ZENTIVA GROUP, A.S.	Czech Republic	36	29	65
12	WORLD MEDICINE ILAÇLARI LIMITED	Turkey	..	3	64
13	VOLKSWAGEN AG	Germany	14	27	56
14	SIEMENS AG	Germany	36	52	52
15	MICROSOFT CORPORATION	United States of America	30	15	51
16	BIOFARMA	France	14	14	50
16	NOAO SA	France	..	..	50
18	KRKA	Slovenia	80	26	48
19	MERCK KGaA	Germany	..	26	45
20	HENKEL AG & CO. KGAA	Germany	78	46	42
20	SAINT-GOBAIN SA	France	7	27	42
22	BAYER AG	Germany	23	48	41
22	KOWA COMPANY LTD.	Japan	..	15	41
24	TESCO STORES LTD.	United Kingdom	19	21	39
25	TRIBEKA, LLC	Russian Federation	..	..	37
25	PHILIP MORRIS BULGARIA	Bulgaria	..	13	37
27	AVON PRODUCTS, INC.	United States of America	11	15	35
27	OUT FIT 7 LIMITED	Cyprus	..	..	35
29	BAYERISCHE MOTOREN WERKE AG (BMW)	Germany	42	75	34
29	MEDI GMBH & CO. KG	Germany	..	16	34
31	JANSSEN PHARMACEUTICA NV	Belgium	66	68	33
32	APPLE INC.	United States of America	49	50	32
33	ITM ENTREPRISES, SA	France	32	26	31
34	ABERCROMBIE & FITCH EUROPE SA	Switzerland	22	59	30
34	DAIMLER AG	Germany	31	34	30
34	SPAR ÖSTERREICHISCHE WARENHANDELS AG	Austria	22	23	30
34	UNIVERSAL ENTERTAINMENT CORPORATION	Japan	8	7	30
38	ALMIRALL SA	Spain	3	17	29
38	ALVOGEN PHARMA TRADING EUROPE	Bulgaria	..	3	29
38	FAST LANE VENTURES, LLC	Russian Federation	..	..	29
38	PLUNGES KOOPERATINE PREKYBA UAB	Lithuania	1	4	29
42	SANOFI SA	France	18	47	27
42	AUDI AG	Germany	12	18	27
42	RHODIA OPERATIONS	France	15	..	27
42	ZALANDO GMBH	Germany	..	..	27
46	GRIESSON - DE BEUKELAER GMBH & CO. KG	Germany	8	16	26
46	PARFUMS CHRISTIAN DIOR	France	5	20	26
46	PIVOVARNA UNION D.D.	Slovenia	27	25	26
46	POSLOVNI SISTEM MERCATOR, D.D.	Slovenia	14	10	26
46	SYNGENTA PARTICIPATIONS AG	Switzerland	62	28	26

Note: This list includes applicants that filed 26 or more international applications in 2012.

Source: WIPO Statistics Database, March 2013

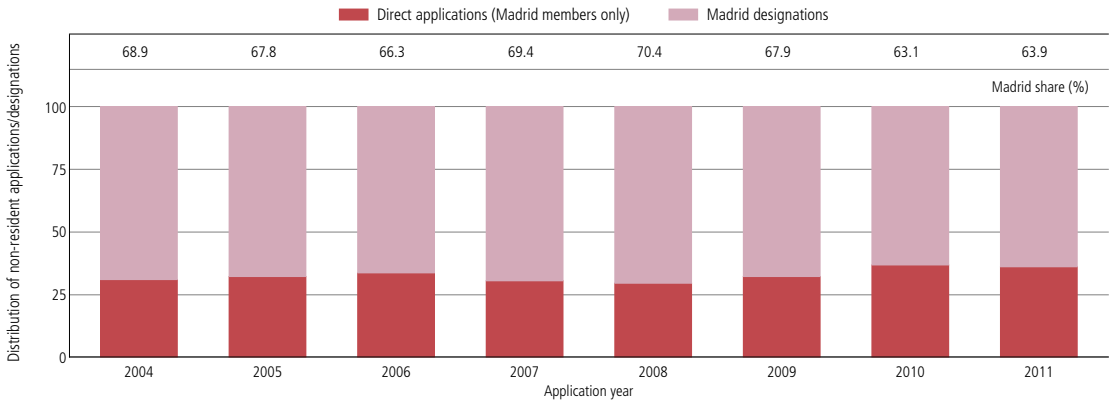
A.1.3 Non-resident trademark applications by filing route (direct and Madrid)

Applicants seeking protection for their marks in countries abroad can file applications either directly with national or regional IP offices or make use of the Madrid system. An application received by an office in the form of a designation via the Madrid system has the same effect as one received by an office directly from an applicant. Some offices have a single-class filing system, which requires applicants to file a separate application for each class in which the goods or services to which the mark is applied are classified. Other offices follow a multi-class filing system, which enables applicants to file one application in which goods or services belonging to a number of classes can be specified. For better international comparison of trademark application activity across offices, this difference in filing systems must be taken into consideration. In order to capture the differences between numbers of applications/designations received, it is important to compare class counts across offices.

Of the 1.69 million non-resident application or designation class counts received by all IP offices worldwide in 2011, the Madrid system accounted for 47.3% of the total.[9]

However, when taking into account non-resident filing activity occurring at offices of Madrid members only, much higher shares of application class counts were received via the Madrid system. For all years listed in Figure A.1.3, between 63.1% and 70.4% of all non-resident filing activity at Madrid member offices occurred via the Madrid system. In 2011, about 800,000 of the total 1.25 million non-resident application class counts received by Madrid member offices arrived as Madrid designations.

Figure A.1.3 Class counts in total non-resident applications by filing route



Note: Direct application data are available only up to 2011; therefore, 2012 Madrid designation data are not included. The direct route refers to applications filed directly with national or regional IP offices of Madrid members only. The Madrid route refers to designations received by offices via the Madrid system. For the sake of simplicity, designations are referred to as applications received via the Madrid route.

Source: WIPO Statistics Database, March 2013

9 2011 is the latest year for which data on direct applications at national/regional IP offices are available.

A.1.4 Non-resident trademark applications by filing route and by office (direct and Madrid)

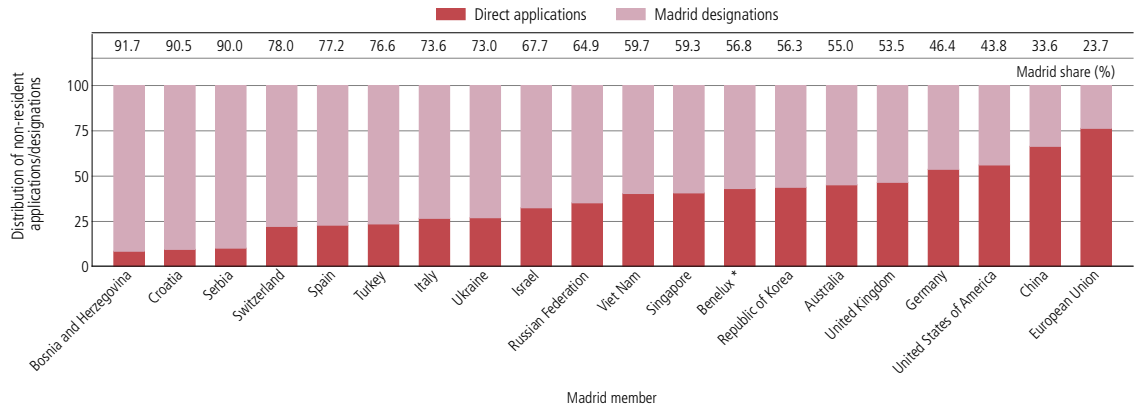
Figure A.1.4.1 shows how the share of Madrid designations in total non-resident application class counts varies across the offices of different Madrid members. In 2011, a large majority (16) of the top 20 designated Madrid members received over half of their non-resident trademark application class counts via the Madrid system, with Bosnia and Herzegovina, Croatia and Serbia receiving over 90%. Others, like the US (43.8%) and China (33.6%), received fewer than half of their total non-resident application class counts via the Madrid system.

The IP offices of Madrid members with larger non-resident trademark filing volumes are those which cover the largest markets, as can be seen in Figure A.1.4.2, and tend to have lower shares of Madrid non-resident filing activity. For example China, the US and the EU were the top three destinations for non-resident applications but had the three lowest Madrid filing shares.

For the Russian Federation, Switzerland and the US, non-residents using the Madrid system designated these three countries in nearly equivalent amounts of about 40,000 class counts each. However, their direct non-resident filings deviated significantly, with the US receiving far more direct applications than either the Russian Federation or Switzerland.

Non-resident filing activity in Australia and the Republic of Korea was similar both in magnitude and the share of activity attributed to use of the Madrid system. This was also the case for Turkey and Ukraine.

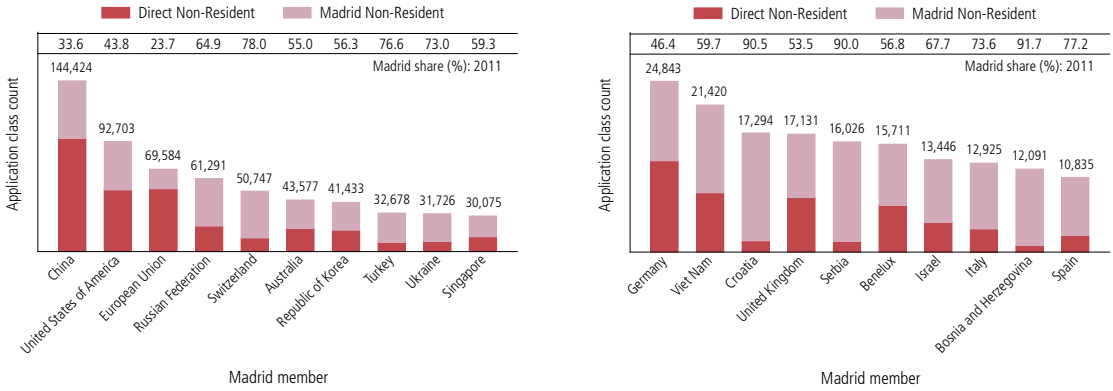
Figure A.1.4.1 Non-resident applications by filing route for selected top designated Madrid members, 2011



Note: *The Benelux Office for Intellectual Property (BOIP) is the official trademark registration office for Madrid members Belgium, Luxembourg and the Netherlands.

Source: WIPO Statistics Database, March 2013

Figure A.1.4.2 Class counts in non-resident applications by filing route for selected top designated Madrid members, 2011



Note: Protection for registrations issued by the European Union's Office for Harmonization in the Internal Market (OHIM) is extended to all 27 EU member states. Similarly, registrations issued by the Benelux Office for Intellectual Property (BOIP) are valid in Benelux countries Belgium, Luxembourg and the Netherlands. Some top designated Madrid members, such as Japan, Morocco and Norway, which would have otherwise been included are omitted due to a lack of direct application class count data.

Source: WIPO Statistics Database, March 2013

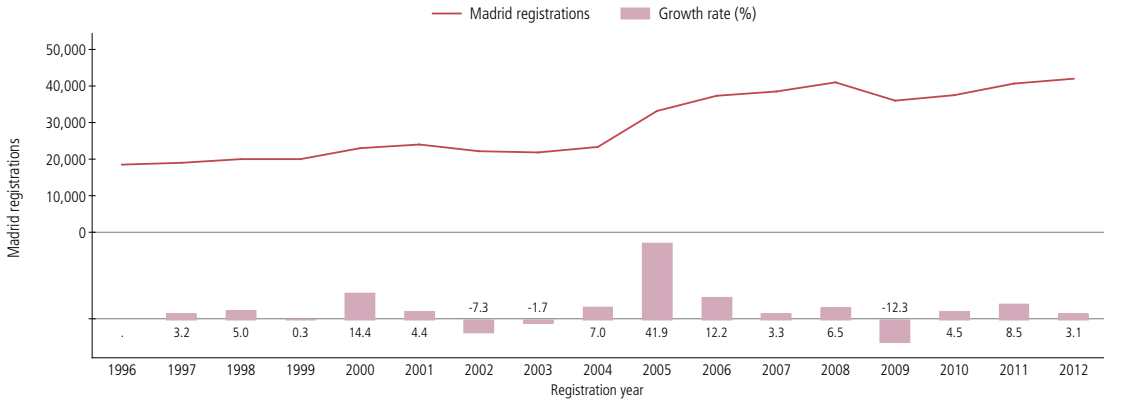
A.2

MADRID INTERNATIONAL REGISTRATIONS

A.2.1 International registrations

The IB recorded 41,954 international registrations of marks in 2012, representing growth of 3.1% on the previous year. Following a 12.3% drop in 2009, registrations increased over the last three years. Looking at the historical trend between 1996 and 2004, the number of international registrations issued varied from 18,485 in 1996 to 23,985 in 2001. However, registrations increased by 42% to over 33,000 in 2005 for the same reasons given in A.1.1, albeit with a slight lag due in part to the time between the filing of an application and its ensuing registration. The trend for registrations closely mirrors that for applications for most years. This reflects the fact that international applications are only subject to a formalities examination, resulting in the issuance of an international registration for most filings. Granting protection within a particular jurisdiction is, ultimately, at the discretion of the national or regional office designated in the international registration.

Figure A.2.1 International registrations



Source: WIPO Statistics Database, March 2013

A.2.2 Individual designations in international registrations

As mentioned earlier, the Madrid system enables applicants to obtain protection for marks in multiple countries through a single international application. When filing an international application, applicants designate the initial countries or region (e.g., the EU) in which to seek protection.[10] The application, when it fulfills the formality requirements, is recorded as an international registration that, if not refused by the offices of designated countries/regions within a defined time limit, produces the same effects as if these offices had received the application directly from the applicant (without going though the Madrid system).

Figure A.2.2.1 shows that the total number of individual designations specified in international registrations ranged from about 221,000 in 1997 to nearly 283,000 in 2012. Like for international applications and registrations, the upward trend in designations was due to the increase in the number of Madrid members over the years and the ensuing increased usage of the Madrid system, as well as the general increase in global trademark filing activity at most IP offices worldwide.[11]

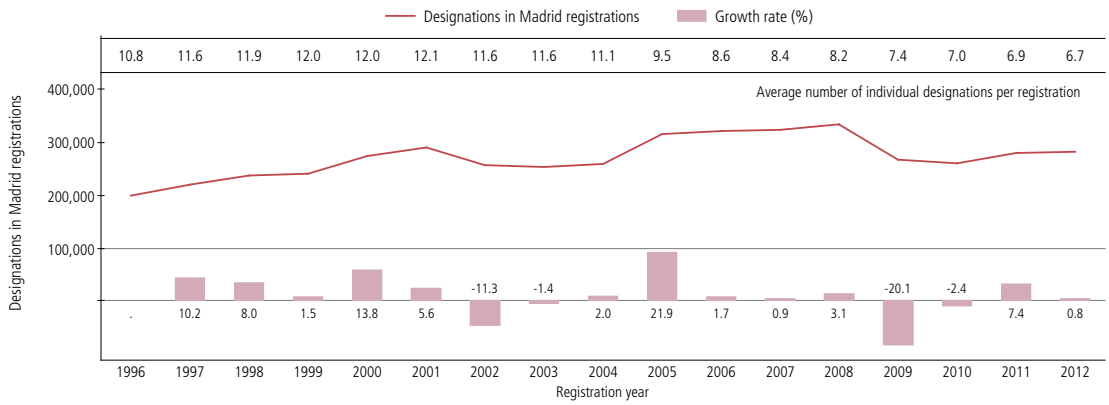
As can be expected, individual designations increased and fell in the same years as did international registrations, with the exception of 2010, in which designations continued to fall after 2009 but registrations rebounded to positive growth. This was possibly due to a drop in designations in 2009 that was much greater (-20%) than for registrations (-12%), such that a return to positive growth simply required more time. The total number of individual designations in 2012 rose to nearly 283,000, representing a modest 0.8% increase on 2011, and marked the second year of growth after the onset of the economic crisis.

In 2012, holders of international registrations designated, on average, nearly seven (6.7) Madrid members, an average that has been decreasing slightly each year since 2002. In the late 1990s and early 2000s, the average was 12 designations per international registration. This average, however, has been decreasing faster since the EU joined the Madrid system in 2004, enabling registration holders to designate the EU as a whole via a single designation rather then designating each individual member state separately.

10 For the sake of simplicity, the term countries is used rather than the legal term Contracting Parties , which includes intergovernmental organizations such as the EU.

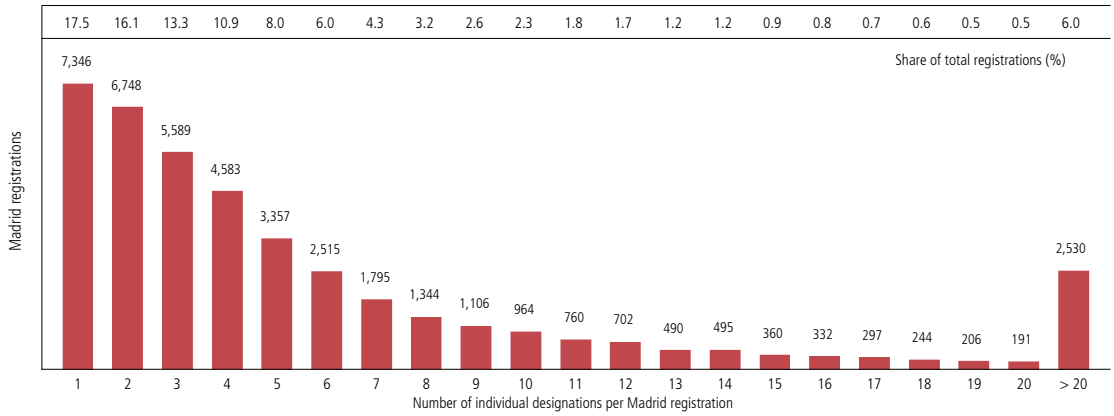
11 See Section B.1.1 of World Intellectual Property Indicators, 2012.

