

## NOTE FOR FILING MM13: REQUEST FOR THE RECORDING OF A LICENSE

**Form MM13 (Mandatory):** Request for the recording of a license (Rule 20*bis* of the Regulations under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks).

Please refer to our [Guide to the International Registration of Marks](#) for further detailed information concerning the application, registration and management of international marks.

### IMPORTANT INFORMATION

#### PURPOSE OF THE FORM

The holder (or their representative) may use this form to request the recording of a license.

If you wish to record a license for more than one licensee, or for more than one international registration, you will need to complete a separate form for each licensee or for each international registration.

Please note it is **not** possible to record sub-licenses.

#### IS THIS THE RIGHT FORM?

Do **not** use this form to request an amendment or cancellation of the recording of a license. Please use form [MM14](#) (amendment) or [MM15](#) (cancellation) for such purpose.

#### THE EFFECT OF THE RECORDING OF THE LICENSE

Once WIPO has recorded the license in the International Register, it will notify the Offices of the designated Contracting Parties concerned. The Offices of those Contracting Parties, in accordance with their local laws and practices, will determine the validity of the license. Each Office has a period of 18 months to declare (and notify WIPO) that the license has no effect in their jurisdiction.

For some countries/regions, recording a license in the International Register has the same effect as registering a license directly with each national/regional IP Office.

However, recording a license in the International Register will have no effect in a country/region that has declared that its domestic laws do not provide for the recording of trademark licenses<sup>1</sup>; or that their domestic laws provide for the recording of licenses, but that the recording of licenses in the International Register has no effect<sup>2</sup>. In the latter case, the holder will need to contact the national or regional Offices directly if they wish to record a license in that territory.

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<sup>1</sup> Rule 20*bis*(6)(a) (please refer to the [Madrid Member Profiles](#) database or the [declarations](#) made by Contracting Parties on WIPO's website).

<sup>2</sup> Rule 20*bis*(6)(b) (please refer to the [Madrid Member Profiles](#) database or the [declarations](#) made by Contracting Parties on WIPO's website).

## HOW TO SUBMIT THIS FORM

You can submit this request directly to WIPO by using [Contact Madrid](#) (under “My request concerns”, select the topic “a form submission”) providing the request is signed by the holder (or the holder’s representative).

Where the holder (or the holder’s representative) has not signed the request, it must be presented through an Office. This may be the Office of the Contracting Party of the holder or the Office of a Contracting Party with respect to which the license is granted. However, before doing so, you will need to check with the Office on how to submit the form – on paper or by electronic means.

## FEE INFORMATION

A fee of 177 Swiss francs is payable to WIPO per request.

## HOW TO PAY THE FEES

You can pay the fees:

- by debiting the required amount from a [Current Account at WIPO](#), *or*
- from funds that you have already transferred to WIPO (where you have been provided with a WIPO reference number), *or*
- by transferring the required fees into WIPO’s bank account or postal account (within Europe only) .

## E-MAIL ADDRESS OF THE HOLDER AND WIPO’S ONLINE SERVICES

Where you have not already done so, for example, in the international application, you must provide (or update) your e-mail address using [Contact Madrid](#) (under “My request concerns” select the topic “a change in contact details of the holder”). Holders cannot indicate the e-mail address of their representative as their own. Therefore, the e-mail address of the holder and of the representative must be different.

Please note, WIPO will not include the e-mail address of applicants, holders or representatives on the Madrid System online information services (e.g., Madrid Monitor, Madrid Real-time Status) nor publish such information in the WIPO Gazette of International Marks.

Where a representative is appointed, WIPO will send all communications **only** to the e-mail address of the representative.

Where a representative is not appointed, WIPO will send all communications to the e-mail address provided for the holder or to the alternative e-mail address for correspondence where one has been provided.

E-mail is the fastest, most efficient and secure means for WIPO to transmit information effectively to its users. You will receive time-sensitive electronic communications from Offices of designated Contracting Parties without delay. If you have already provided an e-mail address, please ensure it is up to date.

