

A ROUTE TO GLOBAL BRANDING FOR ENTREPRENEURS

The Madrid Protocol
in Antigua and Barbuda



Funded by the European Union

CARIFORUM



EUIPO

EUROPEAN UNION
INTELLECTUAL PROPERTY OFFICE

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CARIFORUM INTELLECTUAL PROPERTY RIGHTS AND INNOVATION – CARIFI

In 2008 the European Union (EU) and the CARIFORUM States signed an Economic Partnership Agreement (EPA), intended to increase competitiveness, economic growth and development, supporting regional integration in the Caribbean and participation in the world trading system. The implementation of the EPA is a priority for both regions.

Innovation and creativity are the core drivers of sustainable economic development, and intellectual property rights (IPR) are the key tools to generate value from intangible assets. A strong enabling environment for intellectual property (IP) creation, protection, administration and enforcement will boost the participation of CARIFORUM countries in the world economy, and stimulate innovation and competitiveness in the private sector.

In this context, the CARIFORUM Intellectual Property Rights and Innovation (CarIFI) project, funded under the 11th European Development Fund, was conceived as one of the programme components aimed at providing ‘support to CARIFORUM States in furthering the implementation of their Economic Partnership Agreement commitments and in meaningfully reaping the benefits of the Agreement’.

As an international cooperation project funded by the EU, co-funded and implemented by the European Union Intellectual Property Office (EUIPO), CarIFI aims at contributing to attaining the commitments and expected benefits of the EPA, laying the ground for a sustainable long-term regional framework and cooperation on IP. The project runs from 1 November 2019 until 31 October 2023.

www.caripi-hub.com



Bringing together stakeholders from the CARIFORUM countries, from the EU, and relevant international organisations, CarIPI's main goals are to:

- support CARIFORUM states' IP offices to offer high-quality, state-of-the-art services to users;
- ensure availability of effective IPR enforcement mechanisms;
- contribute to the development of a sustainable and innovative private sector;
- facilitate business activity between the European Union (EU) and CARIFORUM, and particularly within the CARIFORUM region.

All IP system stakeholders including micro, small and medium-sized enterprises, are invited to visit the CarIPI website where we will be growing our repository of relevant publications, webinars and e learning materials on all aspects of IPR. You can also follow us on social media or sign up for our newsletter on the website, delivering updates directly to your mailbox once a month.

FOREWORD MESSAGE FROM THE EU DELEGATION TO BARBADOS, THE EASTERN CARIBBEAN STATES, THE OECS AND CARICOM / CARIFORUM

The European Union (EU) has enjoyed a strong historic, economic and cultural history with the Caribbean region. The EU has continued to give strategic importance to the strengthening of political relations, trade, cooperation, and development, both at regional level and country level with Antigua and Barbuda.

In partnership with the Caribbean Forum (CARIFORUM), the EU has provided extensive support to advancing regional integration and trade. This has been pursued, among others, by strengthening the integration process of the Organisation of Eastern Caribbean States (OECS) and the Caribbean Community (CARICOM), improving intra-CARIFORUM cooperation and by increasing cooperation between CARIFORUM and the wider Caribbean.

Central to this is the support to CARIFORUM member states in furthering the implementation of their Economic Partnership Agreement (EPA) commitments and in meaningfully reaping the benefits of the Agreement. A total of EUR 21 million has been devoted to this objective under the 11th European Development Fund (EDF).

A key area in the support to the implementation of the EPA to CARIFORUM member states is that of innovation and intellectual property rights (IPR). The project we have put in place for this seeks to strengthen the enabling framework that stimulates innovation and competitiveness in the private sector. The EU has committed EUR 2.8 million to this project, which is being managed by the European Union Intellectual Property Office (EUIPO).

The project will address the fractured approach to intellectual property (IP) by increasing the awareness of the overall importance of innovation and IP to regional stakeholders, while strengthening the existing network of regional IP institutions to deliver timely, high quality, and accessible IPR services to their clients. The project also enhances legal and policy frameworks in the area of trade marks, designs and geographical indications (GIs) and facilitates the participation in global protection systems in compliance with EPA provisions.

This booklet will serve as a practical guide and toolkit for the private sector – particularly medium, small, and microenterprises (MSMEs) of Antigua and Barbuda. Most notably, it will provide valuable guidance to businesses when considering expanding internationally, by outlining how they can take maximum benefit of this international registration system, the procedures to file trade marks under the Madrid System and noteworthy strategies to make the best use of the international registration systems.

The EU would also like to congratulate Antigua and Barbuda on its 20th anniversary of membership in the Madrid System. The EU looks forward to continuing its fruitful relationship with Antigua and Barbuda and the CARIFORUM region as we continue to develop sustainable pathways to economic growth.

Daniela Tramacere

EU Ambassador

DELEGATION TO BARBADOS, THE EASTERN CARIBBEAN STATES, THE OECS AND CARICOM/CARIFORUM



FOREWORD MESSAGE FROM THE REGISTRAR OF THE ANTIGUA AND BARBUDA INTELLECTUAL PROPERTY AND COMMERCE OFFICE

Antigua and Barbuda is a twin-island state located in the heart of the Caribbean. It is the largest territory in the Leeward Islands, being only 170 square miles altogether, with a population of under 100 000. Known for its 365 beautiful white sand beaches and a mild tropical climate, the warmth of the sun is only equalled by the warmth of the people. As we say in our country 'the beach is just the beginning', since we also possess a wealth of history and cultural depth developed since 1632 when we were settled by the British, and even before by the Amerindians who first arrived in 3000 BC. The north-eastern trade winds from Europe lead right to our doorstep and the Gulf Stream flows back to Europe. As a result, we have been a hub for Caribbean trade and commerce since the 17th century, sporting the only continuously operating Georgian shipyard in the world, Nelson's Dockyard, recently named a World Heritage Site.

Our seafaring history has resulted in a lack of fear when it comes to traversing uncharted waters. The same was true on 17 March 2000, when we officially joined the Madrid Protocol, a system for the international registration and management of marks. This year marks 20 years since we acceded to the Protocol. Being a member of the Madrid Protocol allows our citizens easier access to potential export markets by protecting their trade marks in all 106 contracting parties to the Protocol. Membership allows owners of trade marks overseas to have easier access to Antigua and Barbuda as their export market or investment location by designating us for protection of their marks. The Madrid Protocol is administered by World Intellectual Property Organization (WIPO).

The Madrid System is practical for those locally wishing to protect their intellectual property, particularly for our small and medium enterprises wishing to export and seeking protection of their brands overseas. It provides access to protection in international markets without having to physically travel or hire attorneys-at-law or trade marks agents overseas. You can file one international application, through the Antigua and Barbuda Intellectual Property and Commerce Office, indicating all the jurisdictions

where protection is sought (among all the Madrid members), while paying one set of fees. The Madrid System allows for centralised management of rights as the holders of international registrations can request the recording of changes to the international registrations, including their renewal, directly before WIPO.

To this day, Antigua and Barbuda is the only state in the English-speaking Caribbean that has joined the Madrid Protocol. We welcome more use of the system.

We are delighted to collaborate with the European Union, and particularly the European Union Intellectual Property Office (EUIPO) in the framework of the CarIPI project, as it pertains to the Madrid Protocol and awareness of the system.

This 4-year project was recently launched to strengthen the intellectual property rights environment in the CARIFORUM region as a means of fostering trade and investment and we hope it will help Antigua and Barbuda to create a stronger intellectual property office by disseminating information on the Madrid Protocol.

We hope to facilitate business activity between the EU and CARIFORUM, as well as within and throughout our region itself.

Ms Ricki Camacho

Registrar

ANTIGUA AND BARBUDA INTELLECTUAL PROPERTY AND COMMERCE OFFICE





■ 1. YOUR BRAND – YOUR STRONGEST ASSET

Your brand is the image that differentiates you from your competitors. It identifies your product, your service, your company. It may be represented by a sign, a symbol, a design, a word, a colour, or a combination thereof. It conveys a sense of quality, credibility, customer satisfaction. It plays a crucial role in your marketing strategy and is at the core of your business competitiveness. It generates customer loyalty and has a value. It may become your strongest asset.

1.1. BRANDING STRATEGIES AND BUSINESS SUCCESS

Branding aims at building a distinctive and attractive presence in the market that helps gain and retain loyal customers. Effective branding involves creating an image in the consumers' minds about the quality of a product or a service, mainly through advertising campaigns centred on the brand. It also requires ensuring the legal protection of the brand against competitors in the relevant markets. Branding strategies are at the core of sustained market competitiveness and business success.

1.2. BRAND CREATION, MANAGEMENT AND COMMERCIALISATION

Creating a brand implies choosing the signs that will distinguish your products or services from those of your competitors and getting them legally protected. The legal expression of your brand is a trademark.

A trademark confers on you the exclusive right to prevent third parties from using the signs that distinguish your brand in the course of trade for identical or similar goods or services.

You can register your trademark in Antigua and Barbuda by filing an application at the Antigua and Barbuda Intellectual Property & Commerce Office (ABIPCO). The registration of your trademark in Antigua and Barbuda has a duration of 10 years and is renewable indefinitely for similar periods. Managing your brand implies regularly renewing your trademarks and enforcing your rights against infringers and counterfeiters. The assignment and licensing of trademark rights may play a significant role in brand commercialisation through partnership, merger, and franchising initiatives.

1.3. PROTECTING YOUR BRAND IN EXPORT MARKETS

Protecting your brand outside Antigua and Barbuda implies acquiring trademark rights in each of the export markets where you wish to commercialise your products or services.

