

# HIGHLIGHTS

[www.wipo.int/madrid/en](http://www.wipo.int/madrid/en)

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Madrid Highlights is a quarterly publication of the World Intellectual Property Organization (WIPO) for the users of the Madrid System for the International Registration of Marks (Madrid system). Comments, suggestions, questions and inquiries regarding subscriptions may be sent to: [madrid.highlights@wipo.int](mailto:madrid.highlights@wipo.int).

## CONTRACTING PARTIES

### CHANGES IN INDIVIDUAL FEE UNDER ARTICLE 8(7) OF THE MADRID PROTOCOL

In accordance with Rule 35(2)(d) of the Common Regulations, the Director General of WIPO has established new amounts, in Swiss francs, of the individual fees that are payable when the respective Contracting Parties, listed below, are designated in an international application, in a designation subsequent to an international registration or in respect of the renewal of an international registration.

The Contracting Parties and the date on which the changes took effect are:

- Sweden, on February 5, 2013 (Information Notice [No. 1/2013](#))
- United States of America, on February 17, 2013 (Information Notice [No. 2/2013](#))
- Greece, on February 27, 2013 (Information Notice [No. 7/2013](#))
- Israel, on March 10, 2013 (Information Notice [No. 5/2013](#))

## DECLARATIONS AND NOTIFICATIONS

### Mexico

The Government of Mexico has made the declaration referred to in Article 8(7) of the Madrid Protocol whereby it wants to receive an individual fee when Mexico is designated, either in an international application or in a designation subsequent to an international registration or in respect of the renewal of an international registration designating Mexico. This declaration entered into force on February 19, 2013. More information can be found in Information Notice [No. 6/2013](#).

### **Syrian Arab Republic: Deadline to Submit a Legalized Power of Attorney when Filing an Appeal Against a Provisional Refusal Concerning a Designation of the Syrian Arab Republic Made in an International Registration**

The International Bureau received a letter from the Office of the Syrian Arab Republic concerning the deadline to submit a legalized power of attorney when filing an appeal against a provisional refusal with respect to a designation of the Syrian Arab Republic made in an international registration.

Any holder of an international registration wishing to file an appeal against a provisional refusal issued by the Office of the Syrian Arab Republic will be allowed to do so directly before the Office within 30 days from the date on which the holder received the notification of provisional refusal sent by the International Bureau. After receiving the appeal, the Office of the Syrian Arab Republic will freeze the proceedings for a period of three months as from the date on which the appeal was filed, to allow for the submission of the required power of attorney appointing a local representative.

For further information concerning this matter see Information Notice [No.8/2013](#) and/or contact the Office of the Syrian Arab Republic (<http://www.wipo.int/madrid/en/members/profiles/sy.html>).

## AMENDMENTS TO OFFICIAL MADRID FORMS (MM FORMS)

The International Bureau of WIPO is pleased to announce that revised versions of the official Madrid forms (MM forms) have been made available for users of the Madrid system.

One amendment refers to the indication of the preferred means of communication with the International Bureau of WIPO. Where an e-mail address is indicated and the appropriate box is ticked, the holder or his representative thereby indicates that electronic communication is the preferred means of communication from the International Bureau of WIPO. See for example items 2 and 4 in the international application form [MM2](#).

Another amendment regards the information to be given concerning goods and services, where the International Bureau provides more guidance on how the list of goods and services should be prepared. Such additional information will facilitate the classification and translation processes as well as help reduce the number of possible irregularities. See for example item 10 in the international application form [MM2](#).

More information about these amendments can be found in Information Notice [No. 4/2013](#) and all official Madrid forms are available on the Madrid system web site, at the following address: <http://www.wipo.int/madrid/en/forms/>.

## MADRID UNION

### CHANGES IN THE LEGAL FRAMEWORK

#### Amendments to Rules 7, 24 and 40 of the Common Regulations Under the Madrid Agreement and Protocol

Amendments to Rules 7, 24 and 40 of the Common Regulations Under the Madrid Agreement and Protocol (hereinafter referred to as “the Common Regulations”), as adopted by the Assembly of the Madrid Union at its forty-fifth (26<sup>th</sup> Extraordinary) session, came into effect on January 1, 2013.

Rule 7 of the Common Regulations relates to Notification of Certain Special Requirements. The fact that there remained no standing notification made under deleted Rule 7(1) of the Common Regulations, led to consequential amendments to Rule 7(3)(b) and its accompanying footnote 1, as well as, to the deletion of Rule 24(2)(a)(i) and the transitional provision in Rule 40(5) of the Common Regulations, as there were no longer applicable.