Figure A.2.2.1 Individual designations in international registrations



Source: WIPO Statistics Database, March 2013

Figure A.2.2.2 Distribution of individual designations per international registration, 2012



Source: WIPO Statistics Database, March 2013

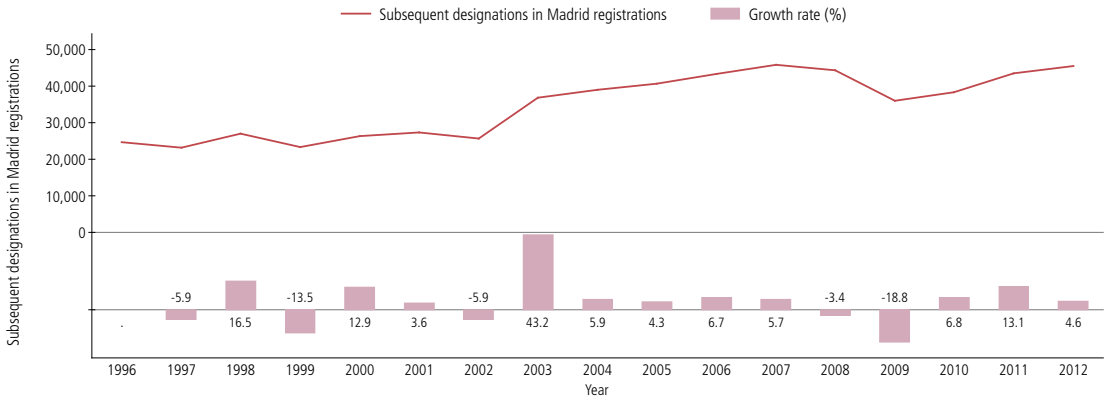
Figure A.2.2.2 shows the distribution of individual designations per international registration for 2012. During that year, 17.5% of all international registrations designated only a single Madrid member, followed by 16.1% of registrations with two designations, 13.3% with three designations and 10.9% with four designations. Approximately 84% of total registrations designated up to 10 Madrid members. However, few registrations designated a large number of Madrid members. For example, 24 registrations designated 83 of the total 88 Madrid members, while another 51 registrations designated 84 members. For 6 international registrations, the maximum possible number of members were designated.

A.2.3 Subsequent designations in registrations

At the time of applying for an international registration, applicants designate the Madrid members in whose jurisdictions they wish to seek protection for their marks. However, once the international registration has been issued, holders can decide at any later time to extend the geographical scope of protection for their marks by subsequently designating additional Madrid members. Again, this is dependent on the respective offices granting protection on the basis of the international application or registration. These designations are called subsequent designations and apply to Madrid members for which either no designation was previously recorded or the prior designation is no longer in effect.

In 2012, the number of subsequent designations amounted to 45,417, representing 4.6% growth on 2011. After a considerable drop in 2009, subsequent designations have increased over the past three years. Owing in part to Madrid system accessions and the incentive for holders to extend protection to new members' jurisdictions, the long-term trend shows that subsequent designations more than doubled between 1996 and 2012, with a large increase of 43% in 2003 and a considerable decrease of nearly 19% at the height of the economic crisis in 2009, on par with the 20% drop in individual designations (Figure A.2.2.1).

Figure A.2.3 Subsequent designations in international registrations



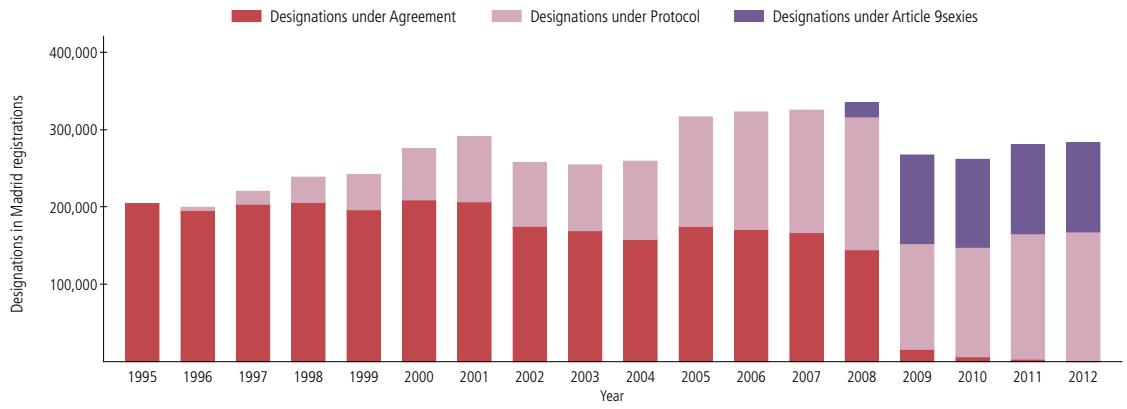
Source: WIPO Statistics Database, March 2013

A.2.4 Designations in international registrations by treaty

Designations of Madrid members are governed either by the Agreement or the Protocol. The treaty governing each designation is recorded in the International Register. Article 9*sexies* of the Protocol states that in the mutual relations between states bound by both the Agreement and the Protocol, it is now the Protocol that applies in all aspects.[12]

Designations governed exclusively under the Agreement have continuously declined, from approximately 167,000 in 2007 to only about 1,700 in 2012. This reflects the fact that only one Madrid member, Algeria, is party to the Agreement exclusively. After an initial decrease in 2009, designations under the Protocol have increased, but the number of designations affected by Article 9*sexies* has remained stable – between about 113,000 and 115,000 over the same period. In 2012, the total number of designations amounted to 282,605, of which 58.9% are governed by the Protocol and 40.5% by Article 9*sexies*. The Agreement accounted for only 0.6% of total designations.

Figure A.2.4 Designations in international registrations by treaty



Source: WIPO Statistics Database, March 2013

12 There are, however, two exceptions, with the effect that the standard regime of 12 months refusal time limit and the standard fees shall apply, irrespective of the Contracting Party concerned having made declarations in accordance with Article 5(2)(b),(c) and Article 8(7).

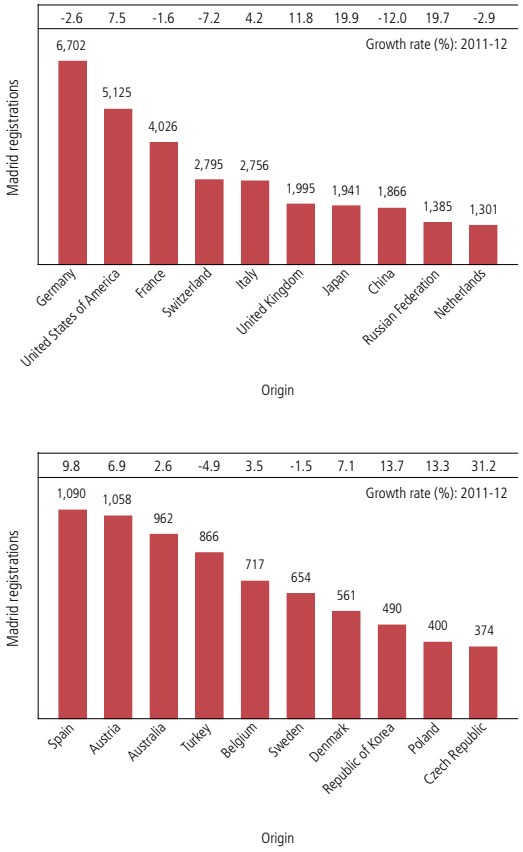
A.3

MADRID INTERNATIONAL REGISTRATIONS BY ORIGIN

A.3.1 International registrations by origin

Data reported in this subsection are based on country of origin, i.e., the country of the address of the holder, hereafter origin, rather than the office of origin via which the holder applied for an international application. This means that an application for an international registration is allocated to the applicant's "true" origin rather than to the Madrid member in respect of which the applicant fulfilled the condition for filing the application. In most cases, the applicant's country of origin is the same as the office of origin via which the international application is filed. However, in certain instances, an applicant may apply via a Madrid member country in which the applicant does not reside.[13] In addition, reporting the country of origin is of particular interest in the case of applicants from EU member states, who file via their respective national office or the EU's Office for Harmonization in the Internal Market (OHIM).

Figure A.3.1 International registrations for the top 20 origins, 2012



Note: Origin data are based on the address of the registration holder's country. Where this information is not provided in the registration, the office of origin is used as a "proxy" for the true origin.

Source: WIPO Statistics Database, March 2013

In 2012, Germany, with 6,702 registrations, was the top origin for international registrations, followed by holders from the US (5,125) and France (4,026) (Figure A.3.1). Holders in Switzerland and Italy held nearly identical numbers of international registrations (approximately 2,800), as did registration holders in China, Japan and the UK (between 1,860 and 2,000). Twelve EU member states are listed among the top 20 origins. Their registrations were based on international applications filed via their respective national IP offices or their common EU office (OHIM).

13 An application for international registration may be filed by a natural person or a legal entity that has a real and effective industrial or commercial establishment in, or is domiciled in, or is a national of, a country party to the Madrid system; that has such an establishment in, or is domiciled in, the territory of an intergovernmental organization party to the Madrid system; or that is a national of a member state of such an organization.

The top 20 origins accounted for 88% of all international registrations issued worldwide in 2012, whereas the top 5 accounted for slightly over half, shares that have remained relatively unchanged over the last five years.

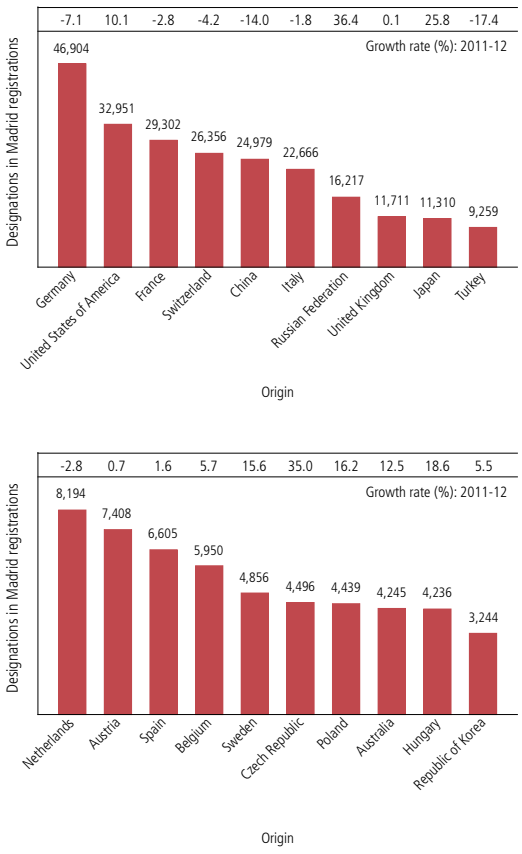
Although Germany exhibited the highest number of registrations, it experienced a 2.6% decrease compared to 2011. Of the top 20 origins, the number of registrations issued to Chinese holders fell the most (-12%) over the same period. Japan and the Russian Federation, however, had the largest increases, nearly 20%, in the number of international registrations issued to their respective residents.

A.3.2 Designations in international registrations by origin

When looking at the number of designations – individual and subsequent combined - in Madrid registrations, a slightly different ranking of the top origins emerges. Germany, the US, France and Switzerland remain the top 4 origins, but China moves up from 8th position in terms of registrations to 5th in terms of designations. Similarly, Turkey moves up from 14th to 10th position, whereas Australia slips from 13th to 18th.

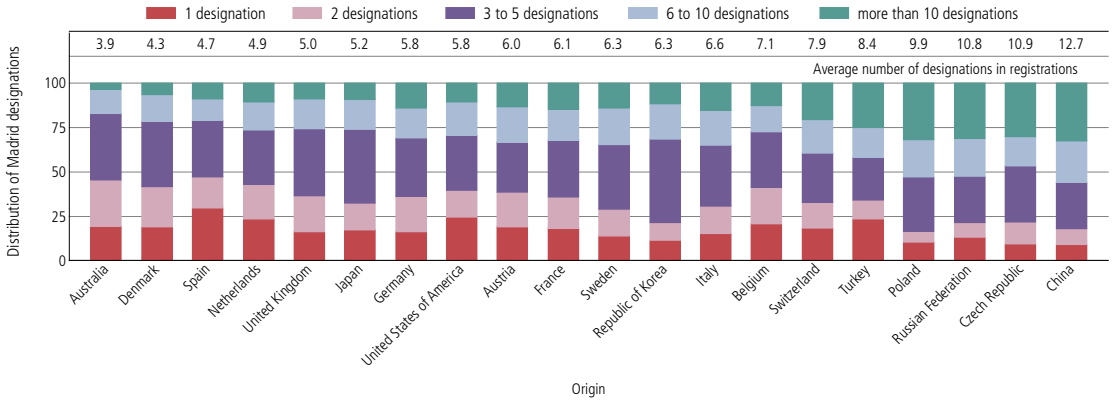
The majority of reported origins saw growth in the number of designations in international registrations in 2012 compared to 2011 (Figure A.3.2.1). However, 6 of the top 10 origins saw decreases, with China and Turkey recording the largest ones, with -14.0% and -17.4%, respectively.

Figure A.3.2.1 Designations in international registrations for the top 20 origins, 2012



Source: WIPO Statistics Database, March 2013

Figure A.3.2.2 Distribution of designations per registration for the top 20 origins, 2012



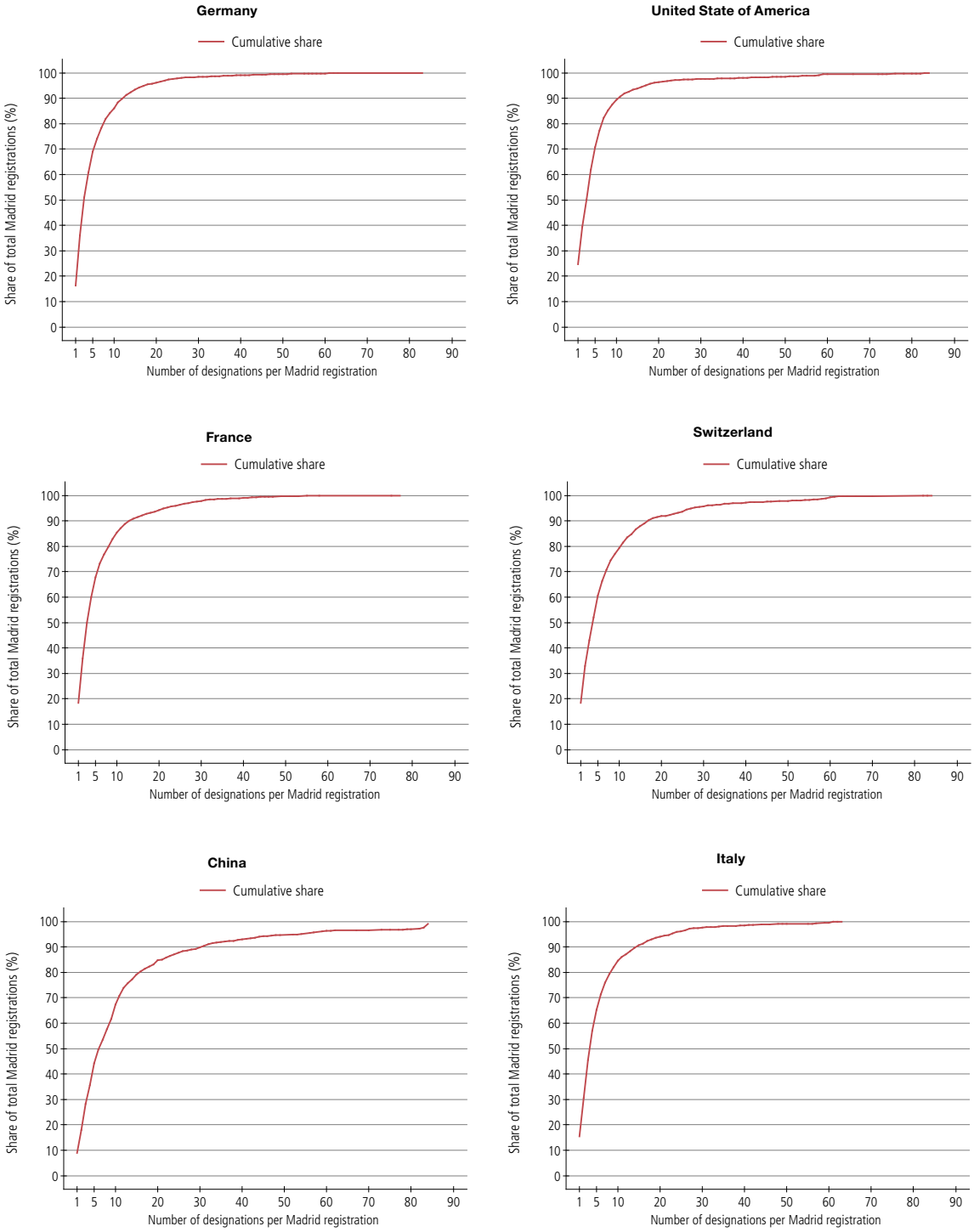
Source: WIPO Statistics Database, March 2013

As explained in Figure A.2.2.1, each international registration in 2012 contained an average of 6.7 individual (initial) designations. This average, however, differs across origins. In 2012, there were, on average, 3.9 designations contained in each registration held by a trademark holder domiciled in Australia (Figure A.3.2.2). For holders in the US, the average number increased to 5.8, for the Republic of Korea to 6.3, for Turkey to 8.4, and holders from the Czech Republic and the Russian Federation designated an average of almost 11 Madrid members per international registration. China (12.7) was the origin with the largest average number of designations per Madrid registration.

The distribution of the number of individual designations per international registration for the top six origins shows that around 90% of all Madrid registrations originating in the US had 10 or fewer designations (Figure A.3.2.3). For residents of France, Germany and Italy, this figure was slightly less, about 85%, and the figure was 80% for Switzerland and 70% for China.

Registrations originating in the US had the highest share of registrations with a single designation (24.7%). In contrast, China had the lowest share of registrations with a single designation (9%). Around 18.4% of all registrations originating in France and Switzerland contained a single designation, while for Germany, the share was around 16%.

