

## NOTE FOR FILING FORM MM8: REQUEST FOR THE RECORDING OF A CANCELLATION OF THE INTERNATIONAL REGISTRATION

**Form MM8 (Mandatory)**: Request for the recording of a cancellation of the international registration (Rule 25 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

Use this form to request the cancellation of an international registration (total cancellation) or to remove some of the goods or services permanently from the international registration (partial cancellation).

A single form may be used to request a total cancellation for multiple international registrations provided that they are all in the name of the same holder. If the request concerns a partial cancellation, a separate MM8 form must be submitted for each international registration.

Please note that WIPO will record the information received in the International Register, provided it meets the requirements of Rule 25 of the Regulations. Therefore, it is important that you provide accurate and complete information.

#### IS THIS THE RIGHT FORM?

Do **not** use this form unless you wish to either remove the international registration permanently from the International Register or remove some goods and services permanently from an international registration.

To reduce the list of goods and services with respect to all or some of the designated Contracting Parties in an international registration, without removing those goods and services permanently from the international registration, use form [MM6](#) (limitation).

To abandon the effects of an international registration with respect to some (but not all) of the designated Contracting Parties from the International Register, use form [MM7](#) (renunciation).

#### THE EFFECT OF RECORDING THE CANCELLATION

##### Total cancellation

When a total cancellation is recorded, the international registration concerned is removed from the International Register and will no longer be in force. Therefore, the international registration will no longer have effect in the designated Contracting Parties.

## Partial cancellation

When a partial cancellation is recorded, the goods and services concerned are permanently removed from the international registration and will no longer be covered in the designated Contracting Parties.

A request for partial cancellation may be appropriate, for example, where specific goods and services are no longer of interest, or if the holder wishes to avoid a potential conflict with third parties in the Contracting Parties.

As the goods and services are permanently removed from the international registration, they will not be taken into account at the time of renewal when calculating the supplementary fees and, where applicable, the individual fees (for more information please see the Notes for Filing MM11). Furthermore, the goods and services concerned cannot later be the subject of a subsequent designation.

Once the cancellation of the international registration has been recorded in the International Register, WIPO will inform the Offices of the designated Contracting Parties concerned.

Please note that it is not possible to transform the international registration (or the cancelled goods and services) into national or regional rights following this request for cancellation. Transformation is only possible where the Office of origin has requested the cancellation following the ceasing of effect of the basic mark (under Article 6(4) of the Protocol).

## HOW TO SUBMIT THIS FORM

You may submit this request directly to WIPO by using [Contact Madrid](#) (under “My request concerns”, select the topic “a form submission”). Alternatively, you may submit this form through the Office of the Contracting Party of the holder. However, before doing so, you will need to check with the Office on how to submit the form – on paper or by electronic means, and whether any handling fee is charged for the transmission to WIPO.

## FEE INFORMATION

There is no fee for the recording of a cancellation.

## E-MAIL ADDRESS AND WIPO'S ONLINE SERVICES

Where you have not already done so, for example, in the international application, you must provide an e-mail address. This 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.

Please use [Contact Madrid](#) to provide (or update) your e-mail address (under “My request concerns” select the topic “a change in contact details of the holder”).

Where a representative has been appointed WIPO will send all communications electronically to the e-mail address recorded for the representative **only**<sup>1</sup>. Where the holder has not appointed a representative, WIPO will send all communications electronically to the e-mail address provided for the holder unless an alternative e-mail address for correspondence has also been provided.

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 MM8

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

### REFERENCE NUMBERS

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

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<sup>1</sup> Where a representative has been appointed, WIPO will not normally 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.

## ITEM 1: INTERNATIONAL REGISTRATION NUMBER(S)

Indicate the international registration number(s), for example 123456 or 123456A.

When the request concerns several international registrations, the name of the recorded holder of each registration must be identical. If not, a separate request must be presented for each holder.

If you want to record a partial cancellation for several international registrations, you must present a separate request for each international registration.

## ITEM 2: NAME OF THE HOLDER

Indicate the holder's name exactly as recorded in the International Register. Where the international registration is jointly owned, indicate the names of each joint holder as recorded.

