

NOTE FOR FILING FORM MM2: APPLICATION FOR INTERNATIONAL REGISTRATION GOVERNED BY THE MADRID PROTOCOL

Form MM2 (Mandatory): Application for international registration under the Madrid Protocol (Rule 9 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

This form must be used to file an international application under the Madrid Protocol.

Before using this form please check with your Office of origin (the Office where you have your basic mark registered or applied for, and through which you are submitting your international application) to see whether it has its own online service, or customized version of the MM2. If it does not, we strongly recommend that you consider using the [Madrid Application Assistant](#).

The simplest way to apply for an international application is to use the Madrid Filing Assistant, an electronic version of the MM2 form. It enables you to collect and record all the information required to complete an international application in an intuitive and linear manner. The necessary information can be imported directly from the Office of origin's national/regional trademarks database. This saves time and effort and reduces the risk of irregularities, making the process of filing an international application more efficient and accurate.

Once completed, the international application will be made available in a PDF format ready for you to submit to the Office of origin for its certification.

LANGUAGE OF THE INTERNATIONAL APPLICATION

The international application **must** be filed in English, French or Spanish, as prescribed by the Office of origin.

The Office of origin may allow you to choose between any of the three languages. Alternatively, the Office may restrict your choice of language to just one language, or to two languages. Before completing this form, you will need to check with the Office what language you have to, or may use.

ADDITIONAL FORMS TO BE ATTACHED FOR CERTAIN CONTRACTING PARTIES

Please ensure that you have attached the additional form(s) required for the designations of [the United States of America](#) (MM18) and [the European Union](#) (MM17 – if applicable).

HOW TO SUBMIT THIS FORM

You must file your international application with the Office of origin.

Before doing so, you will need to check with the Office of origin on how to submit the application form – in paper or by electronic means.

Do not send this form directly to WIPO.

FEE INFORMATION

Please use the [Fee Calculator](#) to help you estimate your fees.

The fees for filing an international application depend on the number of designated Contracting Parties, their applicable fees and the number of classes of goods and services that you wish to protect your mark for.

Please see the [Schedule of Fees](#) for further information concerning the applicable fees.

HOW TO PAY THE FEES

You can pay the fees:

- by debiting the required amount from a Current Account at WIPO, *or*
- from funds already transferred to WIPO, *or*
- by transferring the required fees into WIPO's postal account (within Europe only) or bank account.

E-MAIL ADDRESS AND WIPO'S ONLINE SERVICES

When completing this form you **must** provide the e-mail address of each applicant. If a representative is appointed, you must also indicate the e-mail address of the representative (if appointed).

The applicant cannot indicate the e-mail address of their representative as their own. Therefore, the e-mail address of the applicant must be different from the e-mail address of their representative. Where there is more than one applicant, each applicant must provide their own e-mail address, which must be different from each other and their representative, if any.

Please note that 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 representative¹.

Where a representative is not appointed, WIPO will send all communications to the e-mail address of the applicant 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 electronic communications from Offices of designated Contracting Parties without delay, allowing you to contest a provisional refusal and protect your rights within the given time limit, if necessary.

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 MM2

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 a “Continuation Sheet” at the last page of the form and indicate the number of Continuation Sheets attached here.

Where there is more than one applicant, please complete the dedicated “Continuation Sheet for Several Applicants”.

¹ Where a representative has been appointed, WIPO will not send communications directly to the applicant or holder. There are a few exceptions to this rule:

- where the appointment of a representative is irregular, WIPO will inform both the applicant or holder and the purported representative;
- six months before the expiry of the term of protection, WIPO will send an unofficial notice to both the holder and the representative;
- where insufficient fees are paid for the purpose of renewal, WIPO will notify both the holder and the representative;
- where an international registration is not renewed or is not renewed in respect of a designated Contracting Party, WIPO will send a notification to the holder and the representative;
- where cancellation of the appointment is requested by the representative, WIPO will, until such time as the cancellation becomes effective, send communications to both the applicant or holder and the representative.

MM17 FORM(S)

If you have designated the European Union and wish to claim seniority, you must attach form [MM17](#) for each Member State for which seniority is claimed and indicate the number of forms attached here. Please refer to [Information Notice No. 20/2004](#) and to [EUIPO's Trade mark guidelines](#) for further information concerning seniority claims.

MM18 FORM

If you have designated the United States of America, you must complete and attach [form MM18](#) (declaration of intention to use the mark).