Figure A.3.2.3 Distribution of the number of designations per registration for the top 6 origins, 2012



Source: WIPO Statistics Database, March 2013

A.4

Geographical coverage of Madrid international registrations

A.4.1 Designations by Madrid member

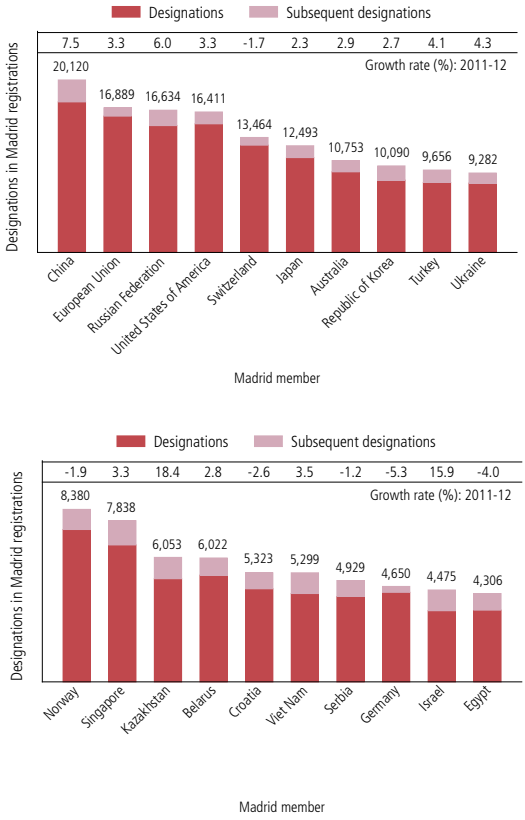
The Madrid system simplifies the process of multinational registration by creating a single international procedure for seeking protection of marks in multiple jurisdictions. Applicants list those Madrid members in which they wish to protect their marks (hereafter referred to as designated members). This subsection provides statistics on designations to provide insight into the geographical coverage of international registrations. Designations listed in new international registrations are referred to as individual designations, and designations added to existing international registrations at a later date are called subsequent designations.

Figure A.4.1 presents the total number of designations (individual and subsequent designations) for the top 20 designated members. In 2012, China was designated the most, with 20,120 or 6.1% of total designations made in 2012, followed by the EU (16,889), the Russian Federation (16,634) and the US (16,411), each accounting for about 5.0% of the total. The fifth most designated Madrid member, Switzerland, received almost 13,500 designations, which is equivalent to 4.1% of the overall total. The 14 most designated Madrid members combined (out of the total 88 members) received half of all designations made in 2012. It is interesting to note that none of the EU member states, except Germany, appears among the top 20 designated Madrid members, as EU members states are, as a whole, covered by a single EU designation.

Among the top 20 most designated members, China (7.5%), Israel (15.9%) and Kazakhstan (18.4%) experienced the highest year-on-year growth in terms of total designations. About two-thirds of the top 20 members saw growth in the number of designations received in 2012. Notable exceptions were Egypt and Germany which saw declines of 4.0% and 5.3%, respectively, in total designations received compared to the previous year.

Growth in subsequent designations alone for China, Japan, the Russian Federation and Singapore ranged from 18 to 22 percent, indicating the popularity of these Madrid members among holders of existing international registrations that decided to extend protection for their marks to these countries' markets.

Figure A.4.1 Designations in registrations for the top 20 designated Madrid members, 2012



Source: WIPO Statistics Database, March 2013

The upper panel of Table A.4.2 shows total designations in Madrid registrations received by the top 10 designated Madrid members from the top 20 origins. The lower panel of Table A.4.2 shows the percentage shares of total designations received by these Madrid members from the top origins.

China received the largest shares of designations from mark holders residing in Germany (16.3%), the US (14.4%) and France (10.6%). In the case of the EU, holders from the US (19.3%), Germany (15.6%) and Switzerland (9.9%) were the main seekers of protection for their marks in this region.

Designations from Germany accounted for the largest shares of totals for 6 of the top 10 designated Madrid members, ranging from 16.1% of total designations received by Ukraine to 31.6% of the total in Switzerland. Designations of US origin constituted the largest shares for the remaining 4 top 10 designated members. Designations from France often represented the second or third largest shares received by these top-listed Madrid members. Interestingly, following designations from Germany, designations of Italian origin accounted for the second largest share of total designations received by the Russian Federation and the third largest share received by the US, at approximately 10% of the total at each of these members' respective IP offices.

Where designations exist for an origin that is the same as the designated Madrid member indicates that the trademark holder residing in this origin used another Madrid member different from its country of address of origin, on which to base the original international registration.[14] This can be done if the applicant is, for example, a national of the Madrid member or has a real and effective industrial or commercial establishment in the country/region of a Madrid member. See the term "Contracting Party" in the Glossary.

Table A.4.2 Designations in registrations for the top 20 origins and top 10 designated Madrid members, 2012

Number of designations

Origin	Designated Madrid member									
	CN	EU	RU	US	CH	JP	AU	KR	TR	UA
Australia	491	595	130	738	113	322	9	174	60	34
Austria	315	361	334	275	659	150	120	113	299	211
Belgium	353	351	298	315	256	155	151	122	181	133
China	38	596	1,015	1,079	457	808	784	790	557	576
Czech Republic	88	106	236	77	100	40	38	29	114	190
France	2,138	1,484	1,583	1,688	1,912	1,291	886	924	886	803
Germany	3,288	2,638	2,992	2,843	4,252	1,855	1,423	1,511	2,212	1,491
Hungary	53	25	205	41	48	21	24	14	92	210
Italy	1,898	972	1,678	1,575	1,063	1,059	618	724	769	680
Japan	1,428	889	468	1,145	266	16	519	1,078	199	169
Netherlands	586	620	479	599	468	295	292	253	313	200
Poland	139	57	287	90	82	39	39	37	107	276
Republic of Korea	329	236	145	357	59	329	126	0	89	57
Russian Federation	509	182	5	335	205	138	104	103	215	956
Spain	617	193	462	571	275	330	214	193	203	167
Sweden	367	139	321	352	260	252	228	196	186	129
Switzerland	1,283	1,674	1,063	1,070	96	953	711	713	882	633
Turkey	236	146	473	232	123	90	80	67	0	299
United Kingdom	1,069	780	651	1,140	525	810	959	467	418	224
United States of America	2,902	3,260	1,430	68	1,121	2,476	2,407	1,731	836	508
Others / Unknown	1,993	1,585	2,379	1,821	1,124	1,064	1,021	851	1,038	1,336
Total	**20,120**	**16,889**	**16,634**	**16,411**	**13,464**	**12,493**	**10,753**	**10,090**	**9,656**	**9,282**

14 For example, 38 registrations originating in China also designated China.

Distribution of designations (%)

Origin	Designated Madrid member									
	CN	EU	RU	US	CH	JP	AU	KR	TR	UA
Australia	2.4	3.5	0.8	4.5	0.8	2.6	0.1	1.7	0.6	0.4
Austria	1.6	2.1	2.0	1.7	4.9	1.2	1.1	1.1	3.1	2.3
Belgium	1.8	2.1	1.8	1.9	1.9	1.2	1.4	1.2	1.9	1.4
China	0.2	3.5	6.1	6.6	3.4	6.5	7.3	7.8	5.8	6.2
Czech Republic	0.4	0.6	1.4	0.5	0.7	0.3	0.4	0.3	1.2	2.0
France	10.6	8.8	9.5	10.3	14.2	10.3	8.2	9.2	9.2	8.7
Germany	16.3	15.6	18.0	17.3	31.6	14.8	13.2	15.0	22.9	16.1
Hungary	0.3	0.1	1.2	0.2	0.4	0.2	0.2	0.1	1.0	2.3
Italy	9.4	5.8	10.1	9.6	7.9	8.5	5.7	7.2	8.0	7.3
Japan	7.1	5.3	2.8	7.0	2.0	0.1	4.8	10.7	2.1	1.8
Netherlands	2.9	3.7	2.9	3.6	3.5	2.4	2.7	2.5	3.2	2.2
Poland	0.7	0.3	1.7	0.5	0.6	0.3	0.4	0.4	1.1	3.0
Republic of Korea	1.6	1.4	0.9	2.2	0.4	2.6	1.2	0.0	0.9	0.6
Russian Federation	2.5	1.1	0.0	2.0	1.5	1.1	1.0	1.0	2.2	10.3
Spain	3.1	1.1	2.8	3.5	2.0	2.6	2.0	1.9	2.1	1.8
Sweden	1.8	0.8	1.9	2.1	1.9	2.0	2.1	1.9	1.9	1.4
Switzerland	6.4	9.9	6.4	6.5	0.7	7.6	6.6	7.1	9.1	6.8
Turkey	1.2	0.9	2.8	1.4	0.9	0.7	0.7	0.7	0.0	3.2
United Kingdom	5.3	4.6	3.9	6.9	3.9	6.5	8.9	4.6	4.3	2.4
United States of America	14.4	19.3	8.6	0.4	8.3	19.8	22.4	17.2	8.7	5.5
Others / Unknown	9.9	9.4	14.3	11.1	8.3	8.5	9.5	8.4	10.7	14.4
Total	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**

Note: Designated Madrid members: CN (China), EU (European Union), RU (Russian Federation), US (United States of America), CH (Switzerland), JP (Japan), AU (Australia), KR (Republic of Korea), TR (Turkey), and UA (Ukraine)

Source: WIPO Statistics Database, March 2013

A.5

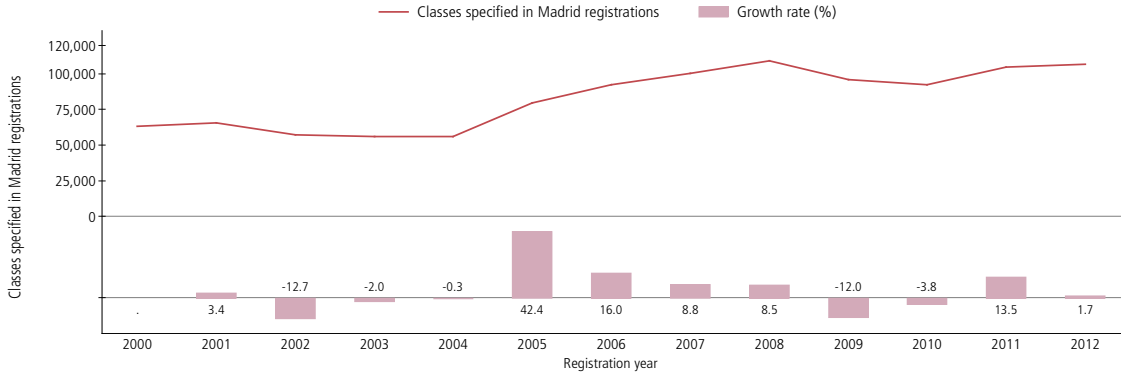
Coverage of goods and services

A.5.1 Classes specified in registrations

Within the international trademark system, many offices have adopted the Nice Classification (NCL), an international classification of goods and services applied to registrations of trademarks. Applicants are required to provide a description of the goods or services for which the mark is to be used according to one or more of the 45 Nice classes (see *www.wipo.int/classifications/en/*). When filing an international application, applicants must specify all classes in which their marks fall, as it is not possible to add other classes at a later date. Some offices require that the holder of a registration prove use of the mark for the goods and services specified.

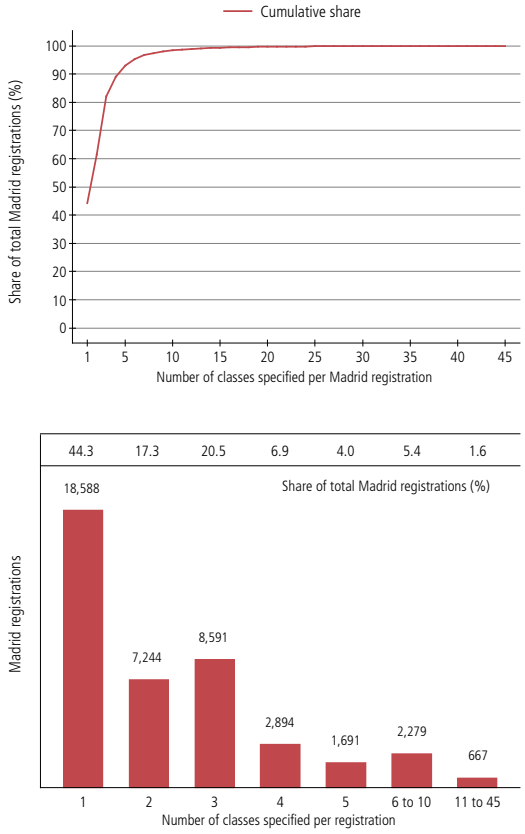
Figure A.5.1.1 shows that the number of classes specified in international registrations increased from 63,259 in 2000 to 106,539 in 2012. Classes specified in international registrations grew by 1.7% in 2012 after rebounding strongly in 2011 (+13.5%) from the declines witnessed in 2009 and 2010. These numbers represent an average of two to three classes specified in each registration issued between 2000 and 2012. Due to this stable average number of classes per registration, Figure A.5.1.1 follows a trend similar to that of international registrations (Figure A.2.1).

Figure A.5.1.1 Classes specified in international registrations



Source: WIPO Statistics Database, March 2013

Figure A.5.1.2 Distribution of the number of classes specified per international registration, 2012



Source: WIPO Statistics Database, March 2013

Whereas there was an average of 2.5 classes specified in all registrations, Figure A.5.1.2 depicts the detailed breakdown of the number of classes specified per registration in 2012. The upper graph shows the cumulative share, and the lower one gives absolute numbers: 44.3% of registrations covered only a single class; 82% of all registrations covered up to 3 classes; and 93% covered up to 5 classes. Fewer than 2% of all international registrations covered more than 10 of the total 45 goods and services classes.

A.5.2 Registrations by class

Under the Madrid system, it is possible to specify one or several of the 45 Nice classes in a single registration. Table A.5.2 shows the distribution of classes specified in international registrations in 2012 and their change from the previous year.

In 2012, the most specified class was Class 9, which includes computer hardware and software and other electrical or electronic apparatus of a scientific nature, and occurred in 9,598 Madrid registrations, representing nearly one-tenth of all registrations issued in that year. The other most specified classes were: Class 35 (services such as office functions, advertising and business management), Class 42 (services provided by, e.g., scientific, industrial or technological engineers and computer specialists) and Class 25 (clothing, footwear and headgear), followed by Class 5 (mainly pharmaceuticals and other preparations for medical purposes). The top 10 classes accounted for half of all classes specified in registrations.

Among the top 20 classes, Class 42 showed the highest annual growth (8.4%), whereas Class 16 (mainly paper, goods made from that material and office requisites) exhibited the largest decrease (-5.5%).

The least often specified classes in recent years include Classes 15 (musical instruments), 23 (yarns and threads, for textile use), and 13 (firearms; ammunition and projectiles; explosives; fireworks), counting fewer than 200 each in the over 100,000 classes specified in international registrations.

Table A.5.2 Total registrations by class

Class covers/includes	Year			Growth rate (%): 2011-12	Share of total (%): 2012
	2010	2011	2012		
Class 9: Computer hardware and software and other electrical or electronic apparatus of a scientific nature	7,804	9,286	9,598	3.4	9.0
Class 35: Services such as office functions, advertising and business management	6,454	7,596	7,912	4.2	7.4
Class 42: Services provided by e.g. scientific, industrial or technological engineers and computer specialists	4,823	5,505	5,966	8.4	5.6
Class 25: Clothing, footwear and headgear	4,959	5,411	5,617	3.8	5.3
Class 5: Mainly pharmaceuticals and other preparations for medical purposes	4,673	4,663	4,936	5.9	4.6
Class 41: Services in the area of education, training, entertainment, sporting and cultural activities	4,047	4,687	4,804	2.5	4.5
Class 3: Mainly cleaning preparations and toilet preparations	3,578	3,875	3,965	2.3	3.7
Class 16: Mainly paper, goods made from that material and office requisites	3,515	3,969	3,751	-5.5	3.5
Class 7: Mainly machines, machine tools, motors and engines	2,707	3,129	3,287	5.0	3.1
Class 30: Mainly foodstuffs of plant origin, prepared for consumption or conservations as well as auxiliaries intended for the improvement of the flavor of food	2,968	3,031	3,087	1.8	2.9
Class 18: Leather and imitations of leather, and products made therefrom, traveling bags and umbrellas	2,585	2,963	3,043	2.7	2.9
Class 11: Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes	2,547	2,807	2,894	3.1	2.7
Class 38: Telecommunications services	2,087	2,481	2,555	3.0	2.4
Class 37: Building construction; repair; installation services	2,119	2,500	2,462	-1.5	2.3
Class 29: Meat, fish, poultry; frozen, dried and cooked fruits and vegetables	2,277	2,441	2,402	-1.6	2.3
Class 33: Alcoholic beverages (except beers)	1,813	2,207	2,369	7.3	2.2
Class 28: Games and playthings; gymnastic and sporting articles	1,960	2,221	2,249	1.3	2.1
Class 1: Chemicals used in industry, science and photography, as well as in agriculture	1,903	2,147	2,224	3.6	2.1
Class 12: Vehicles; apparatus for locomotion by land, air or water	1,676	2,194	2,101	-4.2	2.0
Class 10: Surgical, medical, dental and veterinary apparatus and instruments	1,933	2,121	2,098	-1.1	2.0
Class 6: Mainly includes common metals and their alloys and goods of common metal not included in other classes	1,786	2,160	2,073	-4.0	1.9
Class 20: Mainly furniture, mirrors, picture frames and goods made from, for example, wood, cork, reed, cane, wicker.	1,821	2,159	2,044	-5.3	1.9
Class 36: Services relating to insurance, financial affairs, monetary affairs, and real estate affairs	1,906	2,027	2,041	0.7	1.9
Class 14: Mainly precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes	1,581	1,965	1,943	-1.1	1.8
Class 21: Mainly household or kitchen utensils and containers; combs and sponges; articles for cleaning purposes, glassware, porcelain and earthenware	1,621	1,884	1,906	1.2	1.8
Class 32: Beers; mineral and aerated waters and other non-alcoholic beverages; fruit beverages and fruit juices; syrups and other preparations for making beverages	1,729	1,887	1,876	-0.6	1.8
Class 39: Services related to transport, packaging and storage of goods, and travel arrangement	1,461	1,664	1,734	4.2	1.6
Class 24: Textiles and textile goods, not included in other classes; bed covers; table covers	1,336	1,531	1,531	0.0	1.4
Class 43: Services for providing food and drink; temporary accommodation	1,373	1,569	1,519	-3.2	1.4
Class 19: Mainly non-metallic building materials and asphalt	1,450	1,558	1,506	-3.3	1.4
Class 44: Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services	1,290	1,343	1,406	4.7	1.3
Class 17: Mainly rubber, plastics in extruded form for use in manufacture; packing, stopping and insulating materials; non-metallic flexible pipes	1,173	1,380	1,308	-5.2	1.2
Class 40: Service related to the treatment of materials	978	1,163	1,133	-2.6	1.1
Class 31: Mainly grains and agricultural, horticultural and forestry products; live animals; fresh fruits and vegetables; seeds	1,054	1,041	1,091	4.8	1.0
Class 45: Legal services; security services for the protection of property and individuals; personal and social services rendered by others to meet the needs of individuals.	956	1,062	1,072	0.9	1.0
Class 8: Hand tools and implements (hand-operated); cutlery; side arms; razors	848	1,046	1,033	-1.2	1.0
Class 2: Mainly paints, varnishes, lacquers	699	785	746	-5.0	0.7

Class 4: Mainly industrial oils, lubricants, fuels and illuminants	650	706	742	5.1	0.7
Class 34: Tobacco; smokers' articles; matches	497	532	648	21.8	0.6
Class 27: Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile)	431	527	556	5.5	0.5
Class 26: Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers	394	512	456	-10.9	0.4
Class 22: Mainly ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes)	338	458	361	-21.2	0.3
Class 15: Musical instruments	161	215	190	-11.6	0.2
Class 23: Yarns and threads, for textile use.	154	157	173	10.2	0.2
Class 13: Firearms; ammunition and projectiles; explosives; fireworks	137	169	131	-22.5	0.1
Total	**92,252**	**104,734**	**106,539**	**1.7**	**100.0**

Note: For full class definitions, see *www.wipo.int/classifications/nice/en/*.