## ITEM 3: APPOINTMENT OF A (NEW) REPRESENTATIVE

Complete this section only if you are appointing a representative for the first time, or if you wish to replace your previously appointed representative (the one currently recorded in the International Register).

Do not complete this section if you wish to:

- update the contact details of a representative already recorded in the International Register. Use form [MM10](#) for this purpose; or
- amend or cancel the e-mail address or phone number of a representative already recorded in the International Register. Submit a request to WIPO using the [Contact Madrid](#) (under “My request concerns”, select the topic “something else”) for this purpose.

### Item 3(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 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 3(c): E-mail address

You **must** provide an e-mail address. All communications from WIPO concerning the international registration(s) listed in this form 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 3(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.

#### *Signature of the holder appointing the above (new) representative*

The holder must sign this item. The signature should be handwritten, printed, typed or stamped. If there is no signature WIPO will process your request but the appointment of the representative will not be recorded. Neither the recorded representative nor the new representative may sign this item on behalf of the holder.

A representative may only record a single e-mail address to communicate with WIPO. All communications from WIPO will be sent to the representative by e-mail only.

## **ITEM 4: GOODS AND SERVICES**

Indicate whether you wish to request a total or partial cancellation by checking either box 4(a) **or** box 4(b). Please be careful when selecting a total cancellation. If box 4(a) is checked WIPO will inscribe the total cancellation regardless of whether any further information is provided in item 4(b), 4(b)(i) or 4(b)(ii).

### **Box 4(a): Total cancellation**

Check this box if you want to cancel (remove) the international registration(s) from the International Register.

Please note that in the case of a total cancellation, the international registration will cease to exist.

### **Box 4(b): Partial cancellation**

Check this box if you wish to cancel only some of the goods and services covered by the international registration.

If you have checked box 4(b) you must indicate the scope of the partial cancellation in items 4(b)(i) and 4(b)(ii):

#### **Item 4(b)(i): Entire classes**

Indicate only the class number of the class concerned if the entire class is to be cancelled – i.e., all the goods and services in a particular class to be permanently removed from the international registration.

#### **Item 4(b)(ii): If the cancellation affects only some of the goods and services**

Indicate the specific goods and services that are to remain in the international registration following the cancellation. Do not only list the goods and services to be cancelled.

### Example

Your international registration covers goods and services in classes 14, 25 and 38, and you want to cancel the entire class 14 and exclude “*footwear*” from class 25:

Indicate in item 4(b)(i) only the class number to be cancelled:

Class 14\*

Indicate in item 4(b)(ii) the full list of goods and services that is to remain protected:

Class 25 now reads: “Clothing, headgear”. This new list will replace the existing list in the International Register, which was “clothing, headgear and footwear”.

\* Any class covered by the international registration that is not listed will not be cancelled and will remain as recorded in the International Register – in this example, class 38 remains protected as it is recorded in the International Register.

The recording of the partial cancellation will appear in the [WIPO Gazette of International Marks](#). The recording will reflect that:

Class 14 is cancelled.

Goods and services not cancelled:

25 Clothing; headgear.

Class 38 remains unchanged.

### Box for continuation sheet

Check this box, if you need to use a continuation sheet.

### ITEM 5: SIGNATURE OF THE HOLDER AND/OR THEIR REPRESENTATIVE

The holder or the holder’s representative must sign the form before presenting this directly to WIPO. If the form is not signed, the request for cancellation will not be recorded.

If the request is presented through, and signed by, an Office, the signature of the holder or the holder’s representative is not required and this item may be left blank. However, the Office may require or allow the holder (or representative) to sign this item.

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

### Name (holder)

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

### **Name (representative)**

Where the representative signs the form, indicate the name of the representative exactly as recorded in the International Register or as indicated in the appointment of the (new) representative in item 3. If the recorded holder signs the form, there is no need for the representative to sign it as well.

Where the holder or 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 should be handwritten, printed, typed or stamped. Alternatively, a seal may be affixed to the form.

### **ITEM 6: OFFICE OF THE CONTRACTING PARTY OF THE HOLDER PRESENTING THE REQUEST**

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

[End of Note for Filing Form MM8]