WIPO has developed a number of useful online tools and services. To have access to these tools and services you will need a WIPO Account. The WIPO Account will give you access to WIPO's online tools and services that have been designed to help you manage in one place your entire portfolio of internationally registered trademarks that are recorded with the same e-mail address.

### Monitoring your request

[Madrid Monitor](#) provides real-time monitoring of requests as they are being processed by WIPO. To monitor the status of your request, click the "Real-time Status" tab when viewing a specific record, or enter your international registration number in the "Real-time Search" tab in Madrid Monitor.

## HOW TO FILL IN FORM MM13

The form must be typed. WIPO cannot accept handwritten forms.

### NUMBER OF CONTINUATION SHEETS

If the space available in any part of the form is not sufficient, please use the "Continuation Sheet" at the last page of the form and indicate the number of continuation sheets attached here.

### REFERENCE NUMBERS

The holder and the Office (if the holder submits the form through an Office) may indicate their own internal file reference. WIPO will include these references in any further communication concerning this form.

### ITEM 1: INTERNATIONAL REGISTRATION NUMBER

Indicate the full international registration number, for example, 123456 or 123456A.

### ITEM 2: NAME OF THE HOLDER

Indicate the holder's name (including joint holders) exactly as it is recorded in the International Register.

### ITEM 3: LICENSEE

Indicate the details of the licensee. If you wish to record a license for more than one licensee, you will need to complete a separate form for each licensee.

#### Item 3(a): Name

If the licensee is a natural person, indicate their full name. Their family (or last) name and given (or first) name should be indicated in the order that they are used. If the licensee is a legal entity, the full official designation must be indicated.

### Item 3(b): Address

Indicate the address in a form that will ensure prompt postal delivery. The address must include the postal code (if applicable) and name of country/region.

## ITEM 4: REPRESENTATIVE OF THE LICENSEE

It is optional to provide this information. The representative of the licensee will be recorded for information purposes only. WIPO will not communicate with the licensee nor their representative. The licensee's representative is not to be confused with the holder's representative recorded in the International Register.

### Item 4(a): Name

If the representative is a natural person, indicate their full name. Their family (or last) name and given (or first) name should be indicated in the order they are used. If the representative is a legal entity, the full official designation must be indicated.

### Item 4(b): Address

The address should include the postal code (if applicable) and name of country/region.

## ITEM 5: CONTRACTING PARTIES

### Item 5(a): Contracting Parties with respect to which the license is granted

You must check either box 5(a)(i) **or** box 5(a)(ii).

Check box 5(a)(i) if the license is to be recorded for **all** Contracting Parties designated in the international registration concerned.

Check box 5(a)(ii) if the license is to be recorded for only **some** of the Contracting Parties designated in the international registration concerned, then list the Contracting Parties in the box below.

### Item 5(b): Territorial restriction (if applicable):

Check box 5(b) if the license concerns only part of the territory of a specified designated Contracting Party and provide the details here. For example, "the license concerns only the territory of Belgium of the Contracting Party the Benelux".

## ITEM 6: GOODS AND SERVICES

You must check either box 6(a) **or** box 6(b):

Check box 6(a) if the license is to be recorded for **all** the goods and services in the international registration indicated in item 1.

Check box 6(b), if the license is to be recorded for only **some** of the goods and services in the international registration indicated in item 1, and indicate the goods and services to be covered by the license.

## ITEM 7: MISCELLANEOUS INDICATIONS

All indications below are **optional**.

### Item 7(a): Nationality or legal nature and State of organization

Only provide information in item 7(a)(i) **or** 7(a)(ii) as applicable. Do **not** complete both items.

#### *Nationality of the licensee*

If the licensee is a natural person and you wish to indicate their nationality check box 7(a)(i) and indicate the applicable territory.

#### *Legal nature and the State of organization of the licensee*

If the licensee is a legal entity, you may check box 7(a)(ii) and indicate the legal nature (e.g., “proprietary limited company (Pty Ltd)” or “a limited liability company (LLC)”), and the name of the country and where applicable, territory within that country, in which it was organized (e.g., “NSW, Australia”).