For further information, see Information Notice [No. 3/2013](#) and the [third issue of the Madrid Highlights](#).

## MADRID WORKING GROUP

The eleventh session of the Working Group on the Legal Development of the Madrid System for the International Registration of Marks will take place at the headquarters of WIPO in Geneva, Switzerland, from October 30 to November 1, 2013.

More information will be published in due time on the Madrid system web site at the following address: [http://www.wipo.int/meetings/en/topic.jsp?group\\_id=147](http://www.wipo.int/meetings/en/topic.jsp?group_id=147)

## MADRID OUTREACH

### INTERNATIONAL TRADEMARK ASSOCIATION (INTA) 2013

The 135<sup>th</sup> Annual Meeting of the International Trademark Association (INTA) is taking place in Dallas, Texas, United States of America, from May 4 to 8, 2013.

This event is expected to be attended by some 9,000 trademarks practitioners; trademark service providers, academics and marketing managers.

WIPO is taking again advantage of this unique opportunity to promote, among other things, its trademark-related services by means of a booth in the Exhibition Hall from Sunday, May 5 to Wednesday, May 8, 2013, where attendees can meet one-on-one with WIPO experts on the Madrid system.

Users and potential users of the Madrid system from all over the world have also the possibility to learn the latest news by attending the Madrid System Users' Meeting (MSUM) scheduled on Sunday May 5, 2013, from 11 a.m. to 2 p.m.

### SEMINAR ON THE MADRID SYSTEM FOR THE INTERNATIONAL REGISTRATION OF MARKS

A Seminar on the Madrid system is scheduled for the first week of June 2013, at the headquarters of WIPO in Geneva. The Madrid Seminar offers a unique training platform where all aspects of the Madrid system are covered in-depth, by experts from the International Bureau of WIPO, Officials from national or regional offices and trademark practitioners.

The Seminar also offers an excellent opportunity for the participants to network and share their common interest and experience.

Detailed information regarding the upcoming Seminar, including the program and the on-line registration facilities will soon be posted on the Madrid web site at:

[http://www.wipo.int/meetings/en/topic.jsp?group\\_id=239](http://www.wipo.int/meetings/en/topic.jsp?group_id=239).

## ONLINE SERVICES

### WIPO'S GLOBAL BRAND DATABASE TOPS THE 10 MILLION MARK

The International Bureau announced a major expansion of its public database of trademark and brand information. The newest addition of six national collections of trademark record – including the entire United States Patent and Trademark Office (USPTO) collection – takes the [Global Brand Database](#) from 2.2 to 10.9 million records, making it the world's largest free, public trademark search facility.

In the words of Director General Mr. Francis Gurry, WIPO's [public databases](#) are central to the Organization's wider efforts to create "an open, inter-connected and inclusive IP [knowledge-sharing infrastructure](#), which makes it easy for anyone, anywhere, to access the wealth of information in the intellectual property system.

For more information, please, refer to:

[http://www.wipo.int/pressroom/en/articles/2013/article\\_0002.html](http://www.wipo.int/pressroom/en/articles/2013/article_0002.html)

## MADRID REAL-TIME STATUS (MRS)

MRS is now available in a version tailored to mobile devices, such as Android phones, Blackberries, iPads and iPhones.

This version is designed for the smaller screen and it allows you to tailor the data displayed in the results list. Searches are saved and can easily be re-executed (as per the Web version).

It is available at [www.wipo.int/mrs](http://www.wipo.int/mrs)

## MADRID TIPS

### PRACTICAL EXAMPLES ON THE IMPLEMENTATION OF THE MADRID SYSTEM: RULE 13 OF THE COMMON REGULATIONS

Under Rule 13 of the Common Regulations, whenever the International Bureau of World Intellectual Property Organization (IB) considers that there is an irregularity in an international application with respect to the indication of goods and services, it will notify the Office of origin and inform the applicant. The responsibility for remedying this irregularity lies with the Office of origin, which may, within three months from the notification, make a proposal for remedying the irregularity.

I am the applicant of an international application. I have received an irregularity letter indicating that a term of the list of goods and services is too vague for the purposes of classification. The letter also states that the irregularity is to be remedied by the Office of Origin.

#### Q1. What does it mean?

R1. This means that the IB considers that a term used in the list of goods and services is not sufficiently clear for the purposes of classification. When that happens, the IB notifies the Office of origin and informs the applicant. The IB may suggest either a substitute term or the deletion of the term. The Office of origin may, within three months of the notification, make a proposal to remedy the irregularity.