REFERENCE NUMBERS

The applicant and the Office of origin may indicate their own internal file reference number. WIPO will include these reference numbers in any further communication concerning this form.

ITEM 1: CONTRACTING PARTY WHOSE OFFICE IS THE OFFICE OF ORIGIN

Indicate the country (for example, Switzerland) or the intergovernmental organization (for example, the European Union) of the Office of origin.

This is the country (or region) where you have entitlement (nationality, domicile and/or a real and effective industrial or commercial establishment) and where your basic application or registration (“basic mark”) is recorded – and where you are submitting your international application.

ITEM 2: APPLICANT

If there is more than one applicant, indicate the total number of applicants and then the name, address and e-mail address of the first applicant only. Please provide the name(s), the address(es) and the e-mail address(es) of the other applicant(s) in the “Continuation Sheet for Several Applicants”. Do not indicate the details of more than one applicant in item 2.

Item 2(a): Name

If the applicant 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 applicant is a legal entity, the full official designation must be indicated.

Item 2(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 2(c): E-mail address (mandatory)

You must provide the e-mail address of the applicant. WIPO will send all communications concerning this international application and the resulting international registration electronically only. WIPO will send all communications to the e-mail address indicated here, **unless** an alternative e-mail address for correspondence is indicated in item 2(g)(ii) or a representative is appointed in item 4. If a representative is appointed, the e-mail address of the applicant and of the representative must be different. The applicant must ensure that the e-mail address provided in this form is correct and kept up to date.

Item 2(d): Telephone number

Please also indicate your telephone number with the country and area codes (e.g., +41 22 338 86 86). You do not need to provide a telephone number but it could be useful if you need to be contacted.

Item 2(e): Other indications

We recommend providing the indications in item 2(e)(i) or 2(e)(ii) as applicable. The Offices of some Contracting Parties may issue provisional refusals where such indications are not provided.

Item 2(e)(i): If the applicant is a natural person, nationality of the applicant

If the applicant is a natural person, indicate nationality or citizenship.

Item 2(e)(ii): If the applicant is a legal entity (please, provide both of the following indications)

Legal nature of the legal entity

If the applicant is a legal entity, indicate the legal nature (e.g., “proprietary limited company (Pty Ltd)” or “a limited liability company (LLC)”).

State (country) and, where applicable, territorial unit within that State (canton, province, state, etc.), under the law of which the said legal entity has been organized

If the applicant is a legal entity, indicate the name of the country and where applicable, territory within that country, in which it was organized (e.g., “NSW, Australia”).

Item 2(f): Preferred language of correspondence

Please indicate English, French or Spanish as your preferred language to communicate with WIPO (it is not necessary to check this box if you wish to receive communications in the language in which the international application was filed). If you do not indicate a preferred language, WIPO will send all communications concerning this application and the resulting registration in the language of the international application.

Item 2(g): Alternative address and e-mail address for correspondence

Complete this item **only** if you want WIPO to send all communications concerning this international application and the resulting international registration to an address and e-mail address different from those indicated in items 2(b) and 2(c) above. WIPO will use this e-mail address for communication unless a representative is appointed.

Where there is more than one applicant, it is recommended to indicate an alternative address and e-mail address for correspondence.

ITEM 3: ENTITLEMENT TO FILE

Please indicate your entitlement (i.e. your connection with the Contracting Party of your Office of origin) by checking one of the boxes and providing the necessary additional information where appropriate.

That Office of origin may require you to prove your entitlement in line with its domestic laws and practices.

If there is more than one applicant, please indicate the entitlement details for the first applicant only here and provide the details of the other applicant(s) in the “Continuation Sheet for Several Applicants” attached to the form. Please note that each applicant must have entitlement through establishment, domicile or nationality with the Contracting Party of the Office of Origin, but it is not necessary for the nature of the connection to be the same for each of the applicants.

Item 3(a)(i)

Check this box if you are a national of the State that you have indicated in item 1 as the Contracting Party of the Office of origin.

Item 3(a)(ii)

Check this box if you are a national of a Member State of the intergovernmental organization (either the African Intellectual Property Organization (OAPI) or the European Union (EM)) indicated in item 1. Please also provide the name of the Member State of which you are a national (for example, Germany).

Item 3(a)(iii)

Check this box if you are domiciled in the territory of the Contracting Party indicated in item 1.