Trademark rights are territorial in nature and are only valid within the territory of a country (national trademark) or a group of countries having established a regional trademark system (e.g. the European Union). In principle, to acquire trademark rights abroad you need to file separate trademark applications at the trademark offices of the countries where you wish to have your brand protected. Once you get your rights in those countries you will need to follow separate procedures at those same offices to manage your rights (renew, license, or assign them). However, being a national of Antigua and Barbuda, or a person domiciled or having an industrial or commercial establishment in Antigua and Barbuda, you may take advantage of an alternative, more attractive, cost-effective and user-friendly route to acquire and manage your trademark rights abroad by making use of the Madrid Protocol, an international treaty that became effective in Antigua and Barbuda on 17 March 2000.



■ 2. THE MADRID PROTOCOL – A ONE-STOP SOLUTION TO PROTECT YOUR BRAND ABROAD

If you are a company, society, firm, sole proprietor or any other entrepreneur in Antigua and Barbuda, you can take advantage of the Madrid Protocol to protect your brand in more than a hundred countries around the world, following a simple and cost-effective procedure for filing your trademark applications and managing your trademark registrations abroad.

2.1. MADRID UNION MEMBERS – ATTRACTIVE MARKETS FOR ANTIGUA AND BARBUDA’S EXPORTS

The Madrid Union has 106 members (1 September 2020), including 104 States and two intergovernmental organizations (the European Union and the African Intellectual Property Organization – OAPI), that are Contracting Parties to the Madrid Protocol and cover the territories of 122 countries. They represent more than 80% of world trade flows and constitute very attractive markets for Antigua and Barbuda’s exports.

MADRID UNION MEMBERS

106 Members

(including the European Union and OAPI)
covering 122 countries as of
1 September 2020



Most of the top trading partners of Antigua and Barbuda are Madrid Union members. The 20 top importers of products from Antigua and Barbuda, having accounted for 97% of the country's exports in 2017, included 12 Madrid Union members, namely (by order of export values): Poland, United Kingdom, United States of America, Spain, Belgium and Luxembourg, Philippines, Australia, Republic of Korea, Italy, Germany and France.

2.2. MADRID PROTOCOL – USER-FRIENDLY PROCEDURES

The Madrid Protocol is administered by the World Intellectual Property Organization (WIPO), a specialised agency of the United Nations, based in Geneva, Switzerland. The Protocol allows you to obtain and maintain protection for your brand around the world by providing a user-friendly, expeditious and cost effective set of procedures for the central filing of trademark applications and the central management of trademark registrations with effects in various countries.

2.2.1. CENTRAL FILING TO SEEK PROTECTION IN VARIOUS TERRITORIES

Based on your Antigua and Barbuda's trademark, you can file an **international application** at Antigua and Barbuda Intellectual Property and Commerce Office (ABIPCO) designating all the members of the Madrid Union where you wish your mark to be protected. The application is forwarded to WIPO for examination, registration, and publication. Once your mark has been recorded by WIPO in the International Register, it is notified to each of the designated Madrid Union members. Those members must decide whether they grant protection to your mark in their territories within very strict time limits. In case a designated member does not communicate any objection within a given period from the date of notification (which may be 12 months, 18 months, or slightly longer than 18 months in case of opposition by a third party), the mark under international registration is deemed protected within the territory of that member as if the same had been registered directly with the IP office of that member.

2.2.2. CENTRAL MANAGEMENT OF YOUR TRADEMARKS

Once your **international registration** (IR) has been obtained and your mark is protected by one or more designated Madrid Union members, you will be able to manage your rights very easily by following online procedures at a single point (WIPO) to: (i) renew your trademark rights every 10 years; (ii) extend protection to new markets at any time; and (iii) request the central recording of various types of modifications to your registration (assignment of rights, change of name or address, limitations, renunciations).

2.3. ADVANTAGES – REDUCED COSTS, EFFECTIVE BRAND MANAGEMENT AND COMMERCIALISATION

Central filing of your trademark under the Madrid Protocol offers many advantages: you do not need to file separate trademark applications in many countries, drafted in different languages, pay fees in different currencies, hire the services of local representatives and follow different procedures in each of those countries. Instead, you can file a single international application at ABIPCO, in a single language (English), pay fees in a single currency (Swiss francs) and your application will have effects in every Madrid Union member of interest to you. The procedure is very simple, user-friendly, expeditious and cost effective.

You make savings in translation costs and various types of fees (local representatives, currency exchanges). The strict time limits imposed on Madrid Union members to decide on the recognition of local rights, based on your international registration (IR), contribute to speed up protection procedures considerably.

The benefits of **central management** are even more important than those of central filing: once your IR has been obtained, you will need to monitor and manage just one renewal date and procedure in one place (WIPO), instead of many different dates and procedures at separate TM offices; you will always be able to extend protection of your mark to new markets very easily (through subsequent designations); and you will be able to make changes to your trademark registration (such as assignment of rights, change of name or address of holder or representative, limitations, renunciations) recorded in one single place (the International Register maintained by WIPO) at a very low cost.

WHY USE THE MADRID PROTOCOL?

Reduced costs and speedier procedures to protect your mark

Single application (at ABIPCO)

Single language (English)

Single currency for fee payment (CHF)

No need for multiple representatives upfront

Single renewal date and request

Single procedure for modifications

Possibility to extend protection to new countries at any time

YOU GAIN

Early brand presence abroad

International brand reputation and goodwill

Franchising and partnership opportunities

Cost savings that result from using the Madrid System are particularly significant for small- and medium-sized enterprises (SMEs). Eighty per cent of Madrid System users have been categorised as SMEs, having a small portfolio of only one or two IRs.

However, **the advantages** of the Madrid Protocol are not only reduced costs and speedier procedures resulting from central filing and central management of IRs. The Protocol also offers you early brand presence abroad, as it is a means to acquire rapid international reputation and generate goodwill for your trademarks worldwide. From a company's strategic viewpoint, gaining early brand presence at a global scale offers additional economic benefits, including increased franchising opportunities and possibilities of partnering with international entrepreneurs to optimise life-cycle development and integrate global supply chains.



■ 3. CHOOSING YOUR TRADEMARK — BEST PRACTICES

One of the first steps in creating a brand is choosing the sign (trademark) that will distinguish your products or services from those of your competitors.

In principle, any sign capable of distinguishing your goods or services from those of other undertakings in the market can constitute a trademark. Thus, your trademark may be constituted by a symbol, a design, a word, a colour, any other sign, or a combination thereof. However, when choosing your trademark, there are certain requirements or limitations that you need to consider.

■ **Your mark must be distinctive**, meaning that it should consist of a sign that serves to identify your products or services and to distinguish them from those of other undertakings. Common geometrical designs (e.g. a rectangle, a circle, a square), common signs (e.g., simple letters or numerals up to two digits), common surnames and names of well-known places, are ordinarily regarded as non-distinctive signs.

■ **Your mark should not be laudatory** (e.g., “best”, “excellent”) or descriptive of the specific goods or services that you wish to commercialise (e.g., “Apple” for apples; or “Pharma” for the sale of pharmaceutical products), as this may lead to refusal of registration.

Your mark should be capable of being represented. Most trademark offices require graphical representation of the mark (i.e. it should be capable of being reproduced on paper). Some offices accept other means of representation for special types of marks (e.g. MP3 audio recordings for sound marks). However, the Madrid System still requires that your mark be graphically represented.

Your mark should not be functional, which means that the sign that constitutes your trademark should not consist exclusively of a characteristic that results from the nature of the goods themselves or that is necessary to obtain a technical result. This is especially relevant in the case of three-dimensional marks.

Your mark should not be deceptive. A sign conveying a false origin or false characteristics of a product can be refused protection on the grounds of being deceptive.

Signs that are contrary to public order or morality (e.g. that hurt religious sentiments of a section of the public or contain obscene matters) may be excluded from protection as trademarks.

State flags, State emblems and emblems of intergovernmental organizations are excluded from protection as trademarks in most countries around the world.

Finally, and most importantly, you must make sure that the sign you wish to use as your trademark is still available in the market and is not the same or similar to a well-known mark or a trademark already registered or applied for registration by someone else for the same goods or services. Therefore, it is very important that you make an exhaustive search for the availability of your trademark in those markets where you would like to get it protected.

TIP

Choose your mark carefully

Make sure it is not prohibited by law

Check it does not belong to someone else (search at home and abroad)

3.1. SEARCHING FOR A TRADEMARK IN ANTIGUA AND BARBUDA

Before filing a national application at ABIPCO to obtain protection for your mark in Antigua and Barbuda, you should make sure that the sign that you are planning to use as a mark in Antigua and Barbuda is not excluded from protection by trademark law (see <https://wipolex.wipo.int/en/legislation/details/5868>).

You should also check whether that sign has not already been applied for or registered as a trademark for the same goods or services by someone else in Antigua and Barbuda. You can do so by consulting the ABIPCO Trademark Database/Register.

3.2. SEARCHING FOR A TRADEMARK ABROAD – ONLINE DATABASES (TMVIEW, GLOBAL BRAND)

Before filing an international application to protect your mark abroad, you should check whether the sign you are planning to use as your trademark in export markets does not belong to someone else there. This implies making a **search for identical or similar trademarks already protected in those markets for the same goods or services**. Several trademark offices of Madrid Union members offer the possibility to search their trademark databases online at their own individual websites.

You can also consult TMview (<https://www.tmdn.org/tmview/welcome>), a trademark information platform built by 74  trademark offices from around the world (national, regional and international), aimed at making trademark data widely available and easily accessible to the public, free of charge. As of September 2020, TMview offers the possibility to explore the overall trademark landscape in 99 countries (including some 41 countries in Europe, 29 in Africa, 17 in Asia, Australia, and 11 in the Americas). This platform gives access to information on more than 58 million trademark applications and registrations having effects in those countries, plus international registrations under the Madrid System, including data regarding trademark name, applicant's name, trademark type, graphic representation, legal status, list of goods and services, class codes, etc. TMview allows you to carry out trademark searches 24 hours a day, 7 days a week, in a user-friendly way. The accuracy of the data shown in those databases is the sole responsibility of the participating trademark offices providing it.