Source: WIPO Statistics Database, March 2013

A.5.3 Registrations by class and origin

Table A.5.3.1 presents a breakdown of total classes specified in international registrations by industry sector and origin. Classes specified in registrations were fairly similar across origins. Germany had the highest class count in 2012, with 21,760 classes specified in Madrid registrations. As shown in Figure A.3.1, the US had the second highest number of Madrid registrations (5,125) after Germany; however, when considering class counts, 7,977 classes were specified in registrations of US origin, placing this country in fourth position behind Germany (21,760), France (11,567) and Switzerland (8,306), whose applicants tend to specify more classes per registration.

Class 9 (computer hardware and software) was the class most specified in 2012 for Germany (9.7% of total classes), France (8.5%) and the US (16%), and was the second most designated class for Switzerland (6.8%) and the third most for Italy (6.8%). Switzerland's top class was 35 (services such as office functions, advertising and business management), accounting for 7.1% of the total, which was also a high ranking class for all other origins. The class most specified by Italian applicants was 25 (clothing, footwear, and headgear) accounting for 10.6% of Italy's total class count.

At the industry level, classes related to scientific research, information and communication technology were the most specified in Madrid registrations for 4 out of the 5 top origins, ranging from 16.7% of Switzerland's total class count to 27.4% of all classes specified in registrations of US origin. Italy was the only exception, with classes relating to the textiles – clothing and accessories industry specified the most, accounting for over a quarter of Italy's overall class count. Textiles – clothing and accessories and leisure and education were tied for the second most specified industries for Germany, each accounting for 10.6% of total classes in this country. In France, textiles – clothing and accessories occupied second position with 12.5% of total classes, while classes relating to pharmaceuticals, health and cosmetics ranked second for both Switzerland (13.7%) and the US (14.9%). Accounting for 15.7% of total classes specified, agricultural products and services was the second most specified sector in Italian registrations.

Table A.5.3.1 Registrations by class and top 5 origins, 2012

Industry Sector	Origin									
	Class count					Share of total: (%)				
	DE	FR	CH	US	IT	DE	FR	CH	US	IT
Agricultural products and services	1,716	1,342	1,063	566	1,047	7.9	11.6	12.8	7.1	15.7
Chemicals	855	375	306	277	160	3.9	3.2	3.7	3.5	2.4
Construction, Infrastructure	2,089	884	578	326	536	9.6	7.6	7.0	4.1	8.0
Household equipment	2,073	698	455	418	566	9.5	6.0	5.5	5.2	8.5
Leisure & Education	2,305	1,334	957	900	472	10.6	11.5	11.5	11.3	7.1
Management, Communications, Real estate and Financial services	1,789	1,024	832	820	392	8.2	8.9	10.0	10.3	5.9
Pharmaceuticals, Health, Cosmetics	2,294	1,484	1,137	1,190	628	10.5	12.8	13.7	14.9	9.4
Scientific research, Information and Communication technology	4,432	2,320	1,384	2,183	762	20.4	20.1	16.7	27.4	11.4
Textiles - Clothing and Accessories	2,317	1,445	1,134	929	1,693	10.6	12.5	13.7	11.6	25.4
Transportation and Logistics	1,890	661	460	368	420	8.7	5.7	5.5	4.6	6.3
Total	**21,760**	**11,567**	**8,306**	**7,977**	**6,676**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**

Note: Class groups by industry sector as defined by Edital®: agricultural products and services (Classes 29, 30, 31, 32, 33 and 43), chemicals (Classes 1, 2 and 4), construction, infrastructure (Classes 6, 17, 19, 37 and 40), household equipment (Classes 8, 11, 20 and 21), leisure & education = leisure, education, training (Classes 13, 15, 16, 28 and 41), management, communications, real estate and financial services (Classes 35 and 36), pharmaceuticals, health, cosmetics (Classes 3, 5, 10 and 44), scientific research, information and communication technology (Classes 9, 38, 42 and 45), textiles - clothing and accessories (Classes 14, 18, 22, 23, 24, 25, 26, 27 and 34), transportation and logistics (Classes 7, 12 and 39).

Origin codes: DE (Germany), FR (France), CH (Switzerland), US (United States of America), IT (Italy).

Source: WIPO Statistics Database, March 2013

Table A.5.3.2 Services vs. goods classes by origin, 2005 vs. 2012

Origin	2005 (%)		2012 (%)		Change in Service class share compared to 2005 (percentage points)
	Goods	Services	Goods	Services	
Australia	74.4	25.6	64.1	35.9	10.3
Austria	71.5	28.5	66.4	33.6	5.0
Belgium	73.6	26.4	67.2	32.8	6.5
China	93.7	6.3	87.5	12.5	6.2
Czech Republic	69.4	30.6	68.5	31.5	0.8
Denmark	74.5	25.5	69.4	30.6	5.1
France	71.8	28.2	65.8	34.2	6.0
Germany	72.8	27.2	68.3	31.7	4.4
Italy	83.4	16.6	81.1	18.9	2.3
Japan	86.9	13.1	78.7	21.3	8.2
Netherlands	69.6	30.4	65.4	34.6	4.2
Poland	81.3	18.7	75.7	24.3	5.6
Republic of Korea	77.3	22.7	82.9	17.1	-5.5
Russian Federation	66.3	33.7	62.5	37.5	3.8
Spain	72.8	27.2	72.2	27.8	0.6
Sweden	72.2	27.8	71.0	29.0	1.2
Switzerland	66.1	33.9	65.4	34.6	0.7
Turkey	84.9	15.1	78.3	21.7	6.6
United Kingdom	73.0	27.0	68.6	31.4	4.4
United States of America	73.2	26.8	67.3	32.7	5.9
Others	70.5	29.5	67.9	32.1	2.6
Total	**73.3**	**26.7**	**69.4**	**30.6**	**3.9**

Source: WIPO Statistics Database, March 2013

The NCL system for registered trademarks also permits class counts to be aggregated into goods- or services-related categories. In 2012, over two-thirds of the classes specified in international registrations were goods-related classes, with the remaining third emanating from those relating to services. The share of services-related class counts has seen, overall, a positive trend since 2005, declining only slightly during the recent economic downturn. Despite this decline, the share of services-related classes specified in Madrid registrations out of total classes rose 3.9 percentage points from 26.7% in 2005 to 30.6% in 2012.

The goods/services class shares differed across origins. For example, the Russian Federation had the highest share of services-related classes in 2012, with 37.5%, followed by Australia (35.9%) and both the Netherlands and Switzerland (34.6%). Conversely, China had the lowest services class share consisting of only 12.5% of its total class count.

The largest changes in shares occurred in Australia, where the services class share increased by 10.3 percentage points, and in Japan, where the services class share increased by 8.2 percentage points. Table A.5.3.2 shows that the majority of countries have experienced a shift towards services-related classes since 2005, with the exception of the Republic of Korea whose services class share was 5.5 percentage points lower in 2012 than in 2005.

A.5.4 Registrations by class and office

Consistent with the shares of international registrations reported in A.5.2, the top 10 classes also accounted for about half of all classes specified in registrations for the top 5 designated Madrid members, ranging from 48.3% for China to 50.5% for the US. Although the numbers differ for each class among these top-listed Madrid members, their shares of the totals are of similar magnitude.

Similar to the designations in registrations presented in A.4.2, China also received the largest number of designations by class count in 2012, with 51,960 classes specified in designations received. China was followed by the US (42,848), the EU (42,088), the Russian Federation (41,595) and Switzerland (39,557). Class 9 (computer hardware and software) was the most specified class for all top 5 designated Madrid members, with the US experiencing the highest concentration, as Class 9 accounted for 11% of its total class count. Class 35 (services such as office functions, advertising and business management) also ranked high for these designated members, with Switzerland showing the highest concentration (7.4% of its total class count). Class 42 (services provided by, e.g., scientific, industrial or technological engineers and computer specialists) ranked in the top three designated classes for the EU (6.8%), the US (6.8%) and Switzerland (5.7%). The third most specified class in designations for China and the Russian Federation was Class 25 (clothing, footwear and headgear), representing 6.1% of the totals for both members. In addition, Class 5 (mainly pharmaceuticals and other preparations for medical purposes) was designated at a relatively higher rate for the Russian Federation (5.4% of the total class count) than for the other four top members, with this class representing only 4% of the EU's total class count and only 3.2% for the US.

Table A.5.4 Registrations by class and office: top 10 classes for the top 5 designated Madrid members, 2012

Goods and services classes specified in designations

Class	Designated Madrid members				
	CN	US	EU	RU	CH
Class 9: Computer hardware and software and other electrical or electronic apparatus of a scientific nature	5,260	4,730	4,501	3,621	3,577
Class 35: Services such as office functions, advertising and business management	3,228	2,895	2,946	2,577	2,932
Class 42: Services provided by e.g. scientific, industrial or technological engineers and computer specialists	2,842	2,917	2,847	1,889	2,258
Class 25: Clothing, footwear and headgear	3,185	2,338	1,995	2,533	1,976
Class 5: Mainly pharmaceuticals and other preparations for medical purposes	1,843	1,382	1,695	2,226	1,628
Class 41: Services in the area of education, training, entertainment, sporting and cultural activities	1,918	2,011	2,038	1,409	1,815
Class 3: Mainly cleaning preparations and toilet preparations	2,043	1418	1,426	1,928	1,563
Class 16: Mainly paper, goods made from that material and office requisites	1,612	1,464	1,411	1,233	1,575
Class 7: Mainly machines, machine tools, motors and engines	2,051	1,550	1,375	1,617	1,099
Class 30: Mainly foodstuffs of plant origin, prepared for consumption or conservations as well as auxiliaries intended for the improvement of the flavor of food	1,140	917	934	1,129	907
Others	26,838	21,226	20,920	21,433	20,227
Total	**51,960**	**42,848**	**42,088**	**41,595**	**39,557**

Distribution of goods and services classes specified in designations (%)

Class	Designated Madrid members				
	CN	US	EU	RU	CH
Class 9: Computer hardware and software and other electrical or electronic apparatus of a scientific nature	10.1	11.0	10.7	8.7	9.0
Class 35: Services such as office functions, advertising and business management	6.2	6.8	7.0	6.2	7.4
Class 42: Services provided by e.g. scientific, industrial or technological engineers and computer specialists	5.5	6.8	6.8	4.5	5.7
Class 25: Clothing, footwear and headgear	6.1	5.5	4.7	6.1	5.0
Class 5: Mainly pharmaceuticals and other preparations for medical purposes	3.5	3.2	4.0	5.4	4.1
Class 41: Services in the area of education, training, entertainment, sporting and cultural activities	3.7	4.7	4.8	3.4	4.6
Class 3: Mainly cleaning preparations and toilet preparations	3.9	3.3	3.4	4.6	4.0
Class 16: Mainly paper, goods made from that material and office requisites	3.1	3.4	3.4	3.0	4.0
Class 7: Mainly machines, machine tools, motors and engines	3.9	3.6	3.3	3.9	2.8
Class 30: Mainly foodstuffs of plant origin, prepared for consumption or conservations as well as auxiliaries intended for the improvement of the flavor of food	2.2	2.1	2.2	2.7	2.3
Others	51.7	49.5	49.7	51.5	51.1
Total %	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**

Note: For full class definitions, see *www.wipo.int/classifications/nice/en/*. Designated Madrid member codes: CN (China), US (United States of America), EU (European Union), RU (Russian Federation), CH (Switzerland)

Source: WIPO Statistics Database, March 2013

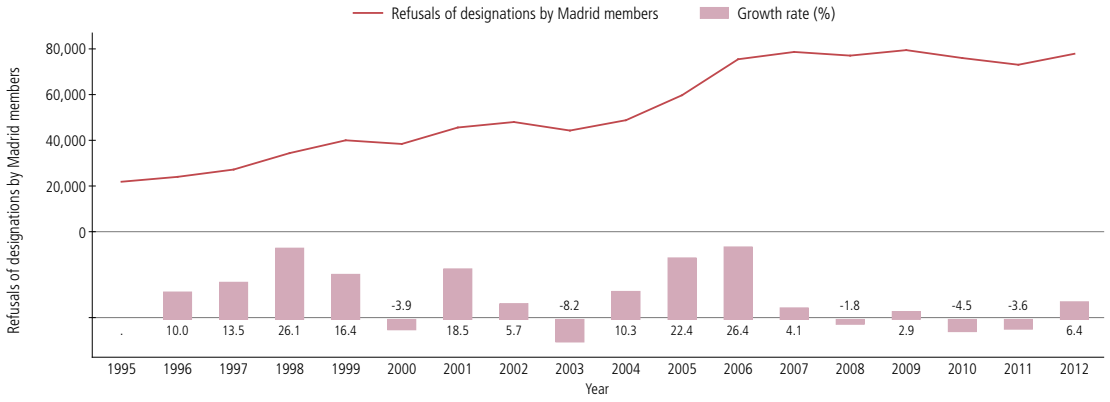
A.6

Refusals

Each designated Madrid member has the right to refuse protection for an international registration within its territory.[15] If a Madrid member's IP office refuses to grant protection, it must notify the IB of this decision within 12 or 18 months (12 months under the Madrid Agreement and 12 or 18 months under the Protocol) from the date of the notification from WIPO.[16] The provisional refusal is recorded in the International Register, published in the Gazette, and the IB transmits a copy of the notification to the mark holder.

Figure A.6.1 shows the number of refusals issued by designated Madrid members between 1995 and 2012. The data refer to total, partial and provisional refusals. In 2012, the total number of refusal notifications received by the IB from all Madrid members amounted to 77,725, representing a 6.4% increase on the previous year. Following substantial growth in refusals during 2005 and 2006, the number of refusals has remained more or less stable, hovering between 73,000 and 79,000 since 2007. Refusals represent around a quarter of total designations. For example, 24.5% of all designations were refused during the 2010-2012 period.[17] However, it should be noted that the refusal data presented here include partial and provisional refusals, which may be overturned at a later date.

Figure A.6.1 Trend in refusals of international registrations



Source: WIPO Statistics Database, March 2013

15 In general, a refusal can be made on absolute grounds (such as trademarks that are likely to deceive consumers, or marks devoid of any distinctive character) and/or on relative grounds (trademarks that have been applied for but are in conflict with an earlier mark).

16 It is not necessary to make a final decision on the refusal within the set time limit. A provisional refusal made within a set time limit is sufficient.

17 The percentage is a proxy and is calculated as follows: the sum of the total number of refusals in 2010-2012 (226,574) divided by the sum of the total number of designations made in 2009-2011 (926,675). Designation data are lagged by one year, as designated members have up to 12 months under the Madrid Agreement (18 months under the Protocol) to notify the IB of their decision to refuse protection.

A.7

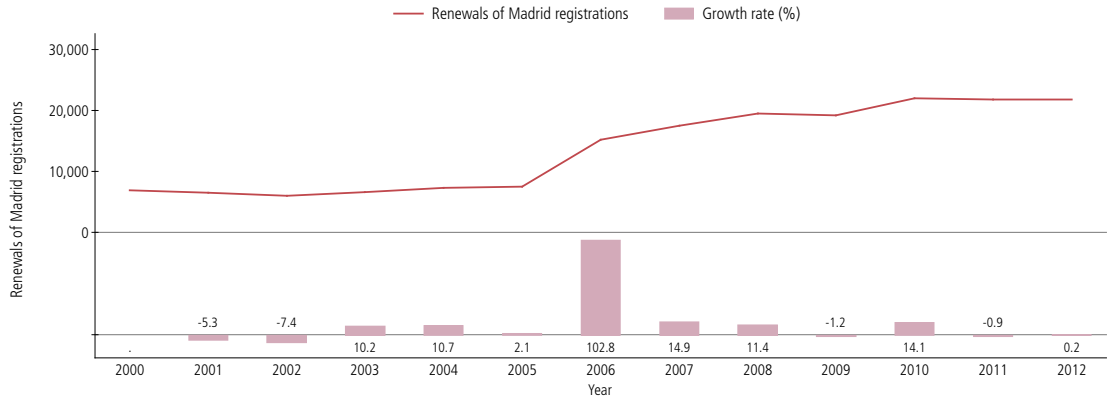
Renewals

International registrations are effective for a period of 10 years and can be renewed for additional 10-year periods on payment of the prescribed fees. International registrations must be renewed in order to remain valid. Most jurisdictions allow marks to be renewed indefinitely. The IB sends a reminder to holders and their representatives (if any) six months before renewal is due. The international registration may be renewed in respect of all designated Madrid members or only some of them.

A.7.1 Renewals of international registrations

In 2012, a total of 21,801 renewals were filed, remaining relatively unchanged from the previous year (growth rate of 0.2%) and slightly below the 2010 peak in renewals of 21,949. The number of renewals made in a given year is partially dependent on both the number of registrations issued 10 years prior, as well as the number of renewals issued 10 years prior.[18] Therefore the trend seen in Figure A.7.1 is a partial reflection of the trend in registrations with a 10-year lag. After falling in 2001 and 2002, renewals of Madrid registrations followed an upward trend until 2008 and decreased slightly in both 2009 and 2011. The high growth in renewals seen in 2006 was due to a change in the renewal period (from 20 years to 10 years) that came into effect in 1996. Over the past two years, the total number of renewals remained relatively unchanged following a large increase of 14.1% in 2010.

Figure A.7.1 Renewals of international registrations



Source: WIPO Statistics Database, March 2013

18 In addition, due to the change in the renewal period (from 20 years to 10 years) that came into effect in 1996, the number of registrations made 20 years prior still influences the total number of renewals. This will remain the case until 2016.