Item 3(a)(iv)

Check this box if you have a real and effective industrial or commercial establishment in the territory of the Contracting Party indicated in item 1.

Item 3(b)

Complete this item **only** if you have checked box 3(a)(iii) or (iv) and your address in item 2(b) is not in the territory of the Contracting Party indicated in item 1.

Item 3(b)(i)

Indicate the address of your domicile in the territory of the Contracting Party indicated in item 1, or

Item 3(b)(ii)

Indicate the address of your real and effective industrial or commercial establishment in the territory of the Contracting Party indicated in item 1.

The interpretation of what may be considered “nationality”, “domicile” or “real and effective industrial or commercial establishment” is exclusively a matter for the law of the Contracting Parties to determine.

ITEM 4: APPOINTMENT OF A REPRESENTATIVE

Complete this section only if you are appointing a representative.

There are no specific requirements as to who may be appointed as representative before WIPO (e.g., professional qualification, nationality or residence). Please do not send a power of attorney to WIPO; it is sufficient for the appointment to provide the relevant information in item 4.

The appointed representative may act before WIPO only. It may be necessary to appoint another representative to act before the Office of the designated Contracting Party, for example, when responding to a provisional refusal by such an Office.

If you appoint a representative before WIPO, all communications from WIPO (including, refusals, decisions and irregularity notices) concerning this application and the resulting registration will only be sent to that representative². This applies even if an e-mail address for correspondence has been provided in item 2(c) or item 2(g).

You must indicate the name, address and e-mail address of the representative; otherwise, WIPO cannot record the appointment.

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

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.

² The only exceptions are where the appointment of the representative is irregular, renewal reminders, notifications of non-renewal, insufficient renewal fees and where the representative has requested cancellation of the appointment. See footnote 1, above, for further details.

Item 4(c): E-mail address

You **must** provide the e-mail address of the representative. All communications from WIPO concerning this application and its resulting registration will be sent only electronically to the e-mail address indicated here. The applicant and the representative must ensure that the e-mail address indicated here is accurate and kept up to date.

Item 4(d): Telephone number

Indicate the telephone number with the country and area codes (e.g., +41 22 338 86 86). A telephone number is not required, but it will allow WIPO to reach your representative if needed.

You may only indicate one representative. If you indicate several representatives, only the first one will be recorded. A partnership or firm of attorneys will be recorded as a single representative (and the name of individual attorneys will be disregarded).

ITEM 5: BASIC APPLICATION OR BASIC REGISTRATION

You must provide the details of your basic mark, i.e., the mark that has been applied for, or registered with, the Office of origin.

Basic application number and date of the basic application

Indicate the application number and date only where the basic mark is not registered.

Basic registration number and date of the basic registration

Indicate the registration number and date where the basic mark is registered.

When basing the international application on several basic applications/registrations, all of them must be in the same name as the applicant for the international registration and have been filed with the same Office of origin. Please indicate their numbers and dates. If there is not enough space, use the "Continuation Sheet".

ITEM 6: PRIORITY CLAIMED

If you wish to claim priority in your international application, you **must** do so in this form by checking this box and providing the requested information. It is **not** possible to claim priority after the MM2 has been submitted.

Do not send any priority documentation to WIPO. It is sufficient to indicate the following information:

Office of earlier filing

Indicate the name of the Office of the earlier filing.

Number of earlier filing (if available)

Indicate the application or registration number, if available.

Date of earlier filing

Indicate the application date, which must be within the past six months from the date of receipt by the Office of origin indicated in item 13 (please, see below).

If your earlier filing does not cover all the goods and services listed in item 10 of this form

Indicate here the goods and services that are to be covered by the priority claim (partial priorities).

If several priorities are claimed

Check this box and use the “Continuation Sheet” to indicate the Office, the application/registration number, the application date and the relevant goods and services of the earlier filing (several priorities).

WIPO will not check the validity of the priority claim. However, if the priority date claimed is more than six months earlier than the “date of receipt of the international registration by the Office of origin”, the priority claim will be disregarded. The same applies where “the filing or registration date of the basic mark” is more than six months earlier than the date of receipt of the international registration, even if the priority date claimed is not, because the priority claim must be based on the first application in a country of the Paris Union.

The priority claim made in the application will automatically extend to the designations in the application. This will also be the case for any designations that you add subsequently to the international registration within the six months priority period.