To explore the trademark landscape abroad you can also consult the Global Brand Database (<http://www.wipo.int/branddb/en/index.jsp>), an online gateway managed by WIPO that contains more than 40 million records from 60 national and international collections, including data on trademarks, appellations of origin and armorial bearings, flags and other State emblems protected in various countries around the world, as well as the names, abbreviations and emblems of intergovernmental organizations.



4. PREPARING AND FILING YOUR INTERNATIONAL TRADEMARK APPLICATION – BEST PRACTICES

Once you have selected your trademark for protection abroad, you are ready to prepare and file your international application.

Central filing of international applications



4.1. REQUIREMENTS – ENTITLEMENT + BASIC MARK IN ANTIGUA AND BARBUDA

ABIPCO processes the Madrid Protocol international applications originating from Antigua and Barbuda. You are entitled to file an international application at ABIPCO if: (i) you are a national of Antigua and Barbuda, or you are a natural person or legal entity domiciled in Antigua and Barbuda, or you have a real and effective industrial or commercial establishment in Antigua and Barbuda, and (ii) you have a 'basic mark' in Antigua and Barbuda, which means that your mark has already been registered or applied for national protection at ABIPCO. If the basis of your entitlement is having a real and effective industrial or commercial establishment in Antigua and Barbuda, ABIPCO may ask you to provide evidence of such entitlement by filing a business certificate of incorporation document.



4.2. FILING YOUR INTERNATIONAL APPLICATION AT ABIPCO

If you wish to file a Madrid Protocol international application, you must fill in a special form (MM2), in English, that you can download from the WIPO website (<http://www.wipo.int/madrid/en/forms/>). Once you have filled in the MM2 form, you must file it at ABIPCO and pay to ABIPCO a handling fee of \$250.00 EC dollars in accordance with the applicable ABIPCO Order. For further details on the Madrid Protocol related services offered by ABIPCO, please contact ABIPCO@ab.gov.ag.

4.3. CONTENT OF YOUR INTERNATIONAL APPLICATION – MANDATORY, OPTIONAL

Your international application (MM2) must contain: (i) your name and address; (ii) the reproduction of your mark, which must be identical to your basic mark in Antigua and Barbuda; (iii) a list of goods and services for which protection is sought, which must be fully covered by those indicated in your basic mark; and (iv) a list of Madrid Union members in which protection for the mark is sought designated Contracting Parties or DCPs. These requirements are mandatory, an application is not considered complete unless they are met and as a result have an impact on the date of the international application and the time limits related thereto.

The international application (MM2) must also contain:

- I. an indication of your entitlement to file (establishment or domicile in Antigua and Barbuda, or Antiguan and Barbudan nationality);
- II. a priority claim, if applicable;
- III. the name and address of a representative, if appointed;
- IV. the number and date of your basic mark in Antigua and Barbuda;
- V. indications of the mark (kind of mark, colour claim if applicable);
- VI. a description of the mark, if required by ABIPCO;
- VII. a transliteration of the mark, if applicable¹;
- VIII. the amount of the fees being paid and the method of payment.

¹ If the mark consists of, or contains, matter in characters other than Latin characters or numerals other than Arabic numerals, a transliteration into Latin characters or Arabic numerals must be provided.

TIP

Before filling in your IA, check “Making the Most of the Madrid System: Information and Practical Tips on How to Use Specific Forms” at <http://www.wipo.int/madrid/en/forms/>

Some additional content (e.g. a declaration of the intention to use the mark) may be required when certain Madrid Union members are designated in the application see section 4.5, below).

The international application may also contain (optional content):

- I. an indication of your nationality or, if you are legal entity, your legal nature and the State under the law of which you have been established as a legal entity;
- II. a translation of the mark;
- III. a voluntary description of the mark;
- IV. an indication in words of the principal parts of the mark that are in colour, when colour is claimed; and
- V. a disclaimer.

For more information on how to fill in your international application form (MM2), you may consult the PDF document “Making the Most of the Madrid System: Information and Practical Tips on How to Use Specific Forms” that you may download from <http://www.wipo.int/madrid/en/forms/> or the WIPO Guide to the International Registration of Marks, at the following address: <http://www.wipo.int/madrid/en/guide/>

4.4. DRAWING YOUR LIST OF GOODS AND SERVICES — USING CLASSIFICATION TOOLS (TMCLASS, MGS)

When filing a trademark application (either national or international), **you must correctly indicate the goods and services for which trademark protection is sought** (terms that are too vague, linguistically incorrect or incomprehensible are not accepted); and these goods and services must be correctly classified in accordance with the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification).

To make sure that your list of goods and services complies with the necessary requirements to be accepted both at the national and international levels, it is highly recommended that you consult the Madrid Goods & Services Manager (MGS) (<https://webaccess.wipo.int/mgs/>), a free-of-charge online tool offered by WIPO that helps you compile the list of goods and services that you need to submit when filing an international application. MGS gives you access to more than one thousand standard terms of goods and services in English correctly classified by WIPO according to the latest edition of the international classification (Nice Classification) and accepted by WIPO under the Madrid System procedures. Moreover, it allows you to check whether the terms you plan to indicate are also accepted by the Offices of some 36 Madrid Union members, including those of the European Union, United States of America, United Kingdom, etc.

Already when preparing your national trademark application in Antigua and Barbuda that will serve as a basis (basic mark) for your international application, it is useful to consult MGS. This database will help you compile your list of goods and services for both applications. You should consider that the goods and services in your international application should be fully covered by those indicated in your basic mark.

When preparing your international application, you may also wish to consult TMclass (<http://euipo.europa.eu/ec2/>). This is a free-of-charge online search and classification tool that allows you to choose terms for goods and services that are accepted as correctly formulated and classified by 81 trademark offices (national, regional, international) from around the world. From the Caribbean, Cuba, St. Kitts and Nevis and the Dominican Republic are part of this database. Antigua and Barbuda is not included in these 81 countries.

4.5. DESIGNATING THE TERRITORIES WHERE TO GET PROTECTION

In your international application, you must designate all the Madrid Union members (Madrid Protocol Contracting Parties) where you wish your mark to be protected. By simply checking the box next to each member's name in the application form (MM2) you can designate any Madrid Union member except Antigua and Barbuda. Your trademark in Antigua and Barbuda (basic mark) will continue to be protected under the law of Antigua and Barbuda as registered by ABIPCO.

At present (September 2020), you can designate up to 106 Contracting Parties to the Madrid Protocol, including 104 States and two intergovernmental organizations, namely the European Union and the African Intellectual Property Organization (OAPI). By designating the European Union, you may get protection for your trademark in its 27 Member States. By designating OAPI, you may get protection for your trademark in its 17 Member States.

Certain Contracting Parties have special requirements that you need to consider when designating them in your international application. If you designate the European Union (EM code in the MM2 form), you must indicate a second working language for procedures before the EUIPO in the application form (MM2), and you must attach an additional form (MM17) if you further wish to claim European Union seniority (for more details, please see section 6.2, on getting protection in the European Union, below).

If you designate the United States of America (US), you need to attach an additional form (MM18) to your international application (MM2) declaring your intention to use the mark in the US. Moreover, if you are a natural person, you should indicate your nationality in the international application form (MM2) and, if you are a legal entity, you should indicate your legal nature and the State under the law of which you have been organized as a legal entity.

Finally, if you designate Brunei Darussalam, India, Ireland, Lesotho, Malawi, Malaysia, Mozambique, New Zealand, Singapore or the United Kingdom, by simply checking the boxes next to their country names in the international application form (MM2), you are declaring your intention to use the mark in those countries.

4.6. ESTIMATING COSTS AND PAYING FEES – MADRID FEE CALCULATOR, PAYMENT METHODS

Your international application must be accompanied by the payment of a set of fees in Swiss francs (CHF) to WIPO, to include:

- I. a basic fee of CHF 653, if no reproduction of your mark is in colour, or CHF 903, if any reproduction of your mark is in colour;
- II. an individual fee for each DCP having fixed individual fees (see below);
- III. a complementary fee of CHF 100 for each DCP not having fixed individual fees; and,
- IV. a supplementary fee of CHF 100 for each class of goods and services beyond three classes, except if you only designate Contracting Parties having fixed individual fees.

TIP

Check in advance how much you will have to pay by using the Fee Calculator at <http://www.wipo.int/madrid/en/fees/calculator.jsp>

So far, 63 trademark offices of Contracting Parties to the Madrid Protocol charge individual fees. You can check the list of these offices and the amounts to be paid with respect to each of them at the following address: http://www.wipo.int/madrid/en/fees/ind_taxes.html.

To facilitate your calculation of the fees to be paid for your international application, WIPO offers a very practical online tool known as the Fee Calculator, which you can access at the following address: <http://www.wipo.int/madrid/en/fees/calculator.jsp>.

Regarding payment methods, you may pay your fees to WIPO either by:

- I. bank transfer; or
- II. WIPO Current Account. For more details, please see: <http://www.wipo.int/about-wipo/en/finance/madrid.html>.

4.7. CERTIFICATION BY ABIPCO AND REMEDYING POSSIBLE IRREGULARITIES

Before forwarding your international application to WIPO, ABIPCO will check that: (i) you are the same person as the applicant or holder of the basic mark in Antigua and Barbuda; (ii) the mark in your international application is identical to the basic mark; and (iii) the goods and services in your international application are covered by those in the basic mark. If these three conditions are complied with, ABIPCO will certify your international application and forward it to WIPO with an indication of the date on which the international application was received by ABIPCO.