### Item 7(b): Type of license

Check **one** box only.

Check box 7(b)(i) if the license is to be recorded as an “exclusive license”. This may apply, for example, where the license is granted only to one licensee and precludes the holder from using the mark and from granting licenses to any other person/entity.

Check box 7(b)(ii) if the license is to be recorded as a “sole license”. This may apply, for example, where the license is granted only to one licensee and precludes the holder from granting license to any other person/entity - but does not prevent the holder from using the mark.

If neither box is checked, the license may be considered as a non-exclusive license.

### Item 7(c): Duration of the license

You may include details concerning the duration of the license, for example:

The license is limited in time and granted from January 1, 2021 to January 1, 2022;

The license is subject to automatic extension;

The license is granted for an unlimited period of time.

Please note that the license will remain recorded in the International Register until it has been amended or cancelled.

## **ITEM 8: SIGNATURE OF THE HOLDER AND/OR THEIR REPRESENTATIVE**

The holder or the holder's representative must sign the form before presenting it directly to WIPO. The person signing this form must declare that he or she is entitled to do so under the applicable law. If the form is not signed, the license will not be recorded.

Where the recorded holder or their representative is not available to sign the form, it must be submitted through an Office (see below). In such case, this item may be left blank.

### **Holder**

Indicate the name of the holder (including joint holders) exactly as recorded in the International Register.

### **Representative**

Where the representative signs the form, indicate the name of the representative exactly as recorded in the International Register.

Where the holder or the representative is a legal entity, indicate the name as recorded in the International Register (not the name of the person signing the form on behalf of that legal entity).

### **Signature (holder/representative)**

The signature must be handwritten, printed, typed or stamped.

## **ITEM 9: SIGNATURE OF OFFICE PRESENTING THE REQUEST**

This item should only be filled out by the Office presenting the form.

Where the recorded holder or their representative is not available to sign the form, it must be submitted through an Office. This could be the Office of the Contracting Party of the holder or the Contracting Party where the license is granted.

## **FEE CALCULATION SHEET**

You must complete the "Fee Calculation Sheet" annexed to the form.

Where no payment or insufficient payment has been received by WIPO, the holder and the holder's representative (where applicable) will be notified of an irregularity.

### **(a) Instructions to Debit from a Current Account**

Where the fee is to be debited from a Current Account at WIPO, check the box and indicate the following:

#### *Holder of the account*

Indicate the name of the holder of the Current Account.

*Account number*

Insert the five-digit account number.

*Identity of the party giving the instructions*

Indicate the name of the party giving the payment instructions, this could be the holder, representative, or third party.

If you choose this method of payment, WIPO will debit the required amount, subject to the availability of sufficient funds. This method of payment avoids the risk of making an insufficient payment.

To know how to open a Current Account at WIPO, please, use the following link: [Current Account at WIPO](#).

**(b) Amount of Fees**

The fee is 177 Swiss francs.

**(c) Method of Payment**

*Identity of the party effecting the payment*

It is important to identify the party who is making the payment (name of holder, representative, or third party).

*Payment received and acknowledged by WIPO*

Check this box where funds were previously received and acknowledged by WIPO. You need to provide the identity of the party who made the payment and the WIPO receipt number (issued when WIPO acknowledged your transfer).

*Payment made to WIPO Bank Account or Postal Account (within Europe only)*

Where the fee is transferred to a WIPO bank or postal account, check the respective box and indicate the following:

*Payment identification*

When transferring funds to WIPO (bank or postal transfers), provide your bank or post office with the following details, and enter this information in the “Payment identification” field in the form:

- ✓ Name of party making the payment and complete address;
- ✓ [Transaction code](#): enter the transaction code for license (NLC);

- ✓ International Registration Number;
- ✓ The mark or verbal elements of mark (if available);
- ✓ Name of holder (if different than the name of the party making the payment).

*dd/mm/yyyy*

Indicate date of payment in day, month and year format.

[End of Note for Filing Form MM13]