#### Q2. Is any action required on my part as the applicant of the international application concerned?

R2. There is no action required from you in this case. However, you, as the applicant, may communicate your views regarding the irregularity to your Office of origin, or the Office may seek your views.

#### Q3. What options has the Office of origin to reply to the irregularity?

R3. The Office of origin may respond to the irregularity as follows:

- Agree to accept any suggestion which the IB may have made, then the term will be changed accordingly.
- Do not agree to accept the suggestion. Then, the Office of origin may respond to the irregularity by submitting a new proposal.

- If the new proposal is acceptable to the IB, then the term will be changed accordingly.
- If no proposal is acceptable to the IB, within the three-month time limit, there are two possibilities:
  - If a class number has been indicated for the term in question, the term will be included in the international registration as originally filed, with an indication stating that, in the opinion of the IB, the term is too vague for the purposes of classification (this indication may not be deleted from the International Register at a later stage).
  - If a class number has not been indicated for the term in question, it will be deleted and the IB will notify the Office of origin and inform the applicant accordingly.

**Q4. What happens if the Office of origin does not reply to the irregularity?**

R4. If the Office does not reply to the irregularity, there are two options:

If a class number has been indicated for the term in question, the term will be included in the international registration as originally filed, with an indication stating that, in the opinion of the IB, the term is too vague for the purposes of classification (this indication may not be deleted from the International Register at a later stage).

If a class number has not been indicated for the term in question, it will be deleted and the IB will notify the Office of origin and inform the applicant accordingly.

**Q5. If the Office does not reply, can I reply in its place?**

R5. No, you may communicate your views regarding the irregularity letter to your Office, but you cannot respond to the irregularity directly to the IB. The reply to the irregularity must be sent to the IB through the Office of origin within the prescribed time limit.

**Q6. Will I be informed of the outcome of this procedure?**

R6. Yes, where the irregularity is resolved and the international application conforms to the applicable requirements, the mark is registered in the International Register and a certificate is sent to the holder. Furthermore, the international registration is published in the Gazette and, for information purposes, in the ROMARIN database. Besides, as previously mentioned, you will also be informed where a non-classified term is deleted due to a non-acceptable proposal or in the absence of a reply from the Office of origin.

## USEFUL INFORMATION

### PAYMENT INSTRUCTIONS FOR TRADEMARK OPERATIONS

Under the Madrid system, fees must be paid **in Swiss francs (CHF)**. For any payment regarding an international registration of an application, a subsequent designation, a renewal or any other Madrid operation, a Schedule of Fees and a Fee Calculator are at your disposal at <http://www.wipo.int/madrid/en/fees/>

#### What Are the Payment Methods?

- 1) **E-payment** : WIPO reference number can be found at <http://wipo.int/mrs> or on an irregularity letter

- (a). By credit card (Visa, MasterCard and American Express):

For the payment of application fees or modification fees, enter your WIPO reference at <https://webaccess.wipo.int/epayment>

For the payment of renewal fees, enter your International Registration Number (IRN) at [https://webaccess.wipo.int/trademarks\\_ren/erenewal\\_en.jsp](https://webaccess.wipo.int/trademarks_ren/erenewal_en.jsp)

- (b). By current account :

By entering your WIPO current account number via the Web access at the above corresponding links.

## 2) WIPO Current Account

For the payment of fees, quote your WIPO current account number in your MM forms.

Note: If you carry out many financial transactions per month with the International Bureau, [http://www.wipo.int/resource/en/wipo\\_account.html](http://www.wipo.int/resource/en/wipo_account.html) will give you the “Conditions for Opening, Using and Closing a Current Account at WIPO”.

## 3) Bank Transfer

Please instruct your bank to pay the exact amount due in CHF. Note that you are responsible for paying any bank charges.

Beneficiary ..... WIPO  
Bank name .....Credit Suisse  
Bank account - IBAN n° ...CH51 0483 5048 7080 8100 0  
SWIFT .....CRESCHZZ80A

## 4) Mandatory payment details

In order for the World Intellectual Property Organization to properly attribute your payment, the following details are mandatory:

- Payer's name
- Payer's complete address
- Application **code** type (EN, EX, RE, etc....) Please refer to the list of codes at : <http://www.wipo.int/madrid/en/fees/abbreviation.html>
- Trademark number (national for registration and international for other purpose)
- Trademark name
- Name of the trademark's holder (if different than the payer)

NB: If the payment concerns more than one operation, please send the details (one amount per operation) to [Income.mark-dm@wipo.int](mailto:Income.mark-dm@wipo.int) mailbox.