If you made a mistake in the classification of goods or services, or if the indication of any of the goods or services in your international application is considered by WIPO to be too vague, linguistically incorrect or incomprehensible, WIPO will issue an irregularity notice and give ABIPCO a three-month time limit to make the necessary correction(s).

In case, there are some other deficiencies in your international application (e.g., you do not appear to be entitled to file your application through ABIPCO as office of origin; or your application has not been presented in the MM2 form or is not typed or not signed by ABIPCO, WIPO will issue an irregularity notice and give ABIPCO a three-month period to remedy those irregularities, failing which, the international application will be considered abandoned.

Similarly, if one or more elements in the international application are missing (your name or address, your entitlement to file at ABIPCO, the date and number of the basic mark, a reproduction of the mark, the list of goods and services, an indication of DCPs, ABIPCO's certification), WIPO will give ABIPCO a three-month period to remedy such irregularities, failing which, the international application will be considered abandoned.

If there are other irregularities (e.g. your address is incomplete, the reproduction of the mark is not sufficiently clear, no fees have been paid or their amount is insufficient), you will be notified directly of the insufficiencies and you have a limit of three months from the date of notification to remedy them. Failure to do so may result in your application being considered abandoned.

Finally, if you have designated the US and you have failed to attach the MM18 form containing a declaration of your intention to use the mark in the US, WIPO will invite you, through ABIPCO, to attach that form within a two-month period from the date of receipt of the international application by ABIPCO. If this is not done within that period, your US designation will be considered as withdrawn.



■ 5. THE INTERNATIONAL TRADEMARK REGISTRATION (IR)

If your international application conforms to the applicable requirements, WIPO will register your mark in the International Register, publish the international registration (IR) in the WIPO Gazette of International Marks, and notify it to the Offices of the DCPs. It will also inform ABIPCO and send to the applicant (holder) an international registration certificate.

TIP

Find out about procedures and practices in Madrid Union members in the Madrid Member Profiles Database at <http://www.wipo.int/madrid/memberprofiles/#/>

5.1. DATE AND EFFECTS

5.1.1. DATE OF THE INTERNATIONAL REGISTRATION (IR)

As a rule, your IR will bear the date on which your international application was received by ABIPCO, unless your application has reached WIPO more than two months after that date (in which case your IR will bear the date in which it was actually received by WIPO).

The date of your IR may be affected if any of the following elements is missing: your name and address, the designation of the Contracting Parties where protection is sought, a reproduction of the mark, the indication of the goods or services for which protection of the mark is sought. ABIPCO will be notified of any such irregularity, which should be remedied within a maximum period of three months. The date of your IR will depend on the date on which the last missing element is received by WIPO.

5.1.2. EFFECTS OF THE INTERNATIONAL REGISTRATION

From the date of your IR, your mark will enjoy the same protection in each designated Contracting Party (DCP) as if your mark had been filed or applied for directly in that DCP.

A DCP may refuse protection for your mark on the same grounds that would apply under its national law to marks filed directly with the Office of that DCP (e.g. because the mark already belongs to someone else in that DCP). Such a refusal would be subject to review or appeal in accordance with the laws and practice of the DCP concerned. You will find information on practices and procedures in Madrid Union members in the WIPO Member Profiles Database at <http://www.wipo.int/madrid/memberprofiles/#/>

Where a DCP does not refuse protection for your mark within a prescribed time limit (12 months, 18 months, or slightly longer than 18 months in case of opposition by a third party), or if such a refusal has been subsequently withdrawn, the protection of your mark in that DCP will be the same as if your mark had been registered by the Office of that DCP as from the date of your IR.

In all the DCPs not having refused protection your mark will be valid for a period of 10 years as from the date of its IR, with the possibility of indefinite renewal for further periods of 10 years.

5.2. MANAGING YOUR INTERNATIONAL REGISTRATION – BEST PRACTICES

While the Madrid System offers you many advantages to get your trademark protected in various markets, it offers you even more valuable advantages regarding the management of your mark after registration. Extending protection of your mark to new territories, renewing the protection of your mark for additional periods of 10 years, or having changes to your registration recorded in the International Register with effects extending to those Madrid Union members of interest to you, can be done through very simple, user-friendly and cost-effective procedures.

5.2.1. EXTENDING PROTECTION TO NEW TERRITORIES (SUBSEQUENT DESIGNATIONS)

If you are the holder of an IR that extends its effects to only some Madrid Union members (Contracting Parties) you may, at any time, seek to extend the protection of your mark to other Madrid Union members that were not designated in your original international application. You can do so by simply presenting a **subsequent designation** directly to WIPO or through ABIPCO.

The subsequent designation may be presented in the official form MM4 (downloadable from <http://www.wipo.int/madrid/en/forms/>), or submitted electronically through the WIPO e-Subsequent Designation facility (<https://www3.wipo.int/osd/>). For any queries, you may contact WIPO at the following address: <https://www3.wipo.int/contact/en/madrid/>

In the MM4 form, you must indicate the number of your IR, your name and address (as recorded in the International Register), the Contracting Party or Parties to which

an extension of the protection is sought, and the goods and services for which the subsequent designation is made (which may be all or only some of those covered by the IR). With respect to some Contracting Parties (European Union, United States), you may need to include some additional information (as indicated in section 4.5, above).

Subsequent designation of additional Contracting Parties



The fees payable in respect of a subsequent designation include a basic fee (CHF 300), an individual fee for each DCP having fixed individual fees (http://www.wipo.int/madrid/en/fees/ind_taxes.html), and a complementary fee (CHF 100) for each DCP not having fixed individual fees. The Fee Calculator (<http://www.wipo.int/madrid/en/fees/calculator.jsp>) may be used to calculate the fees payable.

If presented directly to WIPO, the subsequent designation will bear the date of receipt at WIPO. If presented through ABIPCO, it will bear the date of receipt at ABIPCO if received by WIPO within two months from that date. Otherwise, it will bear the date of receipt at WIPO.

If the DCP does not refuse protection for your mark within the prescribed time limit (12 months, or 18 months, or slightly longer than 18 months in case of opposition by a third party), or if such a refusal has been subsequently withdrawn, the protection of your mark in that DCP will be the same as if your mark had been registered by the Office of that DCP as from the date of its subsequent designation.

In all the DCPs not having refused protection, your mark will be valid for the remaining duration of your IR, with the possibility of indefinite renewal for further periods of 10 years.

5.2.2. CENTRAL RECORDING OF MODIFICATIONS TO YOUR INTERNATIONAL REGISTRATION

During the lifetime of your IR you may, at any time, request WIPO to record in the International Register a change of your name or address or that of your representative, a voluntary restriction in the protection of your IR (limitation, renunciation, cancellation), a change in ownership of your mark or a licence, having effects in all or some of the DCPs. To request the recording of any such modification, you must use an official form that you can download from the WIPO website (<http://www.wipo.int/madrid/en/forms/>). The central recording of such modifications in the International Register relieves you from the need to request such action from the Office of each DCP, thus resulting in very significant savings.

TIP

Find out about procedures and practices in Madrid Union members in the Madrid Member Profiles Database at <http://www.wipo.int/madrid/memberprofiles/#/>

To request the recording of a **change of name or address of the holder** of the international registration (without change in ownership), you must use form MM9. Your request may refer to several IRs. The fee payable to WIPO will amount to only CHF 150. If the only change to be recorded concerns your contact details (address for correspondence, email address, phone number or facsimile number), no fee is payable. A change of name or address recorded in the International Register has immediate effects in all the DCPs concerned by the IR at no additional cost.

If you are the holder of an international registration and happen to transfer your mark to a new owner for all or some of the goods and services for which it is protected, in respect of all or some of the DCPs, you can request that the change in ownership be recorded in the International Register. Such recording can only take place if the new owner is a person entitled to use the Madrid System (either through nationality, or establishment or domicile in a Contracting Party). The request may refer to several IRs provided that the **change in ownership** applies to all or the same DCPs and concerns all or the same goods and services. The request must be submitted to WIPO in the official form MM5 and is subject to the payment of a fee (CHF 177). The change in ownership recorded in the International Register will have immediate effects in all the DCPs concerned at no additional cost.

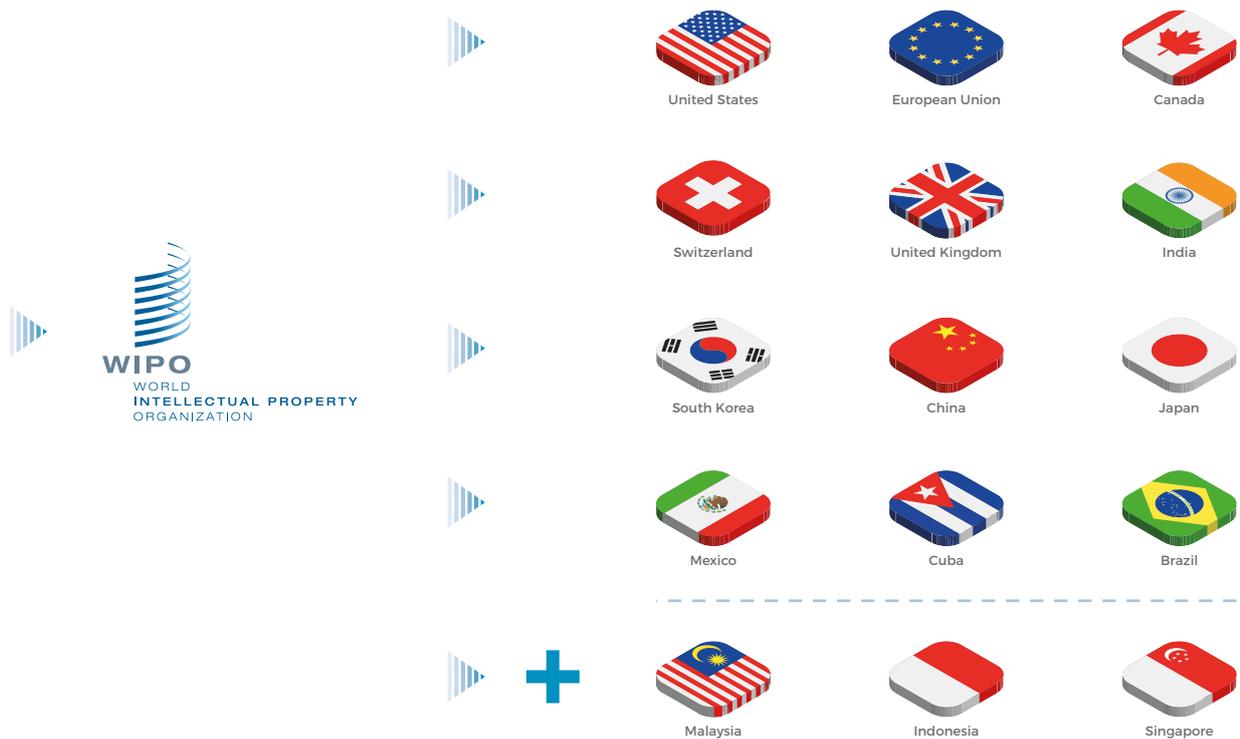
To request the recording of a **change of name or address of representative**, you must use form MM10. The recording of such a change is free of charge.