ITEM 7: THE MARK

You must provide a clear reproduction of the mark. If the reproduction is not clear, WIPO will treat the application as irregular and inform you and the Office of origin accordingly.

The reproduction may be typed, printed, pasted or reproduced by any other means. WIPO will publish the mark in the [WIPO Gazette of International Marks](#) *exactly as received in the international application*.

REPRODUCTION OF THE MARK AS IT APPEARS IN THE BASIC APPLICATION/REGISTRATION

Item 7(a): Reproduction of the mark as it appears in the basic application/registration

Provide a reproduction of the mark as it appears in the basic mark. In particular, if the basic mark is in black and white, the reproduction in box (a) must be in black and white. Likewise, if the basic mark is in color, the reproduction must also be in color.

REPRODUCTION OF THE MARK IS IN BLACK AND WHITE IN BOX (A) BUT COLOR IS CLAIMED IN ITEM 8

Item 7(b): Reproduction of the mark is in black and white in box (a) but color is claimed in item 8

Leave this box blank unless color is claimed in item 8 as a distinctive feature of the basic mark, but the reproduction in box (a) is in black and white (i.e., where the mark at the Office of origin is recorded in black and white). In this case, provide the reproduction of the mark in color in box (b).

NON-TRADITIONAL MARKS

Where the mark is considered a non-traditional mark, for example, a three-dimensional or a sound mark, the reproduction of the mark in box (a) should correspond exactly with the graphical reproduction of the basic mark. For example, if the basic mark is a perspective view of a three-dimensional mark, the reproduction in box (a) must be the same perspective view. If the reproduction of the basic mark consists of several views, the reproduction in the international application must fit within the box measuring 8 cm x 8 cm. Alternatively, where the Office of origin sends the international application to WIPO via electronic means, the Office should instead attach a reproduction of the mark, for example, in a JPEG file. If the basic mark is a sound mark reproduced by musical notation, the reproduction in this box must be showed by the same musical notation.

Please note that non-graphical representations cannot be included, e.g., a sound mark cannot be represented by a MP3 recording of the sound.

MARK IN STANDARD CHARACTERS

Item 7(c): Mark in standard characters

Check this box if you wish to claim that the mark is to be considered a mark in standard characters. It is **not possible** to add a standard character claim after filing the international application.

WIPO will not question the standard character claim, nor will it be legally binding on the Offices of the designated Contracting Parties. However, it will be up to the Offices of the designated Contracting Parties to determine how they view the mark. Some may consider a mark in standard characters a word mark with no stylization with or without the claim. In the absence of the standard character claim, the Offices of some designated Contracting Parties may raise a provisional refusal or consider the mark as a “figurative mark”, even where the mark does not include stylized or figurative elements.

If you do not wish to claim that the international mark is comprised of a mark in standard characters, it may be possible to present the claim directly to the Offices of the designated Contracting Parties concerned (see [Information Notice No 11/2013](#)). In that case, the claim will apply only in that Contracting Party (not to the international mark *per se*). You will need to contact the Offices of the relevant Contracting Parties directly for further information on this issue.

MARK CONSISTS OF A COLOR OR A COMBINATION OF COLORS AS SUCH

Item 7(d): Mark consists of a color or combination of colors as such

Check this box only if the mark consists of a color *per se*, or a combination of colors.

A color mark applies to cases where, for example, you wish to protect the single color itself (e.g., a specific shade of red) or a combination of colors. This is where the mark has no figurative or word elements. This is different from cases where the mark to be protected consists of elements that are in color.

Furthermore, a mark that consists of a color or combination of colors should not be confused with marks that have color elements that are to be considered as a distinctive feature of the mark.

ITEM 8: COLOR(S) CLAIMED

COLOR IS CLAIMED AS A DISTINCTIVE FEATURE OF THE MARK

Item 8(a): Color is claimed as a distinctive feature of the mark

Check this box if you wish to claim color as a distinctive feature of the mark and after you have provided the color reproduction in box 7(a) – or in (b) if the basic mark was published in black and white only.

Please note that you can only make this claim where either you have also claimed color as a distinctive feature in the basic mark or, although you have not made such claim, the basic mark is in color.

Do not check this box simply because the reproduction of the mark is in color. However, in certain Contracting Parties, the mark reproduced in color will require automatically that color is claimed (please see [Madrid Member Profiles Database](#)).