- For any payment sent to the International Bureau, the payer should receive a payment receipt within 10 days. If not, please contact the Finance Services at:

Telephone: +41 22 338 7744  
Fax: +41 22 734 4693  
E-mail: [Income.mark-dm@wipo.int](mailto:Income.mark-dm@wipo.int)

For more information, please refer to: <http://www.wipo.int/madrid/en/fees/>

## **WARNING: REQUESTS FOR PAYMENT OF FEES AND SAMPLES OF MISLEADING INVOICES**

It has come to the attention of the International Bureau that what appears to be private business establishments are sending letters to the holders of international registrations, inviting them to pay fees for publishing their marks in publications which appear to be of an official nature, recording them in business directories or similar activities. Some of these establishments use signs similar to the WIPO logo or name, thereby misleading the public as to their source.

The International Bureau advises users that such activities have no legal effect under the Madrid system. All international trademark registrations and related records are published in the *WIPO Gazette of International Marks*, the only official publication of the Madrid system. All fees payable under the Madrid system are to be paid to the International Bureau directly in Swiss francs or through the Office of origin. The WIPO ROMARIN international trademark information database contains information regarding international applications, international registrations and subsequent designations. It can be searched free of charge.

If you have any questions about a letter that you have received, please check with your representative or [contact us](#).

- [Madrid System \(http://www.wipo.int/madrid/en/fees/invoices\\_2012.jsp\)](http://www.wipo.int/madrid/en/fees/invoices_2012.jsp)
- [Patent Cooperation Treaty \(PCT\) \(http://www.wipo.int/pct/en/warning/pct\\_warning.html\)](http://www.wipo.int/pct/en/warning/pct_warning.html)
- [IP Offices \(http://www.wipo.int/madrid/en/fees/ip\\_position.html\)](http://www.wipo.int/madrid/en/fees/ip_position.html)

## **ELECTRONIC COMMUNICATION WITH THE INTERNATIONAL BUREAU**

Electronic communication between the International Bureau and holders of International Trademark Registrations and their representatives was first made available in August 2007.

Since 2011, and until now, holders and their representatives could subscribe to the service of notification by email by sending a special request to WIPO at the email address: [e-marks@wipo.int](mailto:e-marks@wipo.int), when choosing to receive their official documents by email. The current list of documents covered by the electronic notification service is available at [http://www.wipo.int/madrid/en/services/electronic\\_notification.html](http://www.wipo.int/madrid/en/services/electronic_notification.html)

Today, holders and representatives can initiate electronic delivery by those same official documents from WIPO by selecting the appropriate box on all official forms of the Madrid system. For more information, please see [Information Notice No. 4/2013](#).

## **EXTRACTS**

A new Unit has been created for the purposes of the Extracts and Attestations from the International Register of WIPO.

### **What are we doing?**

On request, the International Bureau can provide you with certified extracts and attestations in English, French or Spanish from the International Register concerning the contents of a given international registration (either in force or having expired).

### How to contact us?

By e-mail: [madrid.records@wipo.int](mailto:madrid.records@wipo.int)

By phone: (+41 22) 338 84 84

By fax: (+41 22) 740 14 29

By post: Client Records Unit  
Operations Service – Madrid Registry  
Brands and Design Sector  
World Intellectual Property Organization (WIPO)  
34, chemin des Colombettes, P.O. Box 18  
1211 Geneva 20, Switzerland

### Do you need more information?

<http://www.wipo.int/madrid/en/extracts/>

## NEW PROMOTIONAL MATERIALS ON THE MADRID SYSTEM

### Promotional Film on the Madrid System – Six New Videos

A new series of informative audiovisual materials on the Madrid system have been produced by WIPO. It is comprised by six modules and is intended to inform the public interested in trademarks and the Madrid system.

The videos have been developed in English language, but additional linguistic versions are currently being explored. You may access the videos at: <http://www.wipo.int/madrid/en/>.

### New WIPO Publication “Protecting your Marks Abroad: the Madrid System”

A new WIPO publication No. 1039 entitled “*Protecting your Marks Abroad: the Madrid System*” has been released to complement the existing materials on the Madrid system available online and in hard copy.

This brochure is aimed mainly at the general public and small and medium-sized enterprises (SMEs).

It is available in English and may be downloaded free of charge at: <http://www.wipo.int/freepublications/en/>. Further editions in Arabic, Chinese, French, Spanish, and Russian are under development.