To request a **limitation** of the list of goods and services, which may affect some or all the DCPs, you must use form MM6. This request is subject to the payment of a fee (CHF 177) to WIPO. No additional fee will be charged by the DCPs concerned.

If you wish to record a **renunciation** of the protection for all the goods and services in respect of some (not all) the DCPs, you must use form MM7. If your request concerns the cancellation of the IR for some or all the goods and services in respect of all the DCPs, you must use form MM8. These requests (renunciation and cancellation) are free of charge.

If you license your mark, you may request the recording of the licence in the International Register by indicating the name and address of the licensee, the DCPs with respect to where the licence is granted, and the goods and services for which the licence is granted. The request must be submitted in form MM13 and is subject to the payment of a fee amounting to CHF 177. The recording of the licence in the International Register will only have effects in those countries whose domestic laws provide for the recording of licenses and have not made a declaration stating that they do not recognize the effects of the recording of licences in the International Register².

Renewal / modification of international registrations



² 23 Madrid Union members have declared that they do not recognize the effects of the recording of licences in the International Register: Afghanistan, African Intellectual Property Organization (OAPI), Brazil, Cambodia, Canada, China, Colombia, Gambia, Georgia, India, Indonesia, Japan, Kyrgyzstan, Lao People's Democratic Republic, Malawi, Malaysia, Mexico, Republic of Korea, Republic of Moldova, Russian Federation, Samoa, Singapore, Thailand. In those Contracting Parties, licences must be recorded directly with their own trademark offices, in accordance with their domestic laws. Australia and New Zealand have declared that they do not provide for the recording of licenses in their domestic law so that the recording of licences in the International Register has no effect in their territories

5.2.3. RENEWING YOUR INTERNATIONAL REGISTRATION

To ensure that after a period of 10 years from registration your mark continues to be protected for an additional period of 10 years in those territories where you so wish, you simply need to renew your IR by paying the necessary fees to WIPO. The fees due for renewal include:

- a basic fee (CHF 653),
- an individual fee for each DCP having fixed one (http://www.wipo.int/madrid/en/fees/ind_taxes.html),
- a complementary fee (CHF 100) for each DCP that has not adopted an individual fee system,
- and a supplementary fee (CHF 100) for each class of goods and services more than three,
- except if you only renew protection with respect to DCPs having fixed individual fees.

A system for the electronic renewal of IRs is available on the WIPO website and can be accessed under Online Services (https://webaccess.wipo.int/trademarks_ren/?lang=EN). You can calculate the exact amount you should pay for the renewal of your IR by using the Fee Calculator made available by WIPO (<http://www.wipo.int/madrid/en/fees/calculator.jsp>). You can pay your renewal fees using a credit card or a WIPO Current Account if you have one.

The renewal fees should be paid to WIPO at the latest on the date of expiry of the IR. The payment can still be made up to six months after that date (grace period) provided that a surcharge is paid at the same time. WIPO records the renewal with the date on which it was due, even if the fees required were paid within the grace period.

The effective date of renewal of your IR is the same for all DCPs. This is a clear advantage of the Madrid route as compared to the national route where you have separate marks at separate TM offices having to be renewed at different dates.

If the renewal is filed through the ABIPCO, the handling fee on or before the date of expiration is \$175.00 EC dollars, within the three months after expiration \$200.00 EC Dollars, more than three months after expiration \$300.00.

5.3. FIVE-YEAR DEPENDENCY AND TRANSFORMATION – INDEPENDENCE THEREAFTER

It is important that you consider that, for a period of five years (dependency period) the fate of your IR will remain dependent on the fate of your basic mark (application or registration) in Antigua and Barbuda. If, for whatever reason, your basic mark in Antigua and Barbuda ceases to have effect in whole or in part (rejection or withdrawal of your basic application, or cancellation, renunciation, revocation, invalidation, or lapse of your basic registration) following an action initiated within that period (five years from the date of your IR), your IR will be cancelled in whole or in part (only for some goods or services) accordingly. To soften the consequences of this dependency feature, the Madrid Protocol provides the possibility of 'transformation' of your IR into a national or regional application in each of the DCPs. Within three months of the cancellation of your IR, you may apply for the registration of that same mark in those DCPs and those applications (based on the 'transformation' of your IR) will be treated as if they had been filed on the date of the original IR (therefore maintaining the earlier rights that you enjoyed).

At the end of the five-year dependency period, your IR becomes completely independent of your basic mark and cannot be cancelled any longer if the latter happens to cease to have effect.

5.4. ONLINE TOOLS TO MONITOR AND MANAGE INTERNATIONAL REGISTRATIONS

In addition to the abovementioned online services that facilitate the elaboration of goods and services lists (MGS), the filing of subsequent designations (e-Subsequent Designation), the presentation of renewal requests (e-Renewal) and the calculation of fees (Fee Calculator), WIPO offers another two online services that make it easier for you to monitor your IR and those of your competitors and to manage your IR portfolio. Below is a brief description of these two services.

MADRID MONITOR

Madrid Monitor (<http://www.wipo.int/madrid/monitor/en/>) is a WIPO e-service that offers access to information on all trademarks registered under the Madrid System. It has an intuitive search interface offering several search options (simple search, advanced search, real-time search, image search).

Using the Madrid Monitor real-time search function you can track the status of your international application as it moves through WIPO's examination process, and you can monitor the progress of your IR in each DCP and find out whether protection for your mark has been granted or refused there.

The simple search and advanced search functions allow you to make searches in the whole Madrid system database by words (mark, good or service, name of holder or representative, office of origin, DCP, etc.), numbers (for registration, basic application, Nice class, Vienna class, etc.) or a combination thereof. The image search function allows you to make searches by picking an image, an image type or an image search strategy.

Madrid Monitor also allows you to consult the WIPO Gazette of International Marks (<http://www.wipo.int/madrid/monitor/en/#gazettnd/>), the official Madrid System weekly publication that contains the latest data regarding IRs, renewals, subsequent designations and modifications affecting existing registrations.

To facilitate the monitoring of your own trademarks and/or those of your competitors, Madrid Monitor offers you the possibility to register to receive email alerts of any change related to the trademarks of your interest. To subscribe to the email alerts service you need a WIPO user account that you can create at <https://www3.wipo.int/wipoaccounts/en/usercenter/public/register.jsf>.

5.4.1. MADRID PORTFOLIO MANAGER (MPM)

Madrid Portfolio Manager (MPM) is a WIPO online service that will allow you to manage your portfolio of international trademark registrations with secure access from a single account. To use MPM you need a WIPO user account (<https://www3.wipo.int/wipoaccounts/en/usercenter/public/register.jsf>) linked to an email address. You can establish your own portfolio by collecting all the IRs linked to the same email address. Using MPM you will be able to submit requests for changes, renewals and subsequent designations; track the status of your requests; pay fees; delegate management responsibility for all or part of your portfolio; view and securely download communications from trademark offices and WIPO concerning your registration; and request extracts from the International Register.



■ 6. PROTECTING YOUR TRADEMARK IN THE EUROPEAN UNION

In the EU, there is a four-tier system for registering trademarks. What you choose depends on the needs of your business.

If you just want protection in one EU Member State, you can file a trademark application directly at the relevant national IP office. This is the national route available in 24 EU Member States (Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden).



If you want protection in Belgium, Luxembourg and the Netherlands, you can file a trademark application at the Benelux Office of Intellectual Property (BOIP), a regional level IP office for trademark protection in those three Member States. This is the Benelux regional route.

If you want protection in more EU Member States, you can apply for a European Union trademark (EUTM) from the EUIPO — this is the European route. The EUTM is valid in the territories of all 27 EU Member States.

A fourth route to trademark protection in the EU is the international route or Madrid System route, which can be combined with any of the three mentioned above. A person filing an international application under the Madrid System can designate for protection any of the EU Member States that are Contracting Parties to the Madrid Protocol individually, or can designate the Benelux (for protection in Belgium, Luxembourg and the Netherlands), or can designate the European Union (for protection in the 27 EU Member States through one single designation).

The following sections analyse the benefits of obtaining a trademark right valid in all 27 EU Member States either by following the European route (direct filing at the EUIPO) or the international route (Madrid filing designating the EU).