Figure A.7.2 Designations in renewals of international registrations

Source: WIPO Statistics Database, March 2013

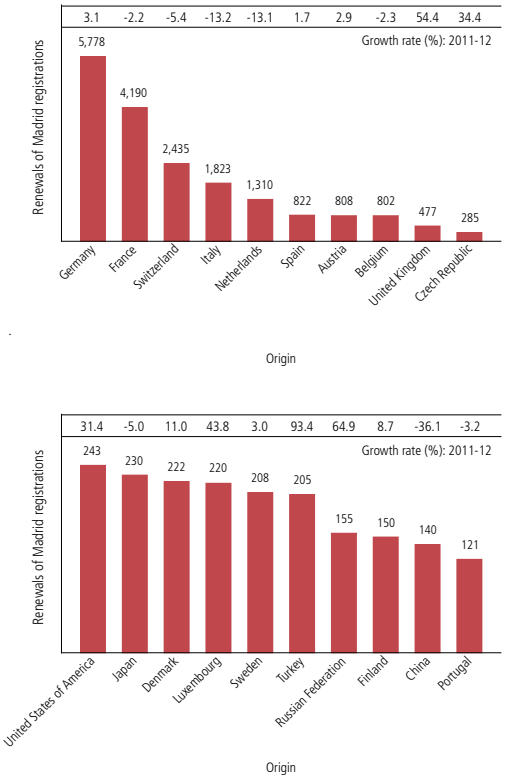
A.7.2 Designations in renewals

Figure A.7.2 shows the number of designations contained in renewals of international registrations. In 2012, the total number of designations in renewals amounted to 251,432, which was 1,975 fewer (-0.8%) than in 2011. The long-term trend is similar to that for registration renewals, showing a stable average of between 10 and 12 designations per renewal over the 13-year period shown.

A.7.3 Renewals of registrations by origin

Holders of international registrations originating in Germany had the highest number of renewals in 2012, with 5,778, followed by France (4,190), Switzerland (2,435), Italy (1,823) and the Netherlands (1,310). These five countries combined accounted for around 71% of all renewals made in 2012 (Figure A.7.3). This is three percentage points lower than their 2011 share. Among the top five origins, Germany was the only origin for which renewals grew between 2011 and 2012. Turkey (+93.4%), the Russian Federation (+64.9%) and the UK (+54.4%) experienced significant growth in renewals for 2012, albeit from low baselines.

Figure A.7.3 Renewals of international registrations for the top 20 origins, 2012



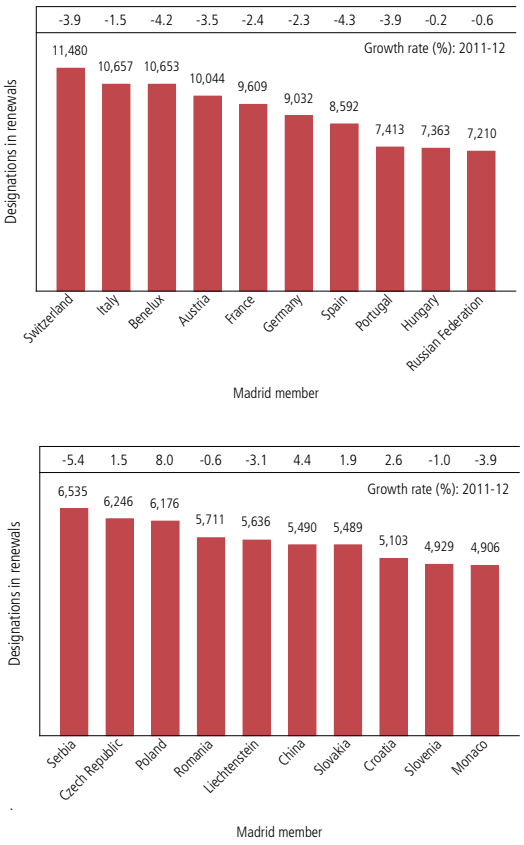
Source: WIPO Statistics Database, March 2013

A.7.4 Designations in renewals by designated Madrid member

Figure A.7.4 presents the top 20 designated Madrid members with regard to renewals of international registrations. In 2012 Switzerland was designated for protection in 11,480 renewals representing 4.6% of total designations in renewals, making it the most designated member in renewals. Italy, Benelux[19] and Austria each received more than 10,000 designations in renewals in 2012. Reflecting the slight decline in renewals seen in Figure A.7.2, 15 of the top 20 members experienced year-on-year declines in designations contained in renewals. The largest declines were seen in Serbia (-5.4%), Spain (-4.3%) and at the Benelux IP office (-4.2%).

Interestingly China, the most designated member for new registrations in 2012 (6.1% of total designations), was the 16th most designated member in terms of renewals (2.2% of total designations in renewals). This reflects the strong increase in demand for protection in China within the last few years compared to 2002. Also of interest is the shift seen between designations in renewals (for which 13 of the top 20 designated members are EU countries) and designations in new registrations, for which only the EU itself and Germany were listed in the top 20 (see A.4.1). Again, this reflects the shift in trademark holders' preferences towards a single EU registration/renewal rather than separate registrations/renewals filed in each individual EU member state.

Figure A.7.4 Top designated Madrid members in renewals of registrations, 2012



Source: WIPO Statistics Database, March 2013

19 The Benelux Office for Intellectual Property (BOIP) acts on behalf of Madrid members Belgium, the Netherlands and Luxembourg.

A.8

Marks in force

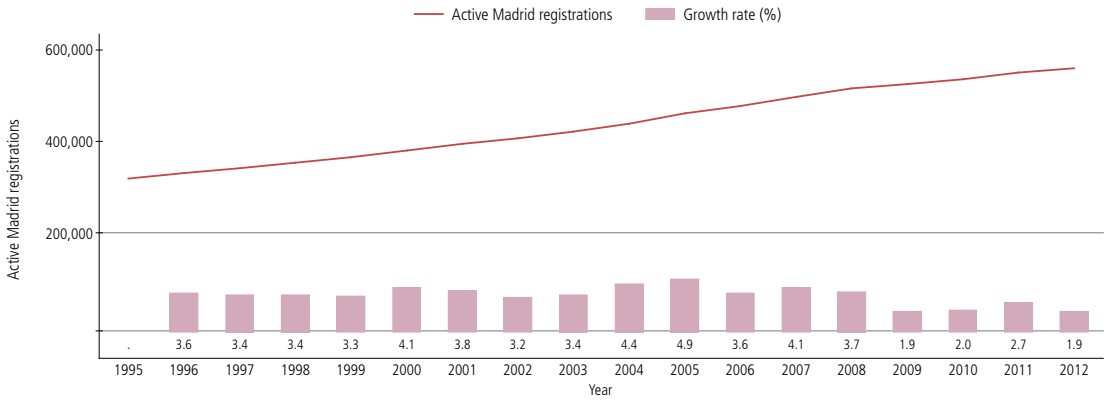
Trademark registrations can be maintained indefinitely as long as the trademark holder pays the associated renewal fees and, in some jurisdictions, proves that the mark is being actively used. The procedures for registering trademarks are governed by the rules and regulations of national and regional IP offices. Data on marks in force (active registrations) provide an indication of the volume of marks that currently benefit from protection.

A.8.1 Active international registrations

In 2012, around 560,000 international registrations were in force, containing approximately 5.57 million active designations. Those international registrations belonged to about 185,500 different right holders.

Active registrations increased from about 319,000 in 1995 to 560,000 in 2012. The trend in the number of active international registrations is more or less linear, reflecting a general upward trend in the number of international registrations issued. Growth of active registrations between 1996 and 2003 ranged from 3.2 to 4.1 percent, followed by the highest growth (4.9 percent) in 2005. Since then, although the numbers of active registrations continue to climb, the growth rate has decreased over the last seven years to around 2 percent. This is mostly due to the fact that trademark holders no longer need to maintain separate trademark registrations in a number of EU countries. Since the EU's accession to the Madrid system, it is only necessary to maintain one registration that is valid within all EU member states as a whole.

Figure A.8.1 Active international registrations



Source: WIPO Statistics Database, March 2013

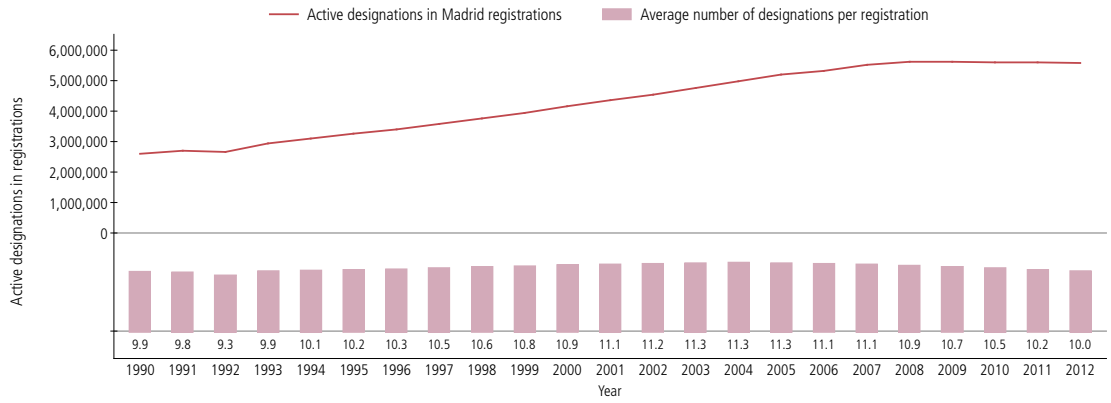
A.8.2 Active designations

The trend in the total number of designations in active international registrations (i.e., active designations) is similar to that for active registrations shown in A.8.1. As mentioned in A.4.1, international registrations often have multiple designations. Figure A.8.2 depicts the total number of active designations resulting from active registrations, together with the average number of designations per registration. This provides an insight into the extent of international protection sought via these registrations.

In 2012's approximately 560,000 active international registrations, there were almost 5.57 million active designations recorded, a figure that has remained nearly unchanged since 2008. Each of these active registrations contained, on average, 10 active designations. This is higher than the average of 6.7 individual designations recorded per international registration issued in 2012 (Figure A.2.2.1). The difference between the average number of active designations and individual designations can be accounted for by the designations subsequently added to international registrations by holders deciding to extend a mark's geographical coverage.

The long-term trend going back to 1990 shows that the average number of designations per active registration has varied minimally, fluctuating by only two points, from a low of 9.3 in 1992 to a peak of 11.3 in 2003-2005.

Figure A.8.2 Designations in active Madrid registrations



Source: WIPO Statistics Database, March 2013

A.8.3 Active registrations by origin

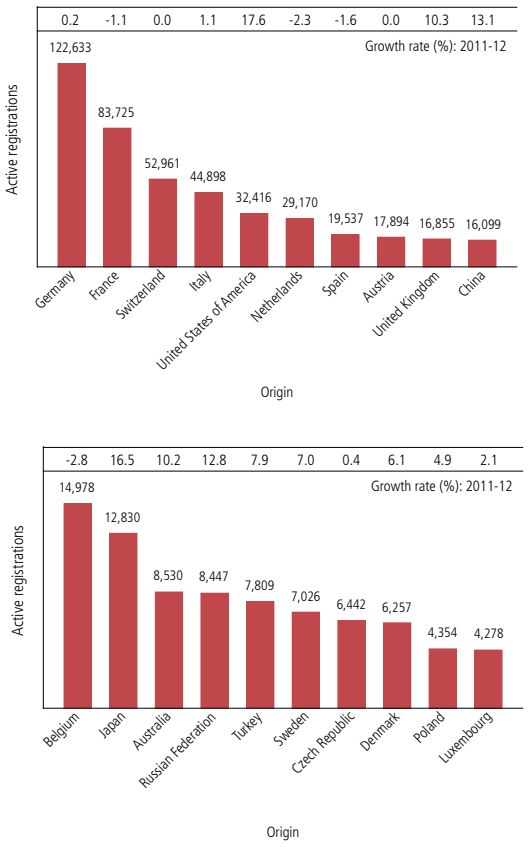
Active registrations are highly concentrated geographically. In 2012, Germany, France, Switzerland and Italy accounted for over half (54%) of total active registrations. This share was similar to that recorded in 2011 (55%). In 2012, Madrid registration holders in Germany accounted for about 22% of all active registrations, while holders in France accounted for nearly 15% of the total.

In fifth position, the US had 32,416 active registrations; however, it experienced the highest growth (+17.6%) among the top 20 origins. Other non-EU origins, such as Japan (+16.5%), China (+13.1%), the Russian Federation (+12.8) and Australia (+10.2), also exhibited strong growth in 2012.

Many European origins showed little or no growth or even a decline in active registrations. Some exceptions include the UK (+10.3), Sweden (+7.0), Denmark (+6.1) and Poland (+4.9).

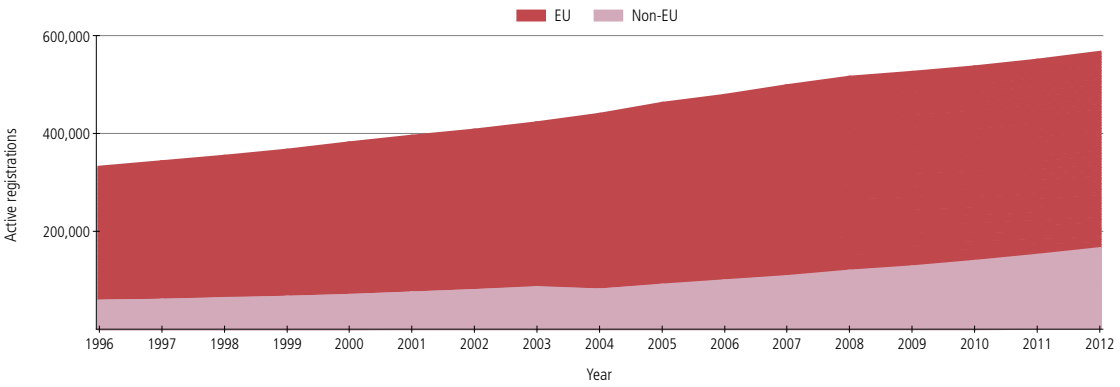
Traditionally, the Madrid system has been used more frequently by trademark holders domiciled in an EU member state. Figure A.8.3.2 reflects this showing the larger proportion of active registrations emanating from the EU. In 2012, holders in EU member states owned 71% of all active registrations. This share has decreased nearly every year since the share of 83% recorded in 1996.

Figure A.8.3.1 Active registrations for the top 20 origins, 2012



Source: WIPO Statistics Database, March 2013

Figure A.8.3.2 Trend in active registrations by origin (EU vs. non-EU), 1996-2012



Note: The composition of EU member state data takes into account the year in which countries became members.

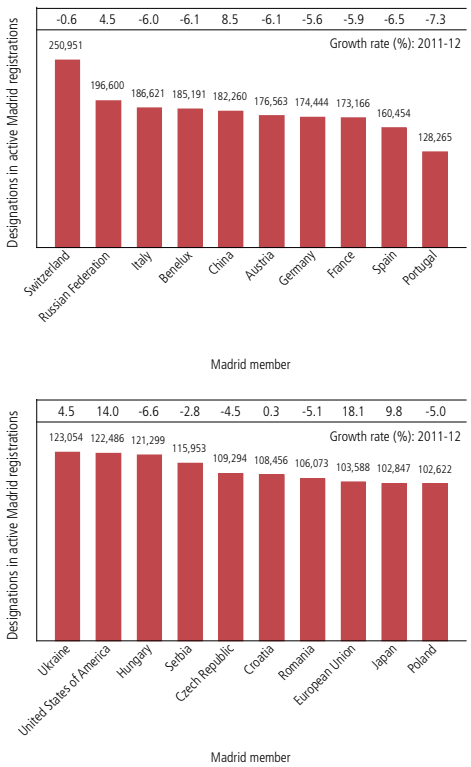
Source: WIPO Statistics Database, March 2013

A.8.4 Active designations in registrations by designated Madrid member

In 2012, Switzerland (with 250,951) was the Madrid member with the highest number of active designations in Madrid registrations, followed by the Russian Federation (196,600). Austria, the Benelux countries as a whole, China, France, Germany and Italy each had between 173,000 and 187,000 active designations. Similarly, there was little variation in active designations among the top 11 to 20 Madrid members.

Most EU countries showed declines in the number of active designations in Madrid registrations. However, the EU's OHIM saw growth of 18.1%, again showing the shift in trademark holder behavior away from maintaining designations in individual EU member states to opting to use OHIM.

Figure A.8.4 Active registrations for the top 20 designated Madrid members, 2012

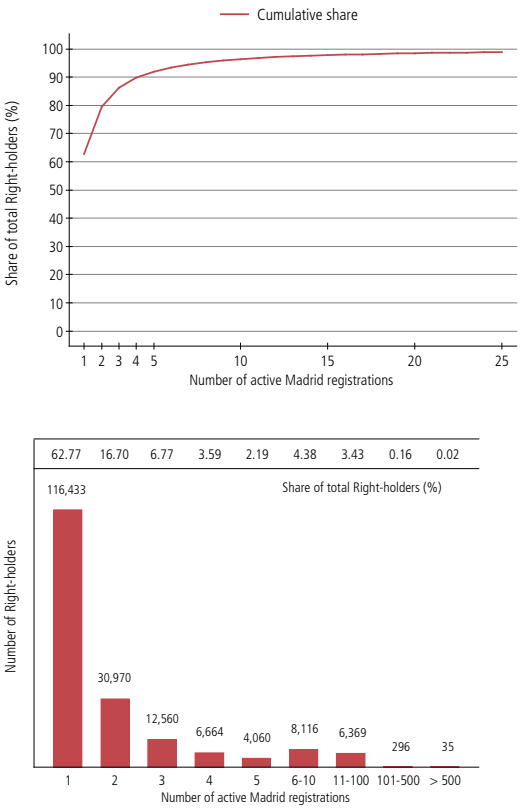


Source: WIPO Statistics Database, March 2013

A.8.5 Distribution of active registrations by right holder

In 2012, a majority (62.8%) of firms or individuals holding an active international registration had only one registration in their portfolios. Another 16.7% of holders had only two active registrations. Overall, roughly 90% of all holders of active registrations possessed four or fewer registrations in their portfolios. Only 331 out of 185,503 holders (0.162%) had portfolios with 100 or more registrations.

