

Madrid System and Hague System, Two efficient tools for obtaining International Registration of Marks and Industrial Designs

WIPO - May 2004 Alicante



World Intellectual Property Organization

**International Registration of
Marks under the Madrid
Agreement and Protocol**



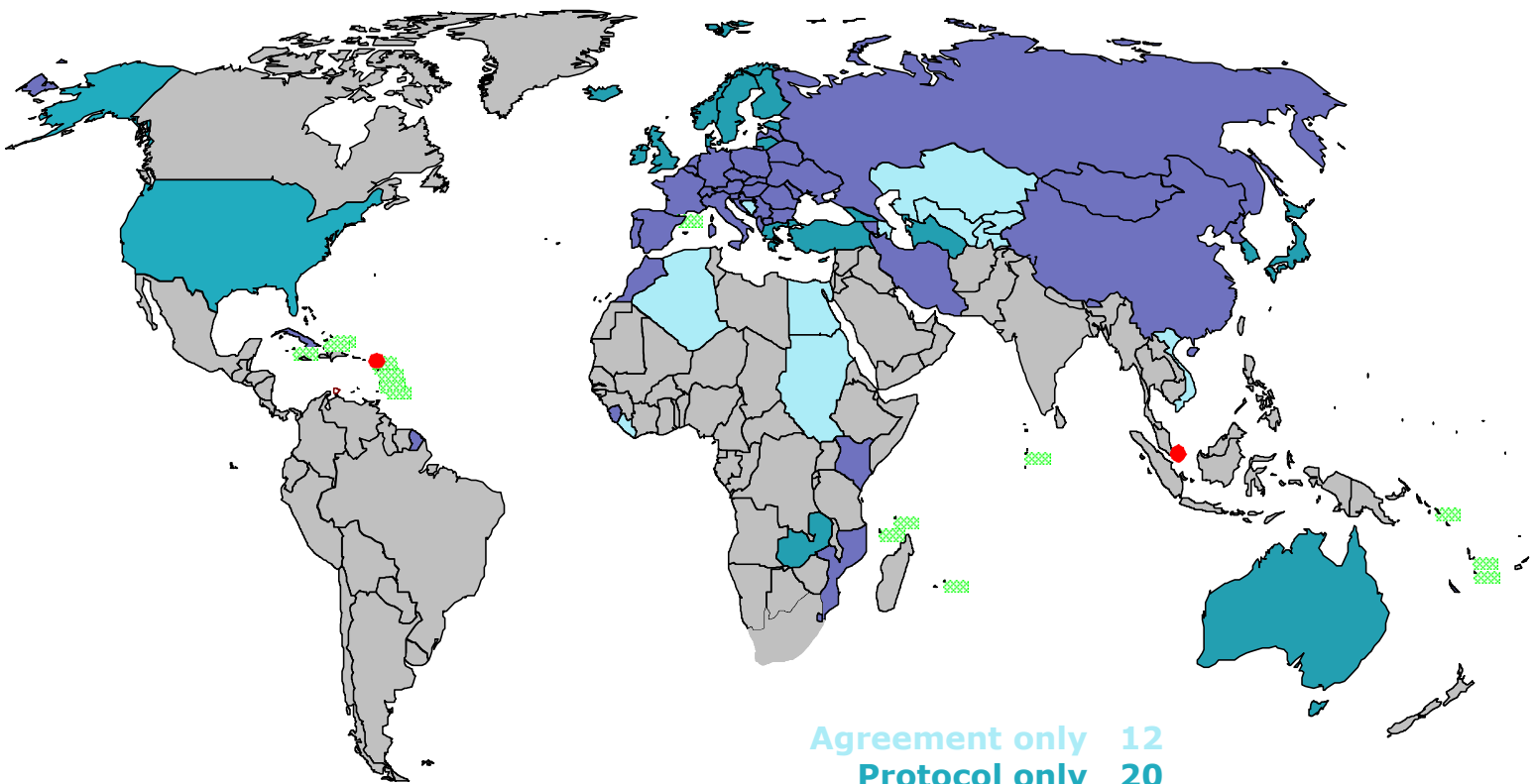


Madrid System

- One system and two treaties:
 - Madrid Agreement(1891)
 - Madrid Protocol(1989)
- Madrid Union:76 members
(<http://www.wipo.int/madrid/en/members/pdf/members.pdf>)