6.1. DIRECT FILING AT THE EUIPO (THE EUROPEAN ROUTE)

Applying for a EUTM directly at the EUIPO, instead of filing separate trademark applications and getting separate rights under each of the national + Benelux systems existing in the European Union (EU), is an attractive route if you wish to get a single trademark right that is valid in all 27 EU Member States.



You can file your application online at the EUIPO website (<https://euipo.europa.eu/ohimportal/en/apply-now>). The EUTM gives you an exclusive right valid in all the EU Member States (current and future) at a reasonable cost (EUR 850 basic fee, in 2020, for the online filing of an individual EUTM application covering one class. For up-to-date information on fees, including for additional classes, and EU collective or certification marks, please see <https://euipo.europa.eu/ohimportal/en/fees-and-payments>.

An EUTM is valid for 10 years and can be renewed indefinitely every 10 years. You will be able to enforce your EUTM rights in a market of almost 500 million consumers.

At the EUIPO website (<https://euipo.europa.eu>), you will find detailed explanations on how to apply for an EUTM, how to follow the registration procedure, and how to manage your EUTM once registered.

6.2. DESIGNATING THE EU VIA MADRID (THE INTERNATIONAL ROUTE) – BEST PRACTICES

Similar benefits to those offered by the European route, plus the additional benefits that are unique to the Madrid System, can be enjoyed by following the international route. As from 2004, when the European Union became a Contracting Party of the Madrid Protocol, it became possible for Madrid System users to get a trademark right having the same effects as an EUTM (valid in all the EU Member States) by designating the EU under the international procedure (either in an international application or as a subsequent designation).

An IR designating the EU and accepted by the EUIPO has the same effects as an EUTM registered by the EUIPO. This section describes the best practices to be followed to obtain and manage an IR that is valid in the European Union.

6.2.1. DESIGNATING THE EUROPEAN UNION – SPECIFIC REQUIREMENTS

You can designate the European Union for protection either:

- I. when filing your international application at ABIPCO, by checking the European Union (EM code) box in the application form (MM2); or
- II. once you have obtained an IR, by checking the European Union (EM code) box in the subsequent designation form (MM4) submitted to WIPO either online (<https://www3.wipo.int/osd/>) or by mail.

In addition to the general requirements for international applications and subsequent designations, when you designate the European Union you should consider the following.

- a. The language of proceedings before the EUIPO will be the language of your international application (English). However, when designating the EU, you must also indicate a second language of the EUIPO (either French, German, Italian or Spanish), the use of which you accept as a possible language for opposition, revocation or invalidity proceedings.
- b. Moreover, if you wish to claim seniority³ of an earlier mark registered in, or for, a European Union Member State, you may do so at the time of filing your international application or subsequent designation by attaching the official form MM17 (you may also claim seniority directly before the EUIPO at a later date).

The basic fee for an EU designation for one class of goods or services has been fixed by the EUIPO at CHF 897 (status in March 2020). For up-to-date information on the individual fees fixed by the EUIPO for designations and renewals regarding individual marks and collective or certification marks under the Madrid System, please see http://www.wipo.int/madrid/en/fees/ind_taxes.html.

6.2.2. PROFESSIONAL REPRESENTATION BEFORE THE EUIPO

In principle, you do not need to appoint a representative before the EUIPO. However, being located outside the European Economic Area, you will need to appoint a representative (a) if the EUIPO issues a provisional refusal of your IR; (b) for filing seniority claims directly before the EUIPO; or (c) further to an EUIPO objection on a seniority claim. In such cases, your representative should be a person who appears in the database of representatives maintained by the EUIPO (<https://euipo.europa.eu/eSearch/#advanced/representatives>).

³ A seniority claim is a system whereby the owner of an EUTM application/registration, or an EU designation in an international registration (IR), can claim the prior rights of existing national registrations in the European Union (or national designations of International registrations), even if the national registrations are allowed to lapse.

6.2.3. FIRST REPUBLICATION, SEARCHES AND FORMALITIES EXAMINATION

Upon receipt of WIPO's notification of the IR designating the EU, the EUIPO will immediately republish the IR in the EUTM Bulletin (Part M.1) (<https://euipo.europa.eu/eSearch/#advanced/bulletins>). Publication is limited to the bibliographic data, the reproduction of the mark, and the class numbers (not the actual list of goods and services). The IR has, from the date of that first republication, the same effect as a published EUTM application.

If you so wish, within one month of WIPO's notification you may ask the EUIPO to draw up an EU search report that will cite similar EUTMs and IRs designating the EU. You may also request the EUIPO to send the IR to the participating national offices of EU Member States to have national searches carried out for you (you will have to pay the corresponding fees).

The formalities examination carried out by the EUIPO on IRs is limited to (a) whether a second language of proceedings has been indicated; (b) whether the application is for a collective or certification mark; (c) whether there are any seniority claims; (d) whether the list of goods and/or services in the EU designation falls within the scope of the IR's main list; and (e) whether the terms used to indicate those goods/ services meet the requirements of clarity and precision as described in the EUIPO Trademark Guidelines, Part B, Section 3 (<https://euipo.europa.eu/ohimportal/en/trade-mark-guidelines>).

If you have failed to designate a second language of the EUIPO as a possible language for opposition, revocation or invalidity proceedings before the EUIPO, the EUIPO will issue a provisional refusal and give you two months to remedy the deficiency.

If your IR designating the EU is a collective mark or a certification mark based on such type of mark in Antigua and Barbuda, it will be dealt with as an EU collective mark or an EU certification mark, whichever is applicable. In such cases, you will need to submit the regulations governing the use of the mark to the EUIPO within two months of the date in which WIPO notified the EUIPO of the designation.

If you have claimed seniority of an earlier mark registered in an EU Member State (in form MM17), the EUIPO will check that you have indicated the name of the EU Member State where the earlier right is registered, the registration number and the filing date of the relevant registration.

If you have introduced a limitation to the list of goods and of services of the IR in your designation of the EU, the EUIPO will check whether the goods and services in your limited list for the EU are comprised within the scope of the main list of the IR. If they are not, it will issue a provisional refusal.

If your IR contains terms for goods or services that lack clarity or precision, the EUIPO will issue a provisional refusal and give you two months to remedy the deficiency. To avoid including in your list terms that will not be accepted by the EUIPO, it is recommended that you search the content of the EU Harmonised Database (HDB) before filing an IR designating the EU. This can be done online, free of charge, at the following address: <http://tmclass.tmdn.org/ec2/>. The HDB contains terms designating goods and services that are accepted by all TM offices in the EU. All HDB terms will be accepted by the EUIPO automatically. This will help make your registration process much smoother.

6.2.4. EXAMINATION OF ABSOLUTE GROUNDS FOR REFUSAL

IRs designating the EU are subject to examination of absolute grounds for refusal in the same way as direct EUTM applications.

In particular, your mark will not be eligible for protection if it consists of a sign that:

- a. does not conform to the EUTM definition (capable of distinguishing the goods or services of one undertaking from those of other undertakings, and being represented in a manner which enables to determine the clear and precise subject matter of the protection afforded);
- b. is non-distinctive;
- c. is descriptive;
- d. consists exclusively of words or indications that have become customary in the current language or in the bona fide and established practices of the trade at the relevant point in time;
- e. consists exclusively of the shape or other characteristics resulting from the nature of the goods, with an essentially technical function or substantial value;
- f. is contrary to public policy or to accepted principles of morality;
- g. is of such a nature as to deceive the public as to the nature, quality or geographical origin of the goods or services;
- h. is in conflict with armorial bearings, flags, emblems, and other symbols of States and IGOs protected under Article 6ter of the Paris Convention;
- i. is in conflict with other badges, emblems and escutcheons of particular public interest;

- j.** is in conflict with designations of origin and geographical indications protected under national (EU Member State) or EU legislation or international agreements to which the EU or the Member State concerned is party;
- k.** is in conflict with traditional terms for wines protected by either EU legislation or international agreements to which the EU is party;
- l.** is in conflict with traditional specialities guaranteed (TSGs) protected by either EU legislation or international agreements to which the EU is party;
- m.** is in conflict with earlier plant variety denominations protected within the EU in respect of plant varieties of the same or closely related species.

If the EUIPO finds that your mark is not eligible for protection, it will send a provisional refusal and give you two months to submit observations. Your reply must be addressed directly to the EUIPO, which, after re-examining the case, may decide to confirm the refusal or waive the objection.

If the EUIPO finds that your mark is eligible for protection, and provided that no other provisional refusal is pending, it will send an interim status of the mark to WIPO indicating that the ex officio examination has been completed but the IR is still open to opposition or third-party observations.

6.2.5. OPPOSITION

Any person invoking earlier rights in conflict with your mark applied for may file an opposition against your IR between the first and fourth months following the date of first republication.

If someone opposes your IR within that period, the EUIPO will send a notification to WIPO of provisional refusal (based on relative grounds) and will send you a copy of the notice of opposition. It will also notify you of the time limit for commencement of

the proceedings. In all communications with WIPO, the EUIPO will use the language of the IR (English in your case). In all communications sent directly to you, the EUIPO will use the language of the opposition proceedings chosen by the opponent (which will be English, or the second language chosen by you when designating the EU).

The provisional refusal may be partial or total. It will contain the basis of the earlier rights invoked, the relevant list of goods and services on which the opposition is based and, in the case of a partial refusal, the list of goods and services against which the opposition is directed. The list of goods and services will be in the language of the opposition proceedings.

6.2.6. FINAL DECISION

Once all the procedures have been completed and all the EUIPO decisions are final, the EUIPO must either confirm the provisional refusal(s) to WIPO or send a statement of grant of protection to WIPO specifying for which goods and services your mark is accepted.