Figure A.8.5 Distribution of active registrations by right holder, 2012



Source: WIPO Statistics Database, March 2013

A.8.6 Active registrations by class

Table A.8.6 shows the number of active registrations in 2012 according to the Nice classes specified in them. Similar to Table A.5.2, which presents Madrid registrations by class, the top 10 class numbers were the same, albeit in a slightly different order. The top 10 classes in active registrations remained more or less stable over the last 10 years. Like for registrations by class, Class 9 (computer hardware and software and other electrical or electronic apparatus of a scientific nature) was the most prevalent in active registrations, accounting for 7.8% of all classes specified. Class 5 (mainly including pharmaceuticals and other preparations for medical purposes) was the second most listed class in active registrations, with 5.9% of the total, followed by Class 35 (services such as office functions, advertising and business management) (5.2%) and Class 25 (clothing, footwear and headgear) (5.0%). Three of the top 10 classes specified in active registrations were services classes.

Table A.8.6 Active registrations by class, 2012

Classes	2012	Share of total (%)
Class 9: Computer hardware and software and other electrical or electronic apparatus of a scientific nature	110,018	7.8
Class 5: Mainly pharmaceuticals and other preparations for medical purposes	82,368	5.9
Class 35: Services such as office functions, advertising and business management	72,937	5.2
Class 25: Clothing, footwear and headgear	70,096	5.0
Class 42: Services provided by e.g. scientific, industrial or technological engineers and computer specialists	66,927	4.8
Class 3: Mainly cleaning preparations and toilet preparations	63,187	4.5
Class 16: Mainly paper, goods made from that material and office requisites	59,483	4.2
Class 41: Services in the area of education, training, entertainment, sporting and cultural activities	50,389	3.6
Class 30: Mainly foodstuffs of plant origin, prepared for consumption or conservations as well as auxiliaries intended for the improvement of the flavor of food	50,257	3.6
Class 7: Mainly machines, machine tools, motors and engines	44,018	3.1
Class 29: Meat, fish, poultry; frozen, dried and cooked fruits and vegetables	40,346	2.9
Class 11: Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes	39,133	2.8
Class 1: Chemicals used in industry, science and photography, as well as in agriculture	38,631	2.7
Class 18: Leather and imitations of leather, and products made therefrom, traveling bags and umbrellas	35,203	2.5
Class 6: Mainly includes common metals and their alloys and goods of common metal not included in other classes	31,844	2.3
Class 20: Mainly furniture, mirrors, picture frames and goods made from, for example, wood, cork, reed, cane, wicker.	30,312	2.2
Class 33: Alcoholic beverages (except beers)	29,711	2.1
Class 37: Building construction; repair; installation services	29,543	2.1
Class 12: Vehicles; apparatus for locomotion by land, air or water	29,005	2.1
Class 38: Telecommunications services	28,766	2.0
Class 28: Games and playthings; gymnastic and sporting articles	28,532	2.0
Class 32: Beers; mineral and aerated waters and other non-alcoholic beverages; fruit beverages and fruit juices; syrups and other preparations for making beverages	28,425	2.0
Class 21: Mainly household or kitchen utensils and containers; combs and sponges; articles for cleaning purposes, glassware, porcelain and earthenware	27,526	2.0
Remaining 22 Classes	320,980	22.8

Note: For full class definitions, see *www.wipo.int/classifications/nice/en/.*

Source: WIPO Statistics Database, March 2013

SECTION B
ADMINISTRATION, REVENUE AND FEES

This section provides indicators on the administrative performance of the Madrid system. B.1 focuses on the characteristics of applications, whereas B.2 presents changes made to registrations after they were issued. Finally, B.3 provides information on revenue generated by the Madrid system and fees related to international registrations.

B.1

International applications

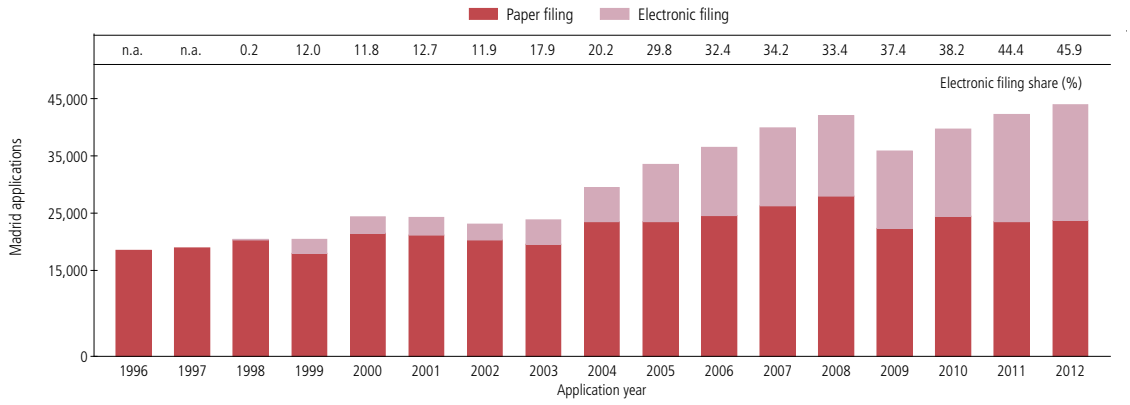
Applications for marks are filed in paper form or through the Madrid Electronic Communications System (MECA). Electronic filing was introduced in 1998, when its share of total filings was just 0.2%. Over the years, the electronic filing share has increased, with about 46% of all filings received by the IB in 2012 (Figure B.1.1). However, paper filing still accounts for the majority of the applications received.

The mark depicted in the basic application (or registration) can be provided in black and white or in color and should be identical to the mark as it appears in the basic application. The basic fee is different for black and white marks versus those in color, which incur a higher fee.

Most marks are provided in black and white (around 82% in 2012). However, the share of color marks increased from 8.1% in 1996 to 17.9% in 2012 (Figure B.1.2).

International applications can be filed in English, French or Spanish.[20] In 2012, more than three-quarters of applications were filed in English, with French accounting for about 20% and Spanish for approximately 3% (Figure B.1.3). The low share in Spanish is due to the fact that there are only four Spanish-speaking countries in the Madrid system, Spain being the only country in the top 20 country of origin list (see Figure A.3.1). French-language filings accounted for the majority of applications between 1996 and 2003. However, with the accession of Japan, the Republic of Korea and the US in the early 2000s, English-language filings grew and accounted for the largest share from 2004 onwards.[21] The share of English-language filings increased from 53.4% in 2004 to 77.7% in 2012. In contrast, the share of French-language filings declined from 45.1% to 19.6% during the same period. In 2012, Spanish-language filings, although accounting for only about 1,200 of the total approximately 44,000 international applications, saw the highest growth (18%) among the three languages.

Figure B.1.1 Applications by medium of filing

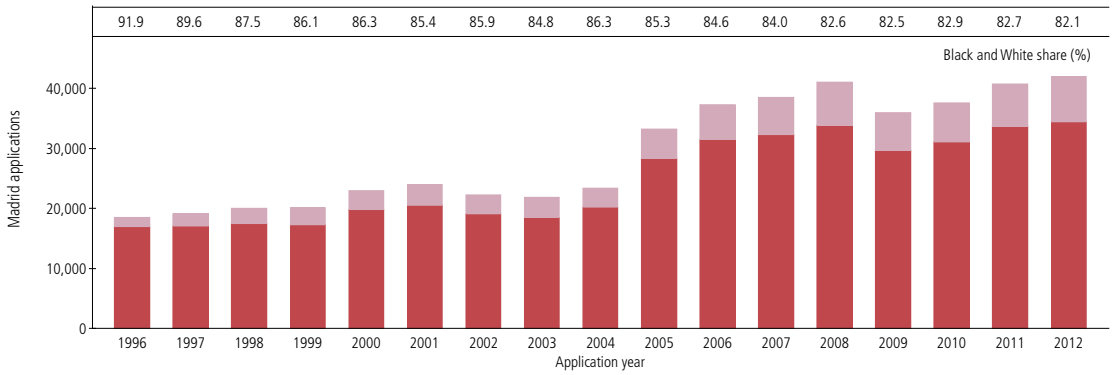


Source: WIPO Statistics Database, March 2013

20 The office of origin can restrict the choice of languages or allow applicants to file in any of the three languages.

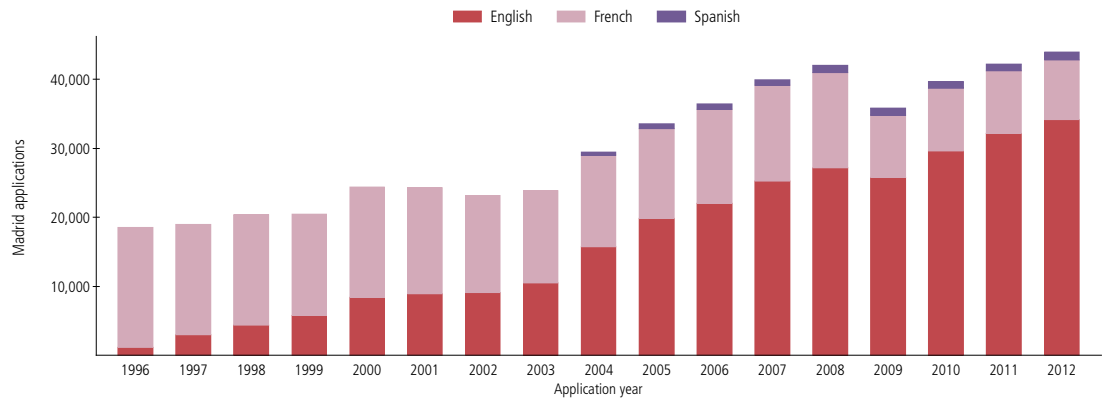
21 Japan, the Republic of Korea and the US joined the Madrid system in 2000, 2003 and 2003, respectively.

Figure B.1.2 Type of mark – black and white vs. color



Source: WIPO Statistics Database, March 2013

Figure B.1.3 Applications by filing language



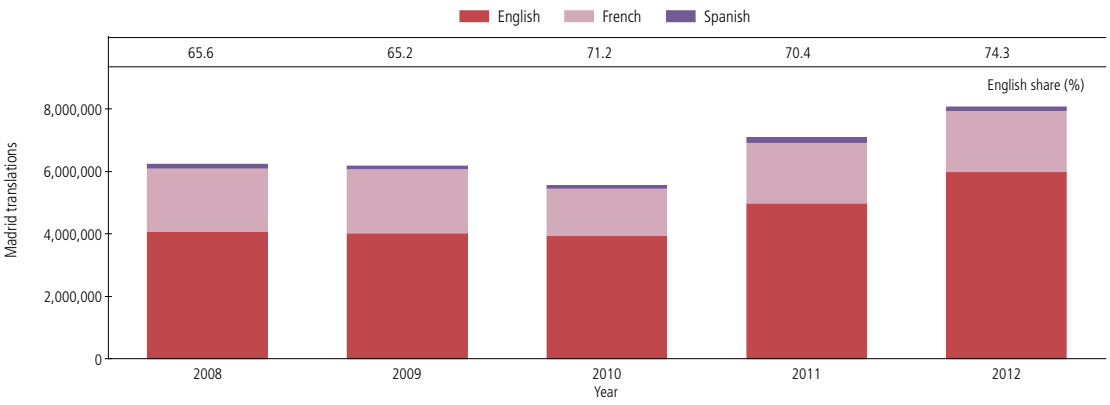
Source: WIPO Statistics Database, March 2013

International registrations are recorded and published in English, French and Spanish. The IB prepares the translations required for recording and publication. Figure B.1.4 presents the total number of words translated by the IB from one of the three languages. Of the 8.1 million words to be translated in 2012, 74.3% were translated from English, 24.5% from French and 1.2% from Spanish. The number of words translated by the IB increased by 28% in 2011 and by 14% in 2012, following a 10% decrease in 2010.

Applications submitted to the IB can contain irregularities. In such instances, the IB informs both the office of origin and the applicant of the irregularities. The responsibility for remedying such irregularities lies with the office of origin or with the applicant, depending on the nature of the irregularity.[22] The share of irregularities varied from 28.4% in 2009 to 34.1% in 2008. For the past two years, approximately one-third of all applications contained irregularities.

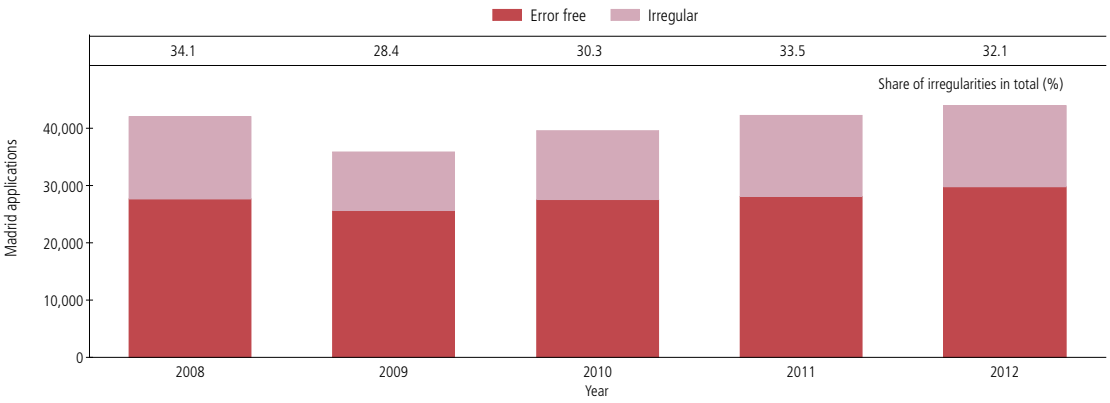
22 There are three types of irregularity: irregularities with regard to the classification of goods and services, irregularities with regard to the indication of goods and services and other irregularities.

Figure B.1.4 Translations



Source: WIPO Statistics Database, March 2013

Figure B.1.5 Irregularities in international applications



Source: WIPO Statistics Database, March 2013

B.2

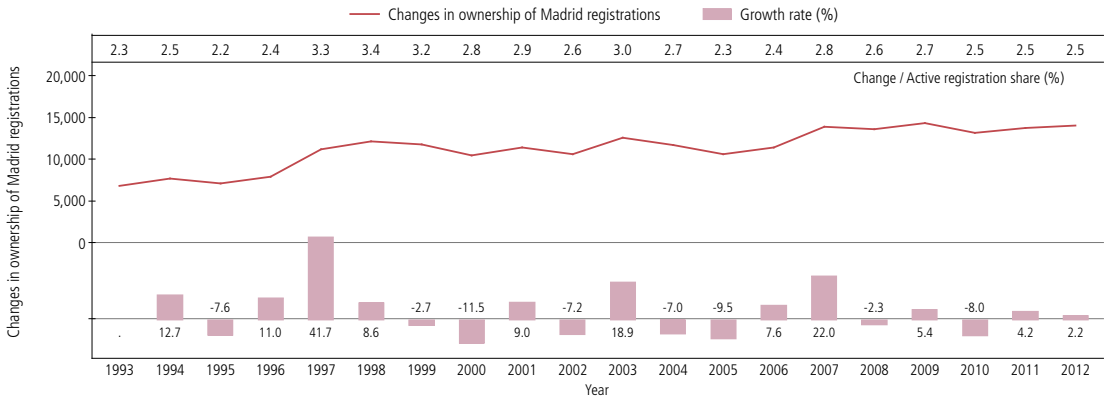
ADMINISTRATIVE CHANGES TO INTERNATIONAL REGISTRATIONS

An international registration may change ownership following an assignment of a mark, merger of one or more companies, a court decision or for other reasons.[23] The change is subject to the recording of the new owner as the new holder of the registration in the International Register. The new holder must, however, fulfill the requirements necessary for holding an international registration, such as being a national of or domiciled in a Madrid member or having a real and effective industrial or commercial establishment in the country/region of a Madrid member.

Figure B.2.1 shows that, in 2012, there were slightly more than 14,000 changes in ownership of active international registrations, representing almost 300 fewer than the highest number in 2009. In general, the long-term trend shows an upward movement in the number of changes in ownership. However, the share of changes in ownership relative to active registrations (see A.8.1) is small, and that share has decreased over time. In 2012, only 2.5% of all active registrations changed ownership, which is considerably below the 3.4% peak observed in 1998.

There is an obligation for Madrid member offices to notify the IB of decisions of ceasing of effect of basic marks and request the IB to cancel an international registration in part or entirely (Rule 22 of the Common Regulations). If the basic mark at the office of origin has been rejected or is canceled within five years, counting from the date of international registration, the international registration is canceled to the same extent. The IB then records this notification in the International Register and informs the offices of the designated Madrid members and the holder of the international registration.

Figure B.2.1 Changes in ownership

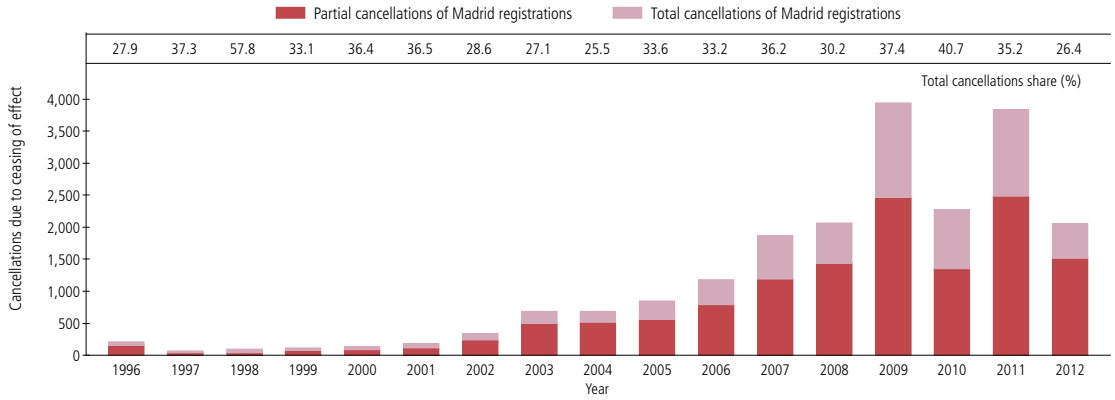


Source: WIPO Statistics Database, March 2013

23 The change in ownership of an international registration may relate to all or some of the goods and services covered by the international registration. Similarly, the change in ownership may be made in respect of all or some of the designated Madrid members.