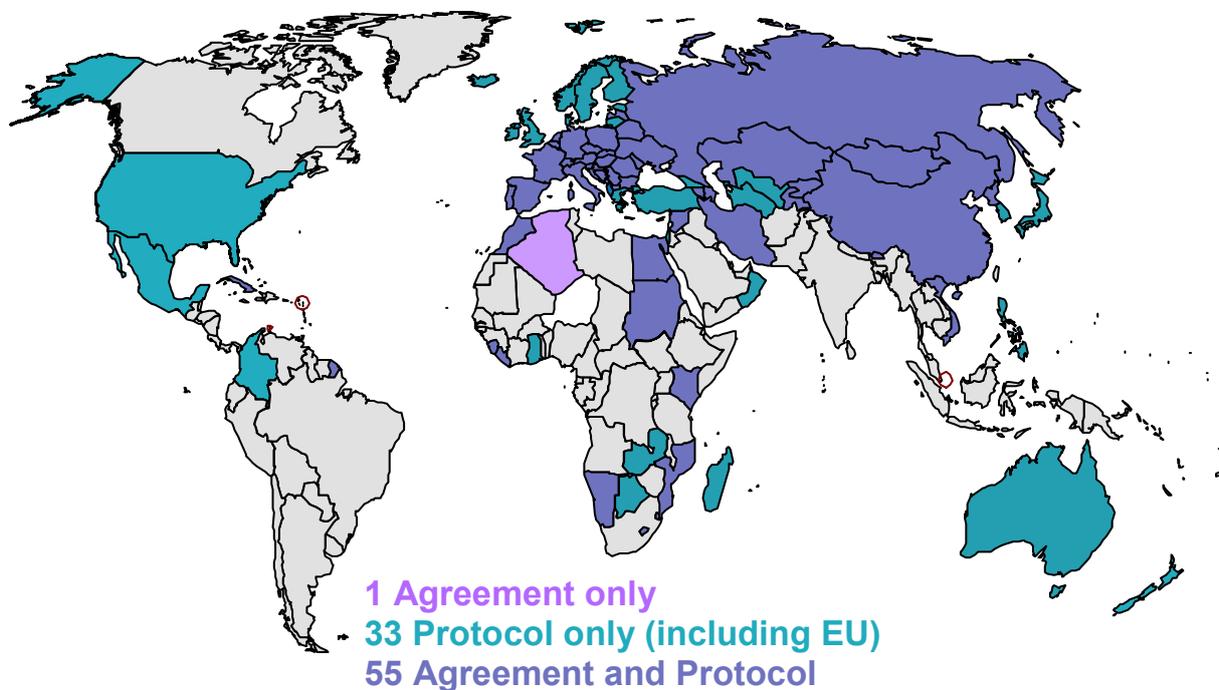
## WIPO NON-WORKING DAYS 2013

Pursuant to Rule 32(2)(v) of the Common Regulations, users are hereby informed that, in addition to Saturdays and Sundays, the International Bureau of WIPO is not scheduled to be open to the public during 2013 on the following days:

- Tuesday, January 1, 2013 (New Year)
- Wednesday, January 2, 2013 (New Year)
- Friday, March 29, 2013 (Easter)
- Monday, April 1, 2013 (Easter)
- Thursday, May 9, 2013 (Ascension)
- Monday, May 20, 2013 (Whitsun)
- Thursday, September 5, 2013 (Jeûne Genevois)
- Monday, October 14, 2013 (Eid Al-Adha)
- Wednesday, December 25, 2013 (Christmas)
- Thursday, December 26, 2013 (Christmas)

For more information, see Information Notice [No. 15/2012 REV.](#)

## MADRID UNION MAP



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**89 Members**

**HOW TO CONTACT US:**

**General queries:** Madrid Customer Service +41 22 338 8686. Email: [intreg.mail@wipo.int](mailto:intreg.mail@wipo.int)

Telephone opening hours: 9.00 a.m. to 6.00 p.m. Central European time (3.00 a.m. to 12.00 a.m. US Eastern time zone).

**Extracts queries:** Clients Records Unit +41 22 338 8484. Email: [madrid.records@wipo.int](mailto:madrid.records@wipo.int)

**Specific queries:** Contact our Teams, specialized by your Office of Origin/residence.

**Team 1:**  
[madrid.team1@wipo.int](mailto:madrid.team1@wipo.int)  
Phone +41 22 338 750 1

**Team 2:**  
[madrid.team2@wipo.int](mailto:madrid.team2@wipo.int)  
Phone +41 22 338 750 2

**Team 3:**  
[madrid.team3@wipo.int](mailto:madrid.team3@wipo.int)  
Phone +41 22 338 750 3

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