

## MADRID PROTOCOL

### **Model Form 8: Completion of *Ex Officio* Examination – Interim Status of a Mark (Rule 18*bis* of the Common Regulations) [Note for filing]**

This form can be used where an Office wishes to inform that *ex officio* examination has been completed, without finding any grounds for refusal, but where protection of the mark is still subject to opposition or observations by third parties.

This form can be used whether a notification of provisional refusal has been previously communicated or not.

The Office would need to communicate a notification to the International Bureau at a later date under Rules 17 or 18*ter* of the Common Regulations, using Model Form 3, 4 or 5, depending on the situation:

- Where an opposition is later filed, the Office should notify of a provisional refusal based on opposition under Rule 17, using Model Form 3A or 3B, depending on whether the provisional refusal is total or only partial.
- Where no opposition is later filed, the Office should notify of a statement of grant of protection under Rule 18*ter*(1), using Model Form 4, or notify of a statement of grant of protection following a provisional refusal under Rule 18*ter*(2), using Model Form 5.

Please note that if an Office has made the declaration under Article 5(2)(c) to allow the notification of provisional refusal based on opposition after the 18-month time limit, it would be necessary for the Office to use Model Form 2 to inform the International Bureau in accordance with Rule 16(1).