6.2.7. SECOND REPUBLICATION AND PROTECTION IN THE EU

If the EUIPO decides that your mark is (at least in part) protected in the EU, the EUIPO will republish your IR for a second time in the EUTM Bulletin (this time in Part M.3). The EUIPO will not issue any registration certificate.

From the date of this second republication, the IR has the same effects as a registered EUTM and may be invoked against an infringer. The date of the second republication will also be the starting point for the five-year use period. If your mark is not put to genuine use in the European Union within that period, the effects of your IR in the EU may be declared invalid.

6.2.8. TRANSFORMATION INTO AN EUTM

If your IR is cancelled in whole or in part because your basic mark in Antigua and Barbuda has ceased to have effect within the five-year dependency period and your EU designation is still effective, you may file a direct EUTM application at the EUIPO for the same mark and the same goods and services as the cancelled mark. Based on the Madrid Protocol provision on ‘transformation’, this application will be treated by the EUIPO as if it had been filed on the date of the original designation of the EU and will enjoy the same priority, if any.

To invoke a transformation right your application should be filed within a period of three months from the date on which your IR was cancelled in whole or in part, and the goods and services of the ensuing application should be covered by the list of goods and services of the EU designation. When the application for transformation relates to an IR designating the EU that has already been accepted and published by the EUIPO, the examination and opposition steps are omitted. The EUTM will be published in all EU languages and an EUTM registration certificate will be issued.

6.2.9. CONVERSION

If, for whatever reason, your Madrid system EU designation is withdrawn, refused or ceases to have effect, you may request its conversion into either a national application filed directly with the Office of one or more EU Member States, or a subsequent designation of those Member States under the Madrid System. The effect of conversion is that the trademark application, or the subsequent designation, resulting from conversion, is allocated the same filing date as that of the EU designation as recorded in the International Register (and enjoys, if applicable the same priority date and/or seniority claimed).

A subsequent designation resulting from conversion must be forwarded to WIPO through the EUIPO in an official form (MM16), within three months from the date where the EU designation has been refused or withdrawn or has ceased to have effect. For full details on conversion, see the EUIPO Guidelines, Part E, Section 2, at <https://euipo.europa.eu/ohimportal/en/trade-mark-guidelines>

6.2.10. REPLACEMENT IN THE EU

If you had your mark already registered at the EUIPO as an EUTM and you designate the EU under the Madrid System for the same mark, you will enjoy the Madrid Protocol benefit of replacement (your IR rights in the EU will be deemed to start from the date of the earlier EUTM registration). Replacement takes place automatically; there is no need to request any record. Nevertheless, you can ask the EUIPO to take note of the replacement in its Register. After replacement has taken place, the EUTM is maintained normally in its Register as long as you renew it. If you renew it, there will be coexistence between the 'replaced' EUTM and the IR designating the EU.



■ 7. ANTIGUA AND BARBUDA AS A DESIGNATED CONTRACTING PARTY

7.1. FOREIGN TRADEMARK OWNERS DESIGNATING ANTIGUA AND BARBUDA FOR PROTECTION

A trademark may be protected in Antigua and Barbuda through an application for international registration under the Madrid Protocol by any person having a connection to a country (other than Antigua and Barbuda) or an intergovernmental organization party to the Madrid Protocol. This means you must either be domiciled, have an industrial or commercial establishment or be a national of one of the 106 Contracting Parties covered by the Madrid System and have a trademark registered or pending registration (application) (a 'basic mark') in that same Contracting Party. Such a person may file an international application with his/her Office of Origin and designate Antigua and Barbuda to seek protection of his/her trademark in Antigua and Barbuda.

Once a basic mark exists in a Contracting Party, the applicant/trademark owner may file an international application to have the said mark protected in Antigua and Barbuda or any other Contracting Party. The international application shall be filed through the local Intellectual Property Office who sends the same to the WIPO. The international application must be accompanied by fees for the use of the Madrid System, along with a designation fee for each designated jurisdiction. The fees can easily be worked out by using the fee calculator on the WIPO website.

The current designation fee in Antigua and Barbuda is 247 CHF, independent of the number of classes for which protection of the mark is sought. The international application shall be certified by the Office of Origin and transmitted to WIPO, who will in turn examine the application as it concerns the formalities. If there are no irregularities, the international application designating Antigua and Barbuda will be registered by WIPO within two months and the IR will be published by WIPO who shall notify Antigua and Barbuda of the same. A certificate of registration will be sent to the applicant by the World Intellectual Property Organization.

The Antigua and Barbuda Intellectual Property and Commerce Office (ABIPCO) handles the international registrations designating Antigua and Barbuda in accordance with the Trade Mark Act 2003 of Antigua and Barbuda and the Trade Mark Regulations 2006.

7.2. EXAMINATION OF THE INTERNATIONAL REGISTRATION BY ABIPCO

From the date of WIPO's notification or an IR designating Antigua and Barbuda, ABIPCO has 18 months to undertake the substantive examination and make their decision on the scope of protection, whether to grant or refuse protection of the international registration/subsequent designation. ABIPCO adopts the following procedure:

The particulars of the IR are recorded in the ABIPCO Industrial Property Administration System (IPAS) database and the Madrid Online Portal (MOP). The MOP is an online tool providing electronic access to the International Register of Marks and a means of electronically communicating with the World Intellectual Property Organization.

ABIPCO acknowledges receipt of the International Bureau notifications and carries out a substantial examination of the IR as per the provisions of the Trade Mark Act 2003 and regulations thereunder.

ABIPCO does not carry out a formalities examination (nor classification of the goods and services) of the international registration, as WIPO has already examined it for formalities.

In case ABIPCO finds any grounds for refusal, whether this is from the examination by the Office or due to opposition by third parties, ABIPCO shall communicate a provisional refusal to WIPO (within the fixed time limit of 18 months from the date of notification), and WIPO will forward the provisional refusal to the holder of the IR.

Refusals are communicated in English.

The holder of the IR may respond to the provisional refusal and request ABIPCO to reconsider it; but the holder not having an address in Antigua and Barbuda can do this only through a registered local agent or attorney at law practicing in Antigua and Barbuda before the Registrar of Intellectual Property. Agents and attorneys-at-law have two months to normally respond to provisional refusals but can apply for an extension to respond.

Absolute Grounds of Examination include:

- The trademark should be distinctive to an enterprise
- The trademark cannot be exclusively descriptive of the goods and/or services (the class should not describe the mark)
- Deceptive trademarks (not allowed)
- Trademarks contrary to public order or morality (not allowed)
- Geographically misleading trademarks (not allowed)
- Articles 6ter prohibition concerning state emblems, official hallmarks, and emblems of intergovernmental organizations
- Country names without permission of the Relevant Authority (not allowed).

Searches Conducted on Relative Grounds include:

- The trademark should not be identical or confusingly similar to a mark with an earlier filing date
- A mark or trade name which is well-known in Antigua & Barbuda is not allowed.

When Designating Antigua and Barbuda it is useful to note that:

- Marks may require description/descriptions.
- Standard language or translation of the mark is required by a certified translator.
- A disclaimer is required if it is requested by the examiner.

7.3. PROVISIONAL REFUSAL IN CASE OF OPPOSITION

IRs are subject to the same opposition procedures as national marks.

If ABIPCO objects to protection but the agent and/or attorney at law responds and overcomes the objection by providing evidence, descriptions, certified translation and/or disclaimers, ABIPCO will send a statement of partial or total grant of protection to WIPO.

If ABIPCO refuses protection because the response by the agent and/or attorney at law is not found satisfactory, the applicant can appeal the Registrar's decision to the High Court of Antigua and Barbuda within two months of the Registrar's decision.

In the case of third-party opposition, the opponent must file Form 3, which shall include a statement of the grounds of opposition and pay the relevant fees. When an opposition action is initiated against an IR, ABIPCO will issue a provisional refusal based on the opposition. The Registrar shall send a copy of Form 3 to the holder of the IR and the date upon which this is done shall be considered the “notification date”. The IR holder has three months to respond by filing Form 4 (which shall include a counterstatement). An extension of this time limit may be granted by ABIPCO upon an application being filed and the relevant fee paid.

In the case of third- party opposition, the Registrar shall send a copy of the Form 4 to the person opposing the registration and the date upon which this is sent for the purposes of regulation 21 to be considered the “initiation date”.

As with national marks, opposition hearings of IRs are dealt with by the Registrar or her designate within jurisdiction of Antigua & Barbuda. In the event that the holder of the IR is not satisfied with the decision of the Registrar it is possible to appeal this decision to the High Court of Antigua & Barbuda to hear the matter within two months of the Registrar’s decision.

If there is no opposition, or where the opposition proceedings are resolved in favour of the holder, the IR designating Antigua and Barbuda will be protected in Antigua and Barbuda. A statement of grant of protection is then sent to WIPO.

All fees concerning trademarks can be found on the ABIPCO website at <https://abipco.gov.ag/intellectual-property/fees/>.

7.4. FINAL DECISION CONCERNING PROTECTION IN ANTIGUA AND BARBUDA

This would be a decision following the provisional refusal, which could be a partial grant of protection (Rule 18ter (2) of the Regulations under the Protocol) or confirming a total refusal (Rule 18ter (3)).

A statement of a grant of protection for the mark in Antigua and Barbuda will be communicated to WIPO to inform the applicant of the positive conclusion of the proceedings or application.

7.5. CANCELLATION FOR NON-USE

ABIPCO will notify WIPO concerning a change in the scope of protection of the IR in Antigua and Barbuda resulting from a decision by the Registrar and or the High Court after an appeal or following the decision concerning an application for cancellation for non-use.