Figure B.2.2 shows that, in 2012, like nearly all years prior, partial cancellations comprised the bulk of all cancellations, meaning that most basic marks (applications/registrations) remained valid although they were limited with regard to the goods and services for which they were protected. In contrast, slightly more than a quarter of all cancellations were total in nature, resulting in the total cancellation of the international registration. Where an international registration is canceled due to the ceasing of effect of the basic mark, the Protocol offers the holder the possibility to transform the international registration into a national or regional application in each of the designated Madrid members within three months, counted from the date of the cancellation of the international registration.

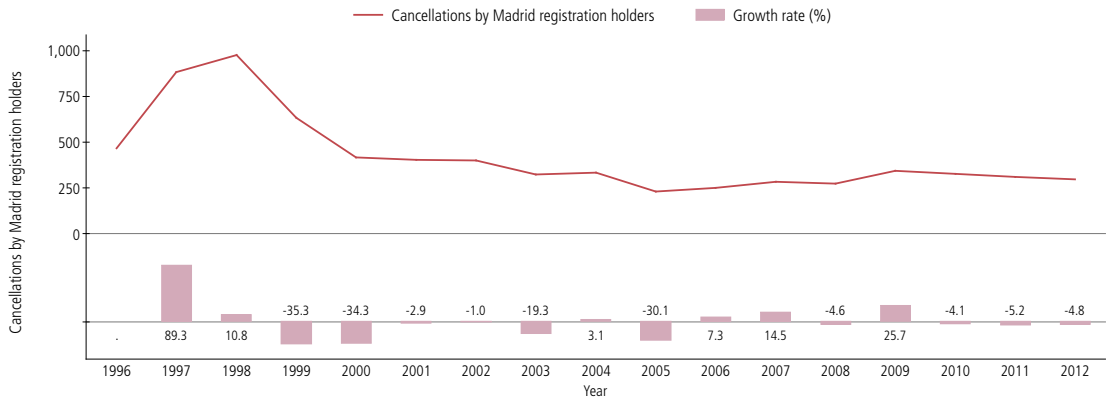
Figure B.2.2 Cancellations by designated Madrid members



Note: Data refer to cancellations due to ceasing of effect (Rule 22).

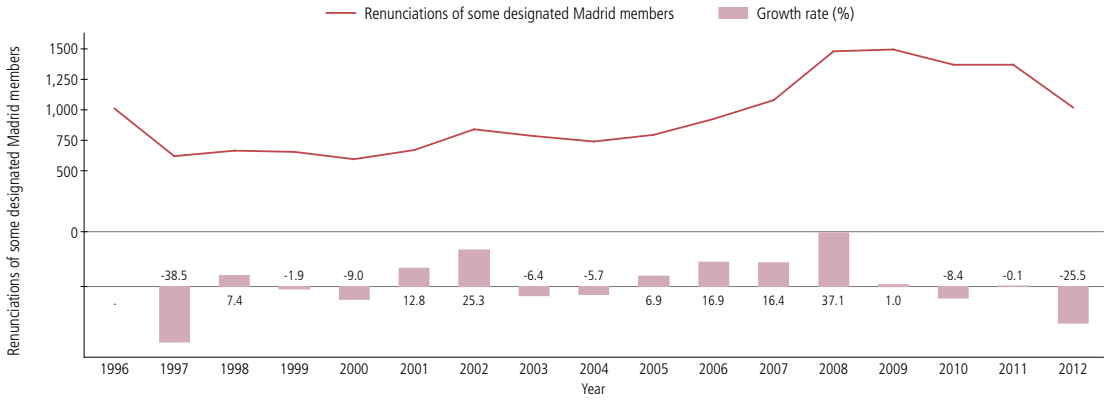
Source: WIPO Statistics Database, March 2013

Figure B.2.3 Cancellations by holders



Source: WIPO Statistics Database, March 2013

Figure B.2.4 Renunciations



Source: WIPO Statistics Database, March 2013

Holders of international registrations can cancel their registrations in all designated Madrid members with regard to all or some of the goods and services specified in the registrations. In Figure B.2.3, the year 2012 showed a continuation of the stable trend seen over the last 10 years, during which cancellations requested by owners of international registrations ranged between 230 and 345 each year. This shows that relatively few international registration holders decide to reduce the geographical scope of protection for a mark or to limit the range of goods and services classes covered by the registration.

A holder may wish to restrict protection of an international registration through renunciation of protection in some (but not all) designated Madrid members for all goods and services. The IB records the renunciation in the International Register and notifies concerned designated Madrid members. The number of renunciations reached a peak during 2008-2009, after which there was a downward trend. In 2012, the total number of renunciations amounted to around 1,000, a 25.5% drop from the previous year. The number of renunciations was small relative to the total number of active international registrations.

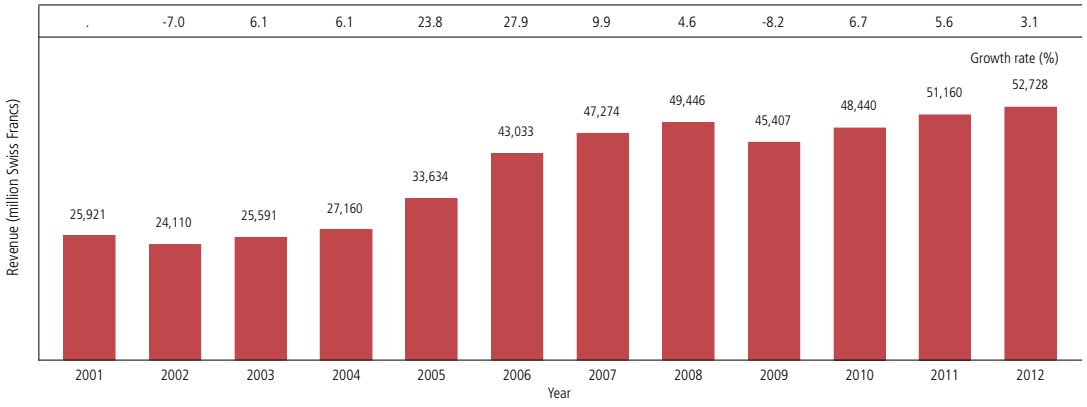
B.3

Revenue and fees

The IB collects fees in Swiss francs (CHF) for its services related to applications for, and registrations and renewals of, marks. Figure B.3.1 depicts the total revenue generated by the Madrid system between 2001 and 2012. The total revenue collected by the IB in 2012 amounted to CHF 52,728 million, a 3.1% increase over the previous year. The amount of revenue generated by the system increased in all years except in 2002 and 2009, when revenue decreased by 7% and 8.2%, respectively. This reflects drops in applications in 2002 and 2009 (see Figure A.1.1). The highest growth occurred in 2005 (+23.8%) and 2006 (+27.9%), which was partly due to the expansion of Madrid system membership. For example, the Republic of Korea and the US joined the Madrid system in 2003.

The IB collects and distributes fees to Madrid members. In 2012, the IB distributed around CHF 156 million to all designated members.[24] The EU received the largest share of the total (13.6%), followed by Japan (8.6%), the US (7.4%), Australia (5.9%) and China (4.2%). The top five designated Madrid members received around 40% of the total in 2012, which was similar to their combined share of the previous year. The share of the revenue received by the majority of the top 20 Madrid members in 2012 was similar to their 2011 share. The EU, Turkey and the US each saw a one-half percentage point decrease in their shares between 2011 and 2012. In contrast, Australia (0.8 percentage point) and Singapore (0.5) saw the largest increases over the same period.

Figure B.3.1 Total revenue collected by the International Bureau



Source: WIPO Statistics Database, March 2013

24 The fees consist of supplementary fees, complementary fees and individual fees for each Madrid member designated.

Figure B.3.2 Fees distributed to Madrid members by the International Bureau

Madrid member	Fees (in millions of Swiss Francs)			
	2011	2012	2012 Share of total (%)	Change in share 2011-2012
European Union	22.5	21.2	13.6	-0.5
Japan	13.9	13.5	8.6	-0.1
United States of America	12.7	11.5	7.4	-0.5
Australia	8.2	9.2	5.9	0.8
China	6.9	6.6	4.2	-0.1
Republic of Korea	5.1	5.4	3.4	0.3
Singapore	4.7	5.3	3.4	0.5
Norway	5.4	4.9	3.1	-0.3
Uzbekistan	4.9	4.2	2.7	-0.4
Turkey	5.0	4.1	2.6	-0.5
Switzerland	3.9	4.0	2.6	0.1
Israel	2.8	3.2	2.1	0.3
Russian Federation	2.8	2.9	1.9	0.1
United Kingdom	3.2	2.7	1.7	-0.3
Ukraine	2.8	2.7	1.7	0.0
Oman	2.5	2.4	1.5	0.0
Denmark	2.3	2.1	1.3	-0.1
Georgia	2.0	2.0	1.3	0.1
Belarus	1.8	1.9	1.2	0.1
Sweden	1.5	1.5	1.0	0.0
Other	44.6	44.6	28.6	0.6
Total	**159.6**	**156.0**	**100.0**	**0.0**

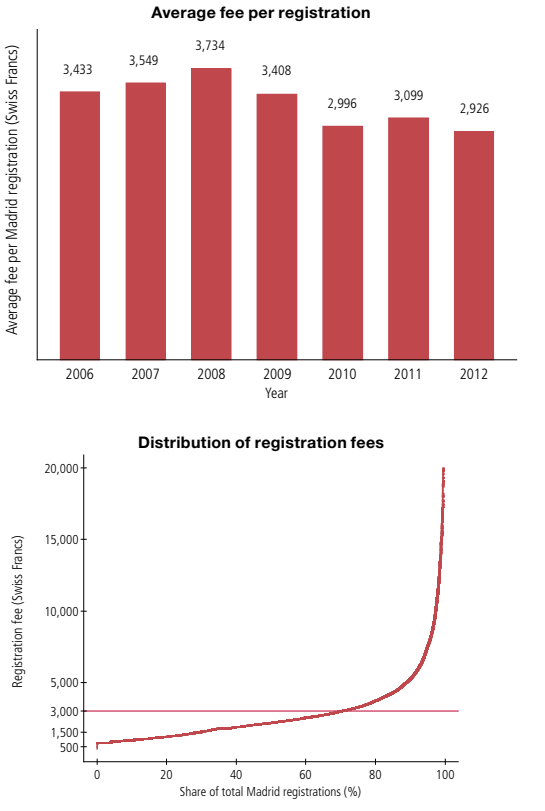
Source: WIPO Statistics Database, March 2013

The total fees for an international application are determined by a number of factors, such as the number of Madrid members designated, whether the mark is in color or in black/white, the number of classes of goods and services to be protected, etc.[25] The average fees paid per registration declined from a peak of CHF 3,734 in 2008 to CHF 2,926 in 2012.

The average fees paid per registration masks wide variation in registration fees paid by applicants. In 2012, fees ranged from CHF 369 to CHF 71,157. Around 11% of applicants paid less than CHF 1,000 per registration; 44% paid less than CHF 2,000 and 70% paid less than the average CHF 2,926 per registration. Ninety-nine percent of all international registrations cost less than CHF 15,000. Fees for the remaining one percent, consisting of only 462 registrations, ranged from CHF 15,000 to CHF 71,200.

25 The fees payable for an international application consist of the basic fee, an individual fee for each Madrid member designated, a complementary fee for each Madrid member designated if the individual fee is not applicable, and a supplementary fee for each class of goods and services in excess of three.

Figure B.3.3. Registration fees



Source: WIPO Statistics Database, March 2013

SECTION C
DEVELOPMENTS IN THE MADRID SYSTEM

The Madrid system has continued to grow since 2011, both in terms of increased use of the system through filings of international applications and of an expanded geographical scope of the system.

The year 2012 signaled the start of an era of geographical expansion of the system and its strengthening as a truly global system, with accessions by Colombia, New Zealand and the Philippines. At the end of 2012, the Madrid system had 88 members, offering trademark holders the possibility to obtain protection for their marks and products in the territories covered by its 87 member countries and 1 intergovernmental organization member (the EU).

The Working Group on the Legal Development of the Madrid System, at its tenth session, continued discussions on the possible introduction of a division of international registrations.[26] However, there is, as yet, no consensus on the topic.

The Working Group further discussed the review of Article 9*sexies* of the Protocol, which was referred from the ninth session. There was consensus among the delegations that Article 9*sexies*(1)(b) should continue to remain unchanged for the time being but would be reviewed by the Working Group in three years.

The introduction of a more flexible approach to translating two types of documents was discussed for the first time at the ninth session. The Working Group further reviewed the issue of translation at the request of the Madrid Union Assembly. There is now consensus agreement to continue the current practices, such that for two types of documents (statements of grant of protection, following a provisional refusal made under Rule 18*ter*(2)(ii), and limitations), interested third parties may need to request translation into the Madrid system's three working languages, which might otherwise not automatically be done. The Madrid Union Assembly followed the recommendation by the Working Group by giving the IB a mandate to review these translation practices after three years.

The Working Group discussed the proposed amendments to the Common Regulations. These amendments mainly concern provisions seen as obsolete. The Madrid Union followed the Working Group's recommendation and adopted amendments to Rules 7(3), 24(2) and 40(5).

A number of Internet-based IT tools were either enhanced or released during 2012. The Madrid Goods and Services Manager (MGS) continued to be enhanced in terms of terminology coverage as well as linguistic diversity, while the Madrid Portfolio Manager (MPM), Madrid Real-Time Status (MRS) and Madrid Electronic Alerts (MEA) were released to the public. Work on the MPM, MRS and MEA focuses on improving communication with users of the Madrid system.

26 There is ongoing discussion in the Working Group on whether an international registration may be divided, and whether such division should be at the level of the International Bureau or at the level of the designated Contracting Parties.

MADRID MEMBERS

In 2012, the Madrid system comprised 88 members.

Albania (A)(P)
Algeria (A)
Antigua and Barbuda (P)
Armenia (A)(P)
Australia (P)
Austria (A)(P)
Azerbaijan (A)(P)
Bahrain (P)
Belarus (A)(P)
Belgium (A)(P)
Bhutan (A)(P)
Bosnia and Herzegovina (A)(P)
Botswana (P)
Bulgaria (A)(P)
China (A)(P)
Colombia (P)
Croatia (A)(P)
Cuba (A)(P)
Cyprus (A)(P)
Czech Republic A)(P)
Democratic People's Republic of Korea (A)(P)
Denmark (P)
Egypt (A)(P)
Estonia (P)
European Union (P)
Finland (P)
France (A)(P)
Georgia (P)
Germany (A)(P)
Ghana (P)
Greece (P)
Hungary (A)(P)
Iceland (P)
Iran (Islamic Republic of) (A)(P)
Ireland(P)
Israel (P)
Italy (A)(P)
Japan (P)
Kazakhstan (A)(P)
Kenya (A)(P)
Kyrgyzstan (A)(P)
Latvia (A)(P)
Lesotho (A)(P)
Liberia (A)(P)
Liechtenstein (A)(P)
Lithuania (P)
Luxembourg (A)(P)
Madagascar (P)
Monaco (A)(P)
Mongolia (A)(P)
Montenegro (A)(P)
Morocco (A)(P)
Mozambique (A)(P)
Namibia (A)(P)
Netherlands (A)(P)
New Zealand (P)
Norway (P)
Oman (P)
Philippines (P)
Poland (A)(P)
Portugal (A)(P)
Republic of Korea (P)
Republic of Moldova (A)(P)
Romania (A)(P)
Russian Federation (A)(P)
San Marino (A)(P)
Sao Tome and Principe (P)
Serbia (A)(P)
Sierra Leone (A)(P)
Singapore (P)
Slovakia (A)(P)
Slovenia (A)(P)
Spain (A)(P)
Sudan (A)(P)
Swaziland (A)(P)
Sweden (P)
Switzerland (A)(P)
Syrian Arab Republic (A)(P)
Tajikistan (A)(P)
The former Yugoslav Republic of Macedonia (A)(P)
Turkey (P)
Turkmenistan (P)
Ukraine (A)(P)
United Kingdom (P)
United States of America (P)
Uzbekistan (P)
Viet Nam (A)(P)
Zambia (P)

Madrid Agreement Concerning the International Registration of Marks (A)
Protocol Relating to the Madrid Agreement (P)
India and Mexico joined the Madrid Protocol in 2013.

GLOSSARY

This glossary provides definitions of key technical terms and concepts used in trademark registration systems and the Madrid system.

Applicant: An individual or other legal entity that files an application. There may be more than one applicant in an application.

Application: The formal request for the protection of a trademark at a national or regional IP office, which usually examines the application and decides whether to grant or refuse protection in the jurisdiction concerned. See also "International application".

Application date: The date on which an IP office receives an application that meets the minimum filing formality requirements. This may also be referred to as the filing date.

Basic application: The national or regional application upon which an international application is based.

Basic mark: The national or regional application (basic application) or the registration (basic registration) upon which an international application is based.

Basic registration: The national or regional registration upon which an international application is based.

Cancellation: A procedure to cancel the effects of an international registration for all or some goods and services in respect of all the Madrid members designated in a given international registration.

Class: Refers to the classes defined in the Nice Classification. Classes indicate the categories of goods and services for which trademark protection is requested. (See "Nice Classification".)

Class count: The number of classes specified in a trademark application or registration. In the Madrid system, and at certain offices, an applicant can file an application that specifies one or more of the 45 goods and services classes of the Nice Classification. Offices use either a single-class or multi-class filing system. The Madrid system is a multi-class system.

Contracting Party (Madrid member): A state or intergovernmental organization (e.g., the European Union (EU)) that is party to the Madrid Agreement and/or the Madrid Protocol.

Designation: The request, in an international application or registration, for protection in a Madrid member's jurisdiction.

Direct route: See "Paris route".

Entitlement: In order to file an international application, the applicant needs to be entitled to do so, by having a connection with a member of the Madrid system through domicile, nationality or having a real and effective industrial or commercial establishment in one of the Contracting Parties to the Madrid system.

Holder: The owner of an international registration.

Intellectual property (IP): Refers to creations of the mind: inventions, literary and artistic works, and symbols, names, images and designs used in commerce.

International application: an application for international registration under the Madrid system, which is a request for protection of a trademark in one or more of the Madrid members. Such international applications must be based upon a basic mark.

International Bureau (IB): The International Bureau of WIPO administers the Madrid system. It is responsible for procedural tasks related to international applications, as well as the subsequent management of international registrations.

International Register: A register maintained by the IB, in which international applications that conform to the applicable requirements are recorded as international registrations.

International registration: An international registration is issued under the Madrid system, which facilitates the acquisition of mark rights in multiple jurisdictions. An application for international registration of a mark leads to its recording in the International Register, and the publication of the international registration in the WIPO Gazette of International Marks. If the international registration is not refused protection by a designated Madrid member, it will have the same effect as a national or regional trademark registration made under the law applicable in that Madrid member's jurisdiction.