- *Color or combination of colors claimed:* If you have checked the box in item 8(a), you must indicate, in words, the color claimed (e.g., “purple”, Pantone 2685C”).

INDICATION, FOR EACH COLOR, OF THE PRINCIPAL PARTS OF THE MARK THAT ARE IN THAT COLOR

Item 8(b): Indication, for each color of principal parts of the mark that are in that are in color

If you have indicated that you wish to claim color(s), you could describe here where the color appears in the mark (e.g., “a red bird sitting on a green leaf”). Certain Contracting Parties may require this description when color is claimed (please see [Madrid Member Profiles Database](#)).

ITEM 9: MISCELLANEOUS INDICATIONS

Be careful when completing this item. It is not possible to change or remove such indications from the International Register once they are recorded; in other words, such indications will remain on the International Register for the lifetime of the international registration. There are optional indications and compulsory indications.

“Transliteration of the mark” in item 9(a), special type of mark in item 9(d) and description of the mark contained in the basic mark in item 9(e)(i) are compulsory indications and must be provided, if applicable.

“Translation of the mark” in item 9(b), “indication that a mark cannot be translated” in item 9(c), “voluntary description of the mark” in item 9(e)(ii), “verbal elements of the mark” in item 9(f) and “disclaimer” in item 9(g) are optional indications and may be provided, if the applicant so wishes.

WIPO will not question the absence of any of the optional indications. However, the Offices of some Contracting Parties may issue provisional refusals where such indications are not provided.

TRANSLITERATION OF THE MARK (COMPULSORY, IF APPLICABLE)

Item 9(a): Transliteration of the mark (compulsory, if applicable)

If the mark consists of non-Latin characters or numerals other than Arabic or Roman numerals, you must provide the transliteration into Latin characters or Arabic or Roman numerals following the phonetics of the language of the international application.

Do not confuse transliteration with translation (in item 9(b) below).

TRANSLATION OF THE MARK (OPTIONAL)

Item 9(b): Translation of the mark (optional)

You may indicate the translation of a word or words that can be translated into English and/or French and/or Spanish, irrespective of the language of the international application.

The Offices of some Contracting Parties may issue provisional refusals where such translation is not provided, please see the [Madrid Member Profiles Database](#).

MARK THAT CANNOT BE TRANSLATED (OPTIONAL)

Item 9(c): Mark that cannot be translated (optional)

Check the box if words appearing in the mark have no meaning (are invented) and a translation in item 9(b) above cannot be provided.

This could prevent provisional refusals by the Offices of designated Contracting Parties, requesting translation of the mark.

Item 9(d): Type of mark (compulsory, if applicable)

Where the basic mark is one of the types specified below, the corresponding indication **must** be made in the international application by ticking one of the boxes in this item. This indication **cannot** later be changed or removed from the International Register, nor added after the mark has been recorded in the International Register.

- *Three-dimensional mark*: Check this box only if the basic mark has been recorded as a three-dimensional mark.
- *Sound mark*: Check this box only if the basic mark has been recorded as a sound mark.
- *Collective, certification or guarantee mark*: Check this box only if the basic mark has been recorded either as a collective, certification or guarantee mark.

WIPO does not distinguish collective, certification or guarantee marks. The determination of the type of mark depends on the designated Contracting Parties.

Do **not** send any regulations governing the use of the mark to WIPO. Any documentation should be sent directly to the Offices of the designated Contracting Parties, if required. Please check the [Madrid Member Profiles Database](#) for more information on the Contracting Parties concerned.

DESCRIPTION OF THE MARK

Certain Contracting Parties require a description of the mark. Therefore, including a description might prevent a provisional refusal. WIPO will not check or question the accuracy of the description of the mark. Please note that once a description of the mark is recorded in the International Register, it **cannot** be changed or removed.

Item 9(e)(i): Description of the mark contained in the basic application or basic registration (compulsory if required by the Office of origin)

Indicate the description of the mark provided in the basic mark if required by the Office of origin.

Item 9(e)(ii): Voluntary description of the mark (optional)

If you wish to add a description of the mark, you can do so here. The description does not need to be in the basic mark, or it can be different from the description in the basic mark. It will apply to the international registration, for all the designated Contracting Parties.

VERBAL ELEMENTS OF THE MARK (OPTIONAL)

Item 9(f): Verbal elements of the mark (where applicable) (optional)

Indicate the essential verbal elements of the mark, particularly, if the words are stylized and difficult to read.