Madrid Union (Status March 31, 2004)

(76 Contracting Parties)



| | |
|------------------------|----|
| Agreement only | 12 |
| Protocol only | 20 |
| Agreement and Protocol | 42 |



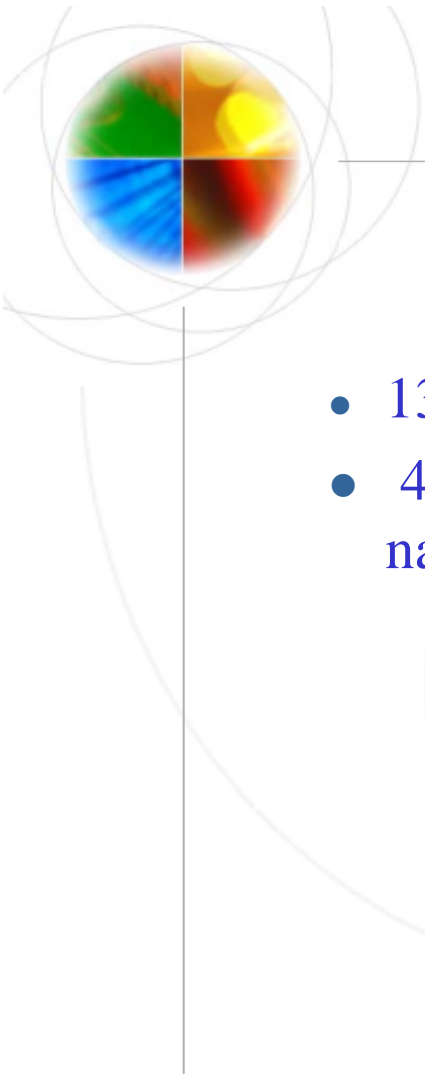
Basic Features of the Madrid System

- One application form, one language, one set of fees, one Office for obtaining registration in one or all member states of the Madrid Union
- simple system of administration



Madrid System

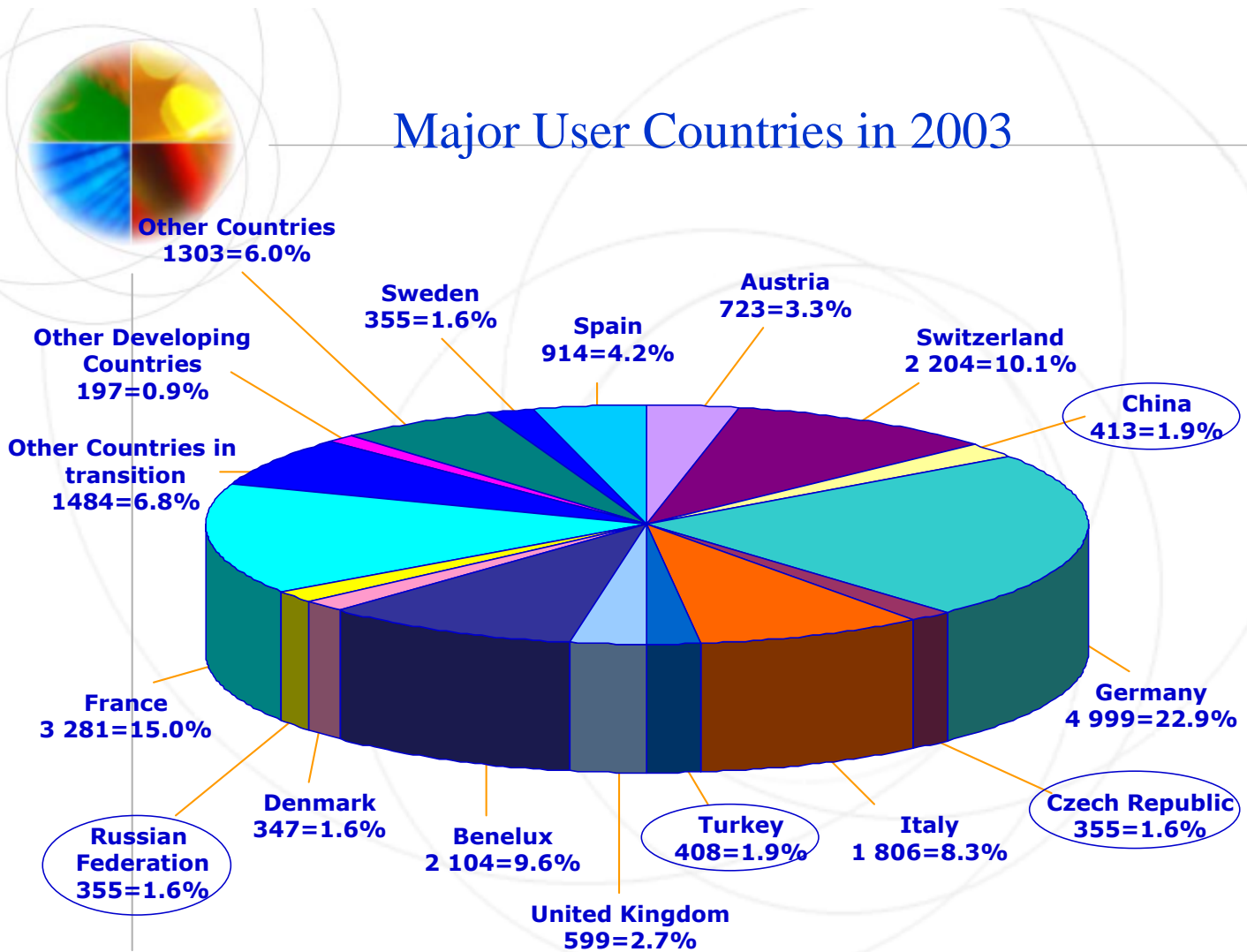
- Examination and registration in WIPO and notification to Trademark Offices of the Designated Countries.
- Possible period of refusal: 12-18 months (national legislation of each country applicable)
- Effects of the IR are independent in each designated country