International registrations in force: International registrations currently enjoying a 10-year period of protection. To remain in force, registrations must be maintained, usually by paying renewal fees. In most jurisdictions, a mark can be maintained indefinitely and is renewed on a 10-year basis.

Invalidation: A designated Madrid member can invalidate an international registration in its jurisdiction, in accordance with its national or regional legislation. Invalidation is not subject to appeal. The invalidation is entered in the International Register and the holder is informed.

Limitation: Limitation is a procedure for removing some goods and services in respect of all or some of the designated Contracting Parties in an international registration.

Madrid Agreement (Concerning the International Registration of Marks): A treaty administered by the IB of WIPO that governs the system of international registration of trademarks and service marks. (see "Madrid system").

Madrid member (Contracting Party): A state or intergovernmental organization (e.g., the European Union (EU)) that is party to the Madrid Agreement and/or the Madrid Protocol.

Madrid Protocol (Protocol Relating to the Madrid Agreement): A treaty administered by the IB of WIPO that governs the system of international registration of trademarks and service marks (see "Madrid system").

Madrid route: The Madrid route (the Madrid system) is an alternative to the direct national or regional route (also called the Paris route).

Madrid system: An abbreviation describing two procedural treaties for the international registration of trademarks, namely the Madrid Agreement for the International Registration of Marks and the Protocol relating to that Agreement. The Madrid system is administered by the IB of WIPO.

Nice Classification (NCL): The abbreviated form of the International Classification of Goods and Services for the Purposes of Registering Marks, an international classification established under the Nice Agreement. The Nice Classification consists of 45 classes, which are divided into 34 classes for goods and 11 for services. See also "Class" above.

Non-resident application: An application filed with an IP office of a given country/jurisdiction by an applicant residing in another country/jurisdiction.

Opposition: An administrative process for disputing the validity of a trademark right. An opposition procedure is often limited to a specific time period before or after the right has been granted. For the Madrid system, opposition procedures are accommodated and are defined by national laws of designated Madrid members.

Origin: The country of residence (or nationality, in the absence of a valid residence) of the applicant filing a trademark application. The country of the applicant's address is used to determine the origin of the application. In the Madrid system, the office of origin is the IP office of the Madrid member in which the applicant is entitled to file an international application.

Paris Convention: The Paris Convention for the Protection of Industrial Property is one of the most important IP treaties as it establishes general principles applicable for all IP rights. For example, the "right of priority" enables an applicant, when filing an application for

an IP right in countries other than the original country of filing, to claim priority of an earlier application filed up to six months previously.

Paris route: An alternative to the Madrid route, the Paris route (also called the "direct route") enables individual IP applications to be filed directly with an IP office that is a signatory of the Paris Convention.

Priority date: The filing date of the application on the basis of which priority is claimed. See "Paris Convention" above.

Regional application: A trademark application filed with an IP office having regional jurisdiction over more than one country. There are currently two regional offices that represent members of the Madrid system: the Benelux Office for Intellectual Property (BOIP) (for Belgium, Luxembourg and the Netherlands) and the Office for Harmonization in the Internal Market (OHIM) of the EU.

Regional registration: A trademark right issued (registered) by an IP office having regional jurisdiction.

Registration: An exclusive right for marks, issued to an applicant by an IP office. Registrations are issued to applicants so that they may exclusively exploit their marks for a limited period of time. See "International registration".

Renewal: The process by which a trademark right is maintained (i.e., kept in force). This usually consists of paying renewal fees to an IP office at regular intervals. If renewal fees are not paid or, in some jurisdictions, if the holder cannot prove that the mark is actively being used, the registration may lapse.

Renunciation: A procedure intended to abandon the effects of an international registration for all the goods and services in respect of some of the designated Madrid members.

Resident application: An application filed with an IP office by an applicant residing in the country/region in which that office has jurisdiction. Resident applications are sometimes referred to as domestic applications. A resident registration is an IP right issued on the basis of a resident application.

Statement of Grant of Protection: A voluntary communication from the IP office of a designated Madrid member notifying the IB that it has granted protection within its jurisdiction.

Subsequent designation: A designation made subsequent to an international registration in order to extend its geographical scope.

Trademark: A sign used by the owner of certain products to distinguish them from the products of other companies. A trademark can consist of words and combinations of words (for instance, slogans), names, logos, figures and images, letters, numbers, sounds and moving images, or a combination thereof. The procedures for registering trademarks are governed by the legislation and procedures of national and regional IP offices. Trademark rights are limited to the jurisdiction of the IP office that registers the trademark. Trademarks can be registered by filing an application at the relevant national or regional office(s), or by filing an international application through the Madrid system.

WIPO Gazette of International Marks: The official publication of the Madrid system published weekly online and containing information regarding new international registrations, renewals, subsequent designations and modifications affecting existing international registrations.

World Intellectual Property Organization (WIPO): A United Nations specialized agency dedicated to the promotion of innovation and creativity for the economic, social and cultural development of all countries through a balanced and effective international IP system. Established in 1967, WIPO's mandate is to promote the protection of IP throughout the world through cooperation among states and in collaboration with other international organizations.

LIST OF ABBREVIATIONS

BOIP	Benelux Office for Intellectual Property
EU	European Union
IB	International Bureau
IP	Intellectual Property
NCL	Nice Classification
OHIM	Office for Harmonization in the Internal Market (of the European Union)
UK	United Kingdom
US	United States of America
WIPO	World Intellectual Property Organization

STATISTICAL TABLES

The following tables present the number of international registrations and renewals in 2012, together with their designations. Only countries or Madrid members indicated as origins or designated members in 2012 are reported. This includes both Madrid members and non-members. The inclusion of non-members reflects the possibility that applicants can claim entitlement in a Madrid member country/region even if they are domiciled in a non-member state. For example, applicants domiciled in Canada can file an international registration if they have a real and effective industrial or commercial establishment in a Madrid member country/region, for example, the US. In such a case, Canada is listed as the country of origin. However, Canada cannot be designated in an international registration, because it is not a Madrid member.

Tables 1 and 2 report data by origin and designated member. Using Denmark as an example, the tables can be read as follows. Applicants from Denmark registered 561 marks, made 2,433 designations and 757 subsequent designations. The IP office of Denmark was designated and subsequently designated in 1,460 and 301 international registrations, respectively.

Table 1: International registrations via the Madrid system, 2012

Name	Origin[1]			Designated Member	
	Number of Registrations	Individual Designations	Subsequent Designations	Individual Designations	Subsequent Designations
Albania	2	20	-	2,137	560
Algeria	2	12	1	1,662	407
Andorra (a)	7	57	1	n.a.	n.a.
Antigua and Barbuda	-	-	-	547	126
Armenia	25	321	161	2,528	559
Australia	962	3,764	481	9,452	1,301
Austria	1,058	6,311	1,097	2,770	239
Azerbaijan	3	46	5	3,136	757
Bahamas (a)	7	39	3	n.a.	n.a.
Bahrain	2	20	-	1,673	600
Belarus	287	1,679	83	5,190	832
Belgium (c)	717	5,087	863	n.a.	n.a.
Belize (a)	5	36	1	n.a.	n.a.
Benelux	-	-	-	2,820	241
Bhutan	-	-	-	506	117
Bonaire, Saint Eustatius and Saba	-	-	-	460	134
Bosnia and Herzegovina	12	98	2	3,025	727
Botswana	4	26	-	618	179
Bulgaria	235	2,244	845	1,788	282
Canada (a)	35	160	14	n.a.	n.a.
China	1,866	23,706	1,273	17,584	2,536
Colombia	-	-	-	245	227
Croatia	151	905	42	4,533	790
Cuba	2	24	-	1,067	246
Curaçao	9	82	23	515	152
Cyprus	181	2,108	105	944	207
Czech Republic	374	4,078	418	2,045	271
D.P.R. of Korea	-	-	-	1,024	152
Denmark	561	2,433	757	1,460	301
Dominica (a)	1	3	-	n.a.	n.a.
Ecuador (a)	1	3	-	n.a.	n.a.
Egypt	23	232	57	3,486	820
Estonia	68	319	48	1,393	227
European Union	-	-	-	15,924	965

Name	Origin[1]			Designated Member	
	Number of Registrations	Individual Designations	Subsequent Designations	Individual Designations	Subsequent Designations
Fiji (a)	2	4	7	n.a.	n.a.
Finland	373	1,774	324	1,390	246
France	4,026	24,684	4,618	3,524	264
Georgia	13	105	-	2,661	684
Germany	6,702	38,617	8,287	4,350	300
Ghana	-	-	-	835	337
Greece	87	629	81	1,444	248
Hungary	266	4,077	159	1,846	256
Iceland	42	115	13	1,992	380
India (a)	14	646	-	n.a.	n.a.
Indonesia (a)	4	30	-	n.a.	n.a.
Iran (Islamic Republic of)	16	283	6	2,441	709
Ireland	115	898	263	1,097	191
Israel	159	679	52	3,455	1,020
Italy	2,756	18,255	4,411	3,365	252
Japan	1,941	9,997	1,313	11,067	1,426
Kazakhstan	67	345	19	5,015	1,038
Kenya	4	18	-	1,266	397
Kyrgyzstan	4	16	-	2,309	523
Latvia	87	607	83	1,685	254
Lebanon (a)	2	118	2	n.a.	n.a.
Lesotho	-	-	-	549	115
Liberia	1	8	7	631	156
Liechtenstein	80	1,101	197	2,176	303
Lithuania	106	576	32	1,694	255
Luxembourg (c)	259	2,743	407	n.a.	n.a.
Madagascar	3	7	-	695	254
Malaysia (a)	6	89	2	n.a.	n.a.
Malta (b)	25	146	18	n.a.	n.a.
Mexico (a)	9	29	-	n.a.	n.a.
Monaco	59	480	36	2,232	304
Mongolia	2	10	2	1,437	390
Montenegro	2	12	-	2,755	578
Morocco	51	473	31	3,155	701
Mozambique	1	1	1	841	237
Myanmar (a)	1	1	-	n.a.	n.a.
Namibia	-	-	-	743	181
Netherlands (c)	1,301	6,400	1,794	n.a.	n.a.
New Zealand	9	27	8	9	7
Norway	309	1,293	241	7,413	967
Oman	1	60	-	1,539	606
Panama (a)	11	152	1	n.a.	n.a.
Peru (a)	3	42	-	n.a.	n.a.
Philippines	5	32	-	437	2
Poland	400	3,960	479	2,609	338
Portugal	202	1,160	253	1,674	202
Qatar (a)	1	8	-	n.a.	n.a.
Republic of Korea	490	3,103	141	8,476	1,614
Republic of Moldova	57	448	113	2,997	558
Romania	70	291	52	1,950	275
Russian Federation	1,385	15,002	1,215	14,829	1,805
San Marino	5	36	13	1,047	197
Sao Tome and Principe	1	2	-	436	123

Name	Origin[1]			Designated Member	
	Number of Registrations	Individual Designations	Subsequent Designations	Individual Designations	Subsequent Designations
Saudi Arabia (a)	-	-	1	n.a.	n.a.
Senegal (a)	3	27	-	n.a.	n.a.
Serbia	191	1,235	99	4,147	782
Seychelles (a)	8	118	48	n.a.	n.a.
Sierra Leone	-	-	-	608	134
Singapore	216	1,368	93	6,654	1,184
Sint Maarten (Dutch Part)	1	11	-	512	143
Slovakia	110	587	63	1,639	231
Slovenia	214	2,642	66	1,595	226
South Africa (a)	-	-	4	n.a.	n.a.
Spain	1,090	5,076	1,529	2,815	284
Sri Lanka (a)	2	3	-	n.a.	n.a.
Sudan	-	-	-	902	265
Swaziland	-	-	-	619	130
Sweden	654	4,134	722	1,646	287
Switzerland	2,795	21,975	4,381	12,510	954
Syrian Arab Republic	5	17	5	1,503	447
T F Y R of Macedonia	53	425	13	2,723	548
Tajikistan	-	-	-	1,966	501
Thailand (a)	6	18	-	n.a.	n.a.
Turkey	866	7,275	1,984	8,192	1,464
Turkmenistan	-	-	-	2,051	497
Ukraine	311	2,834	151	8,113	1,169
United Arab Emirates (a)	7	83	-	n.a.	n.a.
United Kingdom	1,995	9,908	1,803	3,516	358
United Republic of Tanzania (a)	2	12	-	n.a.	n.a.
United States of America	5,125	29,608	3,343	15,000	1,411
Uruguay (a)	5	145	-	n.a.	n.a.
Uzbekistan	-	-	-	2,275	569
Viet Nam	66	592	61	4,315	984
Zambia	-	-	-	703	201
Others	94	1,110	90	n.a.	n.a.
Total	**41,954**	**282,605**	**45,417**	**282,602**	**45,417**

n.a. Not Applicable
[1] Origin is defined as the stated address of residence of the holder of an international registration.
(a) Not a member of the Madrid system as of December 31, 2012, or the Madrid system has not yet entered into force. Applicants from this country are eligible to file via the Madrid system by claiming commercial activity or domicile in a country, or in the jurisdiction of a regional office, that is a member of the Madrid system. The IP office of the country of origin cannot be designated by an applicant that uses the Madrid system.
(b) Member of the Madrid system via membership in the European Union
(c) IP office is the Benelux regional office.

Source: WIPO Statistics Database, March 2013

Table 2: Renewals of international registrations via the Madrid system, 2012

Name	Origin[1]		Designated Member
	Number of Renewals	Number of Designations	Number of Designations
Albania	-	-	1,298
Algeria	-	-	3,125
Andorra (a)	1	2	n.a.
Antigua and Barbuda	-	-	377
Armenia	-	-	1,482
Aruba (a)	1	3	n.a.
Australia	98	803	2,367
Austria	808	8,309	10,044
Azerbaijan	-	-	1,285
Bahamas (a)	1	10	n.a.
Bahrain	-	-	182
Belarus	8	62	3,000
Belgium (b)	802	7,619	n.a.
Benelux	-	-	10,653
Bhutan	-	-	331
Bonaire, Saint Eustatius and Saba	-	-	88
Bosnia and Herzegovina	6	48	2,987
Botswana	-	-	42
Bulgaria	49	1,001	3,938
Canada (a)	1	23	n.a.
China	140	2,152	5,490
China, Hong Kong SAR (a)	1	2	n.a.
Colombia (c)	1	4	n.a.
Croatia	88	592	5,103
Cuba	7	337	1,420
Curaçao	11	128	87
Cyprus	25	365	219
Czech Republic	285	3,687	6,246
D.P.R. of Korea	-	-	1,898
Denmark	222	1,796	2,678
Egypt	15	611	4,099
Estonia	21	122	1,974
European Union	-	-	376
Finland	150	1,541	2,267
France	4,190	46,107	9,609
Georgia	-	-	1,374
Germany	5,778	68,549	9,032
Ghana	-	-	28
Greece	14	201	2,289
Hungary	115	1,814	7,363
Iceland	2	21	1,324
India (a)	1	10	n.a.
Iran (Islamic Republic of)	1	3	400
Ireland	60	532	1,478
Israel	-	-	59
Italy	1,823	24,568	10,657
Japan	230	2,996	2,590
Kazakhstan	-	-	2,099
Kenya	-	-	701
Kyrgyzstan	-	-	1,412
Latvia	12	74	2,489
Lesotho	-	-	386
Liberia	-	-	440
Liechtenstein	86	1,169	5,636
Lithuania	36	271	2,269

Name	Origin[1]		Designated Member
	Number of Renewals	Number of Designations	Number of Designations
Luxembourg (b)	220	2,823	n.a.
Madagascar	-	-	36
Malaysia (a)	2	39	n.a.
Mauritius (a)	1	1	n.a.
Monaco	33	456	4,906
Mongolia	-	-	1,183
Montenegro	1	26	3,685
Morocco	31	199	4,756
Mozambique	-	-	502
Namibia	-	-	72
Netherlands (b)	1,310	11,996	n.a.
Norway	62	417	3,576
Oman	-	-	115
Panama (a)	1	8	n.a.
Poland	111	1,215	6,176
Portugal	121	940	7,413
Republic of Korea	1	9	622
Republic of Moldova	19	203	1,841
Romania	53	783	5,711
Russian Federation	155	2,387	7,210
San Marino	6	73	3,005
Sao Tome and Principe	-	-	9
Serbia	13	119	6,535
Sierra Leone	-	-	412
Singapore	40	279	1,999
Sint Maarten (Dutch Part)	-	-	87
Slovakia	58	737	5,489
Slovenia	102	1,162	4,929
Spain	822	7,461	8,592
Sudan	-	-	1,133
Swaziland	-	-	400
Sweden	208	1,921	2,380
Switzerland	2,435	30,223	11,480
Syrian Arab Republic	-	-	285
T F Y R of Macedonia	4	41	3,238
Tajikistan	-	-	1,292
Turkey	205	3,682	3,172
Turkmenistan	-	-	1,047
Ukraine	10	276	4,417
United Arab Emirates (a)	4	91	n.a.
United Kingdom	477	4,356	3,648
United States of America	243	3,723	626
Uzbekistan	-	-	1,518
Viet Nam	10	144	2,905
Zambia	-	-	339
Others	12	117	n.a.
Total	**21,859**	**251,439**	**251,432**

n.a. Not Applicable
[1] Origin is defined as the stated address of residence of the holder of an international registration.
(a) Not a member of the Madrid system as of December 31, 2012, or the Madrid system has not yet entered into force. Applicants from this country are eligible to file via the Madrid system by claiming commercial activity or domicile in a country, or in the jurisdiction of a regional office, that is a member of the Madrid system. The IP office of the country of origin cannot be designated by an applicant that uses the Madrid system.
(b) IP office is the Benelux regional office.
(c) Colombia became a member of the Madrid system on August 29, 2012. Therefore, designation of renewals is not yet applicable.

Source: WIPO Statistics Database, March 2013

ADDITIONAL RESOURCES

The following resources are available on WIPO's website:

Information on the Madrid system
www.wipo.int/madrid/en/

Online services
www.wipo.int/madrid/en/services/

Madrid statistics
www.wipo.int/madrid/en/statistics/

IP statistics
www.wipo.int/ipstats/en/

For more information contact
WIPO at www.wipo.int

World Intellectual Property Organization
34, chemin des Colombettes
P.O. Box 18
CH-1211 Geneva 20
Switzerland

Telephone:
+4122 338 91 11
Fax:
+4122 733 54 28

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