The verbal elements of the mark are for information purposes *only* and not intended to have any legal effect. If such information is not provided, the mark will appear in [Madrid Monitor](#) in accordance with what WIPO considers are the verbal elements.

The applicant may request WIPO to modify the text of the verbal elements provided at any time, but no notification of the correction will be sent to the Offices of the designated Contracting Parties.

DISCLAIMER (OPTIONAL)

Item 9(g): The applicant wishes to disclaim protection for the following element(s) of the mark (optional)

You may include a disclaimer for non-distinctive or generic elements of a mark to be recorded in the International Register.

Some Contracting Parties require a disclaimer for non-distinctive or generic elements of a mark. If a disclaimer is not added here, you risk receiving a provisional refusal from the Offices of those Contracting Parties. As such, you may wish to include a disclaimer in the international registration.

However, a disclaimer in the international registration will apply to the entire international registration and all the designated Contracting Parties (also future ones that are subsequently designated), not just to some of them. Once a disclaimer is recorded in the International Register it cannot be changed or removed. Therefore, you may wish to check with the Offices of the Contracting Parties concerned whether it is possible to submit the disclaimer directly with those Offices (so it only applies in those Contracting Parties – please refer to the [Madrid Member Profiles Database](#) for more information).

ITEM 10: GOODS AND SERVICES

MAIN LIST OF GOODS AND SERVICES FOR WHICH THE INTERNATIONAL REGISTRATION IS SOUGHT

The list of goods and services set out in the international application (the main list) must be covered by the scope of the list of goods and services in the basic mark; you can include the full scope or a more limited one. The goods and services do not need to match exactly with those in the basic mark, but they must fall within the scope of the basic mark.

There is some benefit to include, as your main list, all the goods and services covered by the basic mark in your international application as this will give you more flexibility in the future. Even if you do not wish to protect all goods and services at the time of filing the international application, you may wish to preserve your position in the event that you wish to protect them at a later stage (by way of a subsequent designation).

It is possible to have different specifications of goods and services for different designations, provided all the specifications are covered by your main list. You may cover different classes or different goods and services for the different designations. If the basic mark covers clothing, you may, for example, include “clothing” for some designations and for others (where a more precise specification is required), you may wish to state more specific items of clothing, for example, “t-shirts”.

WIPO will apply the version of the corresponding edition of the Nice Classification in force when you filed your international application, regardless of the version and edition of the Nice Classification applied to the goods and services in the basic mark.

WIPO accepts all the indications of the class headings, but some Contracting Parties may not. To prevent a provisional refusal by the Office of such a Contracting Party, it is advisable to list specific goods and services, instead of using the indication of the class headings.

WIPO will not accept the use of expressions such as “all goods in class X” and “all other services in this class”. Therefore, you must indicate the relevant goods and services. Please refer to our [Classification Guidelines](#) and use our [Madrid Goods and Services Manager](#) for further guidance and information.

Item 10(a): Indicate below the goods and services for which the international registration is sought

Indicate the goods and services here by grouping them together in the appropriate classes of the edition of the Nice Classification in force at the time of filing your international application. Each group should be accompanied by the number of the class, and presented in the order of the classes of that Classification.

LIMITATION OF THE LIST OF GOODS AND SERVICES

If you wish to reduce the list of goods and services for one or more of the designated Contracting Parties, you can do so by indicating a limitation in item 10(b).

Item 10(b): The applicant wishes to limit the list of goods and services in respect of one or more designated Contracting Parties:

Check the box if you wish to limit the list of goods and services provided in item 10(a) in respect of one or more designations. Indicate the name of the Contracting Parties appearing in item 11, together with the class number and the goods and services for which protection of the mark is sought in those Contracting Parties. The limitations may be different in respect of the different Contracting Parties.

When requesting a limitation you must expressly indicate in item 10(b) all the goods and services for which you seek protection of your mark in the designated Contracting Parties concerned. If you only indicate goods and services in a particular class, WIPO will consider that you do not seek protection in the Contracting Parties for which the limitation is requested for the other classes set out in the main list (item 10(a)).

There are many reasons why you may wish to limit the goods and services for certain Contracting Parties. In general, a limitation may be used for reducing the amount of the fees to be paid, preventing a possible provisional refusal and/or avoiding possible litigation. This is also useful if you have any agreement with a third party or you wish to avoid a conflict with a third party.