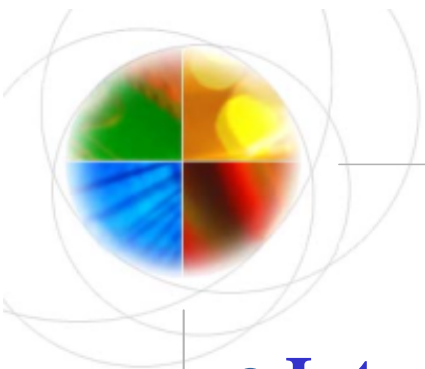


Madrid System Economic Tools

- 13,500 holders
- 412,000 international marks(= 4,800,000 national marks)

Major User Countries in 2003





- **International Registration of Designs under the Hague System**
- **Hague Union: 38 members**



The Hague Agreement is constituted by three different Acts:

- the Geneva (1999) Act, entered into force on December 23, 2003,
- the Hague (1960) Act, entered into force on August 1, 1984
- the London (1934) Act, which was adopted on June 2, 1934, and entered into force in June 1939.



What is the Hague Agreement?

- **A procedural filing system for the international registration of industrial designs, administered by the International Bureau of WIPO in Geneva (Switzerland).**



Objectives of the Hague Agreement

Registration and Administration of Industrial Designs in up to 38 States / Contracting Parties by means of -

- **a single procedure**
- **with a single administration**
- **in one language**
- **on the payment of fees in a single currency**



FILING

- ✕ **No prior filing needed**
- ✕ **May be filed directly with WIPO**
- ✕ **... in English or French**



Management of International Registration

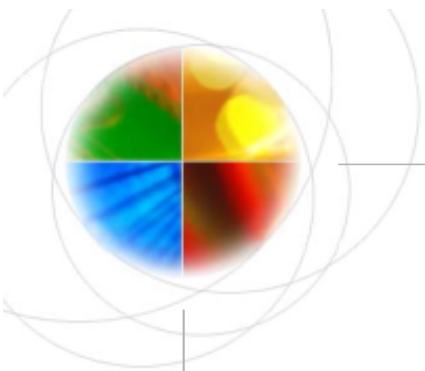
- **Renewal**
- **Change in Ownership**
- **Change of Name or Address**
- **Renunciation, Limitation and Cancellation**
 - ... centralised and streamlined procedures**



Advantages of the Hague System

For Industrial Design Owners

- Simple, efficient and cost-effective procedure for obtaining protection for industrial designs in the (38) countries bound by the Hague Agreement.
- Effective and economical means of maintaining protection and subsequently managing the registration



For Offices

- Simplification of procedures - - examination as to form, classification of the industrial designs and publication is handled by the International Bureau.



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