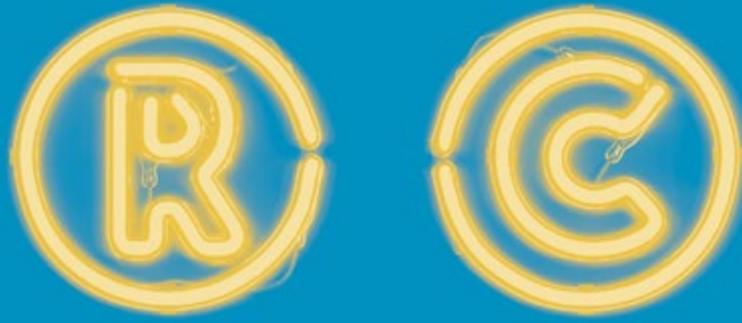
7.6. REPLACEMENT

Any person having a mark already protected in Antigua and Barbuda (as a national mark registered by ABIPCO), may designate Antigua and Barbuda under the Madrid System for the same mark. If the IR is accepted by Antigua and Barbuda (not refused), the holder will enjoy the Madrid Protocol benefit of replacement, which means that the IR rights in Antigua and Barbuda will be deemed to start from the date of the earlier registration at ABIPCO. Replacement takes place automatically; there is no need to request any record. Nevertheless, ABIPCO can be asked to take note of the replacement in its Register. If the replacement application is successful, the international registration in the national register will reflect the national trade mark number that it replaces, the class number(s), the date of protection, the good and/or services that it replaces and the priority claim details (if any).

7.7. TRANSFORMATION

If an IR designating Antigua and Barbuda is cancelled in whole or in part because its basic mark in the country of origin has ceased to have effect within the five-year dependency period and the IR designation is still effective, the former holder of the IR may file a direct application at ABIPCO for the same mark and the same (or some of the) goods and services as the cancelled mark. Based on the Madrid Protocol provision on ‘transformation’, this application will be treated by ABIPCO as if it had been filed on the date of the original designation of Antigua and Barbuda and will enjoy the same priority, if any.

To invoke a transformation right, the “application resulting from transformation” should be filed at ABIPCO within a period of three months from the date on which the IR was cancelled in whole or in part, and the goods and services of the ensuing application should be covered by the list of goods and services of the Antigua and Barbuda designation. ABIPCO will treat the application indicating in the register that the new national trade mark has been transformed from an international registration. The applicant will be required to complete the Registration (Form 1) and Authorisation of Agent (Form 2) according to the Trademark Act and regulations. All other matters will be dealt with in accordance with the laws of Antigua and Barbuda and the Madrid Protocol.



■ 8. CONCLUSION

The Madrid Protocol offers you an attractive route to protect your brand in up to 121 countries around the world by making available cost-effective and user-friendly procedures to acquire and manage your trademark rights abroad. As a national of Antigua and Barbuda, or a person domiciled or having an enterprise in Antigua and Barbuda, you are entitled to use this treaty that Antigua and Barbuda joined in 2000. Today, using the Madrid Protocol is an essential component of any successful branding strategy. The Protocol offers you early brand presence at a global level and helps you rapidly acquire international reputation and generate goodwill for your trademarks abroad. The Protocol ensures the legal protection of your brand against competitors in export markets, increases franchising opportunities, opens partnership possibilities, and facilitates integration to global supply chains. In general, it provides a most effective support to your branding strategies and business success.

MADRID UNION MEMBERS

106 members (including the European Union and OAPI), covering 122 countries as of 1 September 2020



Afghanistan, African Intellectual Property Organization (OAPI)⁴, Albania, Algeria, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Bahrain, Belarus, Belgium, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Canada, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Egypt, Estonia, Eswatini, European Union⁵, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Netherlands, New Zealand, North Macedonia, Norway, Oman, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Tunisia, Turkey, Turkmenistan, Ukraine, United Kingdom, United States of America, Uzbekistan, Viet Nam, Zambia, Zimbabwe (106).

⁴ A Madrid designation of OAPI covers all its Member States, namely: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, Congo, Cote d’Ivoire, Equatorial Guinea, Gabon, Guinea-Bissau, Guinea, Mali, Mauritania, Niger, Senegal, Togo (17)

⁵ A Madrid designation of the European Union covers all its Member States, namely: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden (27)

ACRONYMS

ABIPCO	Antigua and Barbuda Intellectual Property & Commerce Office
BOIP	Benelux Office for Intellectual Property
CARICOM	Caribbean Community States
CARIFORUM	Caribbean Forum of ACP States
CarIPI	Cariforum Intellectual Property Rights and Innovation Project
CHF	Swiss Franc
DCP	Designated Contracting Party
EC	European Commission
EDF	European Development Fund
EM	two-letter code used to identify the European Union in Madrid Protocol forms
EPA	Economic Partnership Agreement
EU	European Union
EUIPO	European Union Intellectual Property Office
EUTM	European Union Trade Mark
GI	Geographical Indication
IA	International Application under Madrid Protocol procedures
IP	Intellectual Property
IPAS	Intellectual Property Automation System
IPR	Intellectual Property Right
IR	International Registration under the Madrid Protocol procedures
MGS	Madrid Goods & Services Manager
OAPI	African Intellectual Property Organization
OECS	Organisation of Eastern Caribbean States
SMEs	Small and Medium-sized Enterprises
TM	Trade Mark
WIPO	World Intellectual Property Organization

GLOSSARY

Basic mark	Trademark application or registration in one of the Madrid Union Members that provides the basis for an international application
Contracting Parties	States and intergovernmental organizations that are Parties to the Madrid Protocol
International application	Application for the registration of a trademark under the Madrid Protocol procedures
International registration	International trademark registration under the Madrid Protocol procedures
Madrid Union	Union of States and intergovernmental organizations that are Parties to the Madrid Protocol
Madrid Protocol	Protocol of 1989 relating to the Madrid Agreement concerning the International Registration of Marks
Madrid System	System for the international registration of trademarks governed by the Madrid Protocol and managed by WIPO
Madrid Union Members	Contracting Parties to the Madrid Protocol
Nice Classification	International Classification of Goods and Services for the Purposes of the Registration of Marks, established by the Nice Agreement of 1957 amended in 1979
Subsequent designation	Request for extending the protection of an international registration to one or more additional Contracting Parties

ONLINE TOOLS AND SERVICES FREELY AVAILABLE FOR MADRID SYSTEM USERS

E-Subsequent Designation

<https://www3.wipo.int/osd/>

Online electronic facility for filing subsequent designations under the Madrid Protocol

EUIPO Representatives Database

<https://euipo.europa.eu/eSearch/#advanced/representatives>

Database of representatives maintained by the European Union Intellectual Property Office

EUIPO Trade Mark Guidelines

<https://euipo.europa.eu/ohimportal/en/trade-mark-guidelines>

Compendium of EUIPO practice regarding EUTM procedures

EUIPO Trade Mark website

<https://euipo.europa.eu/ohimportal/en/trade-marks>

Trademark website of the European Union Intellectual Property Office

EUTM Bulletin

<https://euipo.europa.eu/eSearch/#advanced/bulletins>

The official EUIPO publication containing latest data regarding EUTM registrations

EUTM Fees

<https://euipo.europa.eu/ohimportal/en/fees-payable-direct-to-euipo>

Fees payable for the filing of EUTM applications and other EUTM-related procedures

EUTM online filing

<https://euipo.europa.eu/ohimportal/en/apply-now>

Electronic facility for online filing of EUTM applications at the EUIPO website

Fee Calculator

<http://www.wipo.int/madrid/en/fees/calculator.jsp>

WIPO-managed online tool that facilitates the calculation of the fees to be paid for international applications, subsequent designations and renewals under the Madrid System

Global Brand Database

<http://www.wipo.int/branddb/en/index.jsp>

WIPO online gateway containing more than 36 million records from 40 national and international collections (trademarks, geographical indications, state emblems, etc.)

IP Law of Antigua and Barbuda

<https://wipolex.wipo.int/en/legislation/details/5868>

Trade Marks Act 2003 of Antigua and Barbuda

Madrid Protocol Service - ABIPCO

<https://abipco.gov.ag/madrid-trade-marks/>

Madrid Protocol related services offered by ABIPCO

Madrid E-Renewal

https://webaccess.wipo.int/trademarks_ren/?lang=EN

Online electronic facility to request the renewal of international registrations under the Madrid Protocol

Madrid Forms

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

WIPO web address from where Madrid forms can be downloaded

Madrid Goods and Services Manager (MGS)

<https://webaccess.wipo.int/mgs/>

WIPO-managed online tool that helps compile the list of goods and services to be submitted when filing an international application

Madrid Guide

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

WIPO Guide to the International Registration of Marks

Madrid Member Profiles Database

<http://www.wipo.int/madrid/memberprofiles/#/>

WIPO-managed database that offers information on procedures and practices regarding the effects of international registrations in Madrid Union Members

Madrid Monitor

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

A WIPO e-service that offers access to information on all trademarks registered under the Madrid System

TMclass – <http://euipo.europa.eu/ec2/>

Online tool facilitating the identification and classification of goods and services for the registration of marks in 73 trademark offices

TMview

<https://www.tmdn.org/tmview/welcome>

Information platform offering access to data of more than 54 million trademarks from 73 trademark offices

WIPO Gazette of International Marks

<http://www.wipo.int/madrid/monitor/en/#gazettnd/>

The official Madrid System weekly publication that contains the latest data regarding International registrations, renewals, subsequent designations and modifications affecting existing registrations.

WIPO Lex

<http://www.wipo.int/wipolex/en/index.jsp>

Global database providing access to Intellectual Property legal information (treaties, laws, regulations)

WIPO User Account

<https://www3.wipo.int/wipoaccounts/en/usercenter/public/register.js>

User account offering secured access certain WIPO services such as the Madrid Portfolio Manager (MPM) that allows you to manage your portfolio of international trademark registrations