An example: You wish to apply for the protection of your mark in respect of “clothing” in Class 25 and you designate ten Contracting Parties, including, for example, the United States of America.

The United States Patent and Trademark Office (USPTO) does not accept general indications such as “clothing”. Therefore, the USPTO would, in this case, issue a provisional refusal requesting that the term “clothing” be more specifically defined, for example, “shirts, coats, socks...”.

However, Offices of other Contracting Parties may accept the broader term “clothing”. Therefore, to claim the broadest protection possible in the other Contracting Parties you may wish to simply limit the goods with respect to the designation of the United States of America, in item 10(b), in the following manner:

Contracting Party:	Class(es) of goods and services for which protection is sought in this Contracting Party:
United States of America	Class 25: shirts, coats and socks.

This means that for the designation of the United States of America, protection is sought in class 25 for “shirts, coats and socks” instead of “clothing”.

This could reduce the chances of receiving a notification of provisional refusal from the USPTO, and at the same time allow for protection for a wider coverage of goods in the other designated Contracting Parties.

ITEM 11: DESIGNATIONS

You must indicate the Contracting Parties for which protection for the mark is sought by checking the corresponding boxes.

It is not possible to designate the Contracting Party indicated in item 1, namely the Contracting Party of the Office of origin (prohibition of “*self-designation*”).

A number of specific requirements apply for certain Contracting Parties. Check the various footnotes in the form for more details. If you are designating the European Union (EM) or the United States of America (US), please note that they require specific information that you must provide at the time of filing the international application. Most of the footnotes are self-explanatory. However, some further information is highlighted below:

FOOTNOTE A: DESIGNATION OF THE EUROPEAN UNION (EM)

A second language

You must select one of the five official languages of the European Union Intellectual Property Office (EUIPO), namely, English, French, German, Italian and Spanish. The second language must be different from the language of the international application. Please note that protection in the EU may be challenged by a third party opposition in the second language.

If you do not indicate a second language, the international application with the designation of the European Union (subject to everything else being in order) will be recorded. However, the EUIPO will issue a provisional refusal and you will need to contact the EUIPO directly to overcome it.

A claim of seniority

The seniority claim is a feature of the European Union Trade Mark System, therefore, its status and impact can only be determined by the EUIPO and the Member State(s) of the earlier mark(s).

The applicant can claim seniority in the international application by attaching a form [MM17](#) for each Member State for which seniority is claimed. If the form MM17 is in order, WIPO will record the seniority claim in the International Register and forward all the information given to the EUIPO. The EUIPO will then examine the seniority claim and accept or refuse it in accordance with its applicable legislation.

Seniority must be claimed at the time of designating the European Union in the international application (or subsequent designation). If you do not claim seniority at the time of filing the international application or subsequent designation, you will need to submit the claim of seniority directly to the EUIPO. Since claiming seniority is subject to strict requirements and time limits set by the EUIPO, we strongly advise you to contact the EUIPO directly, if you have any questions.

FOOTNOTE B: INTENTION TO USE THE MARK

There are a number of Contracting Parties that require the applicant to declare that they have an intention to use the mark (or the intention to allow someone else to use the mark with their consent) in their territory, in connection with the goods and services applied for. The applicable Contracting Parties are listed in footnote 2.

FOOTNOTE D: DESIGNATION OF THE UNITED STATES OF AMERICA (US)

A declaration of intention to use the mark

If you designate the United States of America, you **must** complete and attach form [MM18](#) (declaration of intention to use the mark).

If the form MM18 is missing or defective, and where this irregularity is not remedied within the two months' period counted from the date of receipt of the international application by the Office of origin, the designation of the United States of America will be disregarded. WIPO will record the international application where other Contracting Parties are indicated.

FOOTNOTE E: DESIGNATIONS OF BRAZIL (BR), CUBA (CU) AND JAPAN (JP)

Individual fee payable in two parts

If you designate Brazil, Cuba or Japan, you are required to pay the individual fee in two parts. The first part is payable at the time of filing the international application, and the second part is payable once the Office concerned is satisfied that the mark qualifies for protection. Therefore, you would receive the notification of the second part of the individual fee together with the statement of grant of protection.

FOOTNOTE H: DESIGNATION OF BRAZIL (BR)

If you designate Brazil, you declare that the applicant, or a company controlled by the applicant, effectively and lawfully conducts business in connection with the goods and services covered in the designation of Brazil in the international application.

ADDITIONAL INFORMATION CONCERNING THE DESIGNATIONS OF CAMBODIA (KH), MEXICO (MX) MOZAMBIQUE (MZ), THE PHILIPPINES (PH) AND THE UNITED STATES OF AMERICA (US)

In addition to the declarations of *intention to use* the mark (referred to in footnotes 2 and 4), please note that you will need to submit declarations of *actual use* of the mark directly to the Offices in Cambodia, Mexico, Mozambique, the Philippines, and the United States of America in line with their national legislation. Since such *actual use* of the mark has to be declared before the respective Offices, taking into account the different requirements, procedures and time limits in each country, we recommend that you consult the [Madrid Member Profiles Database](#) or the Offices concerned for their specific requirements.

You may also refer to the following Information Notices:

- Cambodia (Information Notice [No. 11/2016](#))
- Mexico (Information Notice [No. 13/2018](#))
- Mozambique (Information Notice [No. 37/2016](#))
- Philippines (Information Notice [No. 18/2013](#))
- United States of America (Information Notices [No. 16/2010](#) and [No. 09/2016](#))

ITEM 12: SIGNATURE OF THE APPLICANT AND/OR THEIR REPRESENTATIVE

Sign this form (or use a seal) *only if* required or allowed by the Office of origin. The signature should be handwritten, printed, typed or stamped.

The person signing the form declares that they are entitled to do so under the applicable law.

ITEM 13: CERTIFICATION AND SIGNATURE OF THE INTERNATIONAL APPLICATION BY THE OFFICE OF ORIGIN

Do not complete this item. This item should only be filled out by the Office of origin.

The Office of origin must sign the international application form and must certify the date of receipt (or the date it was deemed to been received). The date of receipt is very important because it will become the date of the international registration, provided the international registration meets the minimum formal requirements, and it is received by WIPO within two months from the date it was received by the Office of origin. If the application is not received by WIPO within this two months period, it will bear the date the application was actually received by WIPO.

The Office of origin must certify that the particulars of the international application correspond to those of the basic mark.

FEE CALCULATION SHEET

You must complete the “Fee Calculation Sheet” annexed to the form. You will need to calculate and indicate the amount of fees (unless the fee is to be debited from a Current Account at WIPO) and provide details of your chosen method of payment.

Where no payment or insufficient payment has been received by WIPO, the applicant and the applicant’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, please check the box and indicate the following:

Holder of the account

Indicate the name of the holder of the Current Account,

Account number

Insert five digit account number, and

Identity of the party giving the instructions

Indicate the name of the party giving the payment instructions, this could be the applicant, representative, Office of origin or third party).

There is no need to calculate and indicate the amount of fees to be debited from a Current Account at WIPO.

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

If you have not provided any instructions above to debit the required fee from a Current Account at WIPO, please use the [Fee Calculator](#) to help you estimate the amount of fees to pay.

The amount of fees payable will depend on the number of Contracting Parties designated, their applicable fees and the number of classes of goods and services.

Applicable fees

You must pay a basic fee of 653 Swiss francs for a mark in black and white or 903 Swiss francs where the mark is in color.

In addition to the basic fee, you will need to pay the fees for each of the designated Contracting Parties you wish to add to your international application, which will be either complementary and supplementary fees, or individual fees.

Complementary and supplementary fees (“standard fees”)

Complementary fees (100 Swiss francs per designated Contracting Party) and supplementary fees (100 Swiss francs for each class of goods and services in the excess of three) are fixed amounts and are often referred to as “standard fees”, which apply where the Contracting Parties designated have not declared for individual fees.

Individual fees

Some Contracting Parties charge an individual fee. Where individual fees have been declared, you will pay these fees instead of the standard fees, except where the designated Contracting Party and the Contracting Party of the holder are both States bound by the Protocol and the Agreement, in which case, a complementary fee is payable.

Please check amount here: [Individual Fees](#).

Do not forget to indicate the Grand Total in the form (in 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 applicant, representative, Office of the Contracting Party of the holder 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, please check the respective box and indicate the following:

Payment identification

When transferring funds to WIPO (bank or postal transfers), please 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 code (EN) for international application;
- ✓ The mark or verbal elements of mark (if available); and
- ✓ Name of the applicant (if different than the name of the party making the payment).

dd/mm/yyyy

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

[End of Note for Filing Form MM2]