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Overview of the Madrid system for the international registration of trademarks

Octavio Espinosa
International Guest Speaker

CarIPI Workshop on International IP Systems
Belmopan, Belize, 19 March 2026



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Outline

Basic Features

- Protection options
- Madrid system features
- Geographical scope and users of the system
- Madrid system process and timeline
- Fees

Some Statistics

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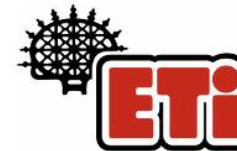
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Basic features

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It begins with a trademark and a plan to export...



Protection options for brands in overseas markets

A choice must be made regarding the best way to protect trademarks abroad:

- **The national route** – file trademark applications with the IP Office of each country in which you want protection
- **The regional route** – apply through a regional trademark registration system with effect in the participating member states (e. g. ARIPO, Benelux BOIP, EUIPO and OAPI)
- **The international route** – file through the Madrid system

The international route

The international route through the Madrid system may be the preferred option when a trademark holder:

- ❖ Seeks protection in multiple markets, particularly if these are in different regions
- ❖ Wants flexibility to add new markets as its export plans develop
- ❖ Has a limited budget or time to spend on registration and management of its trademarks

The Madrid system is global

- Currently: 116 members (including IGOs) that cover **132 countries** around the world
- These markets cover over **80% of world trade**
- Recent accessions to the Madrid Protocol include:
 - 2019: Canada, Brazil, Malaysia, Samoa
 - 2021: Pakistan, United Arab Emirates, Jamaica
 - 2022: Chile, Cabo Verde
 - 2023: Mauritius, Belize
 - 2024: Qatar
 - 2026: Grenada

The Madrid system is convenient and cost-effective

Its **main features** include:

- ❖ A single international application effectively equivalent to a bundle of national applications
- ❖ A centralized filing and management procedure
- ❖ Use of one language (English, French or Spanish) and one set of fees for protection in multiple markets
- ❖ Territorial coverage may be expanded as business grows

Types of marks and means of representation of the mark

- More types of **non-traditional trademarks** may be registered, including:
 - Three-dimensional marks
 - Sound marks
 - Motion marks
 - Multi-media marks represented in digital format
- Broader scope: “**representation**” of the trademark may be filed instead of a “reproduction”

The international trademark registration process



Stage 1 - Filing of the application

- ❖ To be entitled to use the Madrid system, the applicant must have at least one of the following links to a Madrid Contracting Party:
 - have an industrial or commercial **establishment** in a Contracting Party
 - have a **domicile** in a Contracting Party
 - be a **national** of a Contracting Party
- ❖ Before filing an international application, applicant must have registered or filed an application (basic mark) with the applicant's Office of origin
- ❖ The international application must be submitted through the applicant's Office of origin, which will certify and forward the application to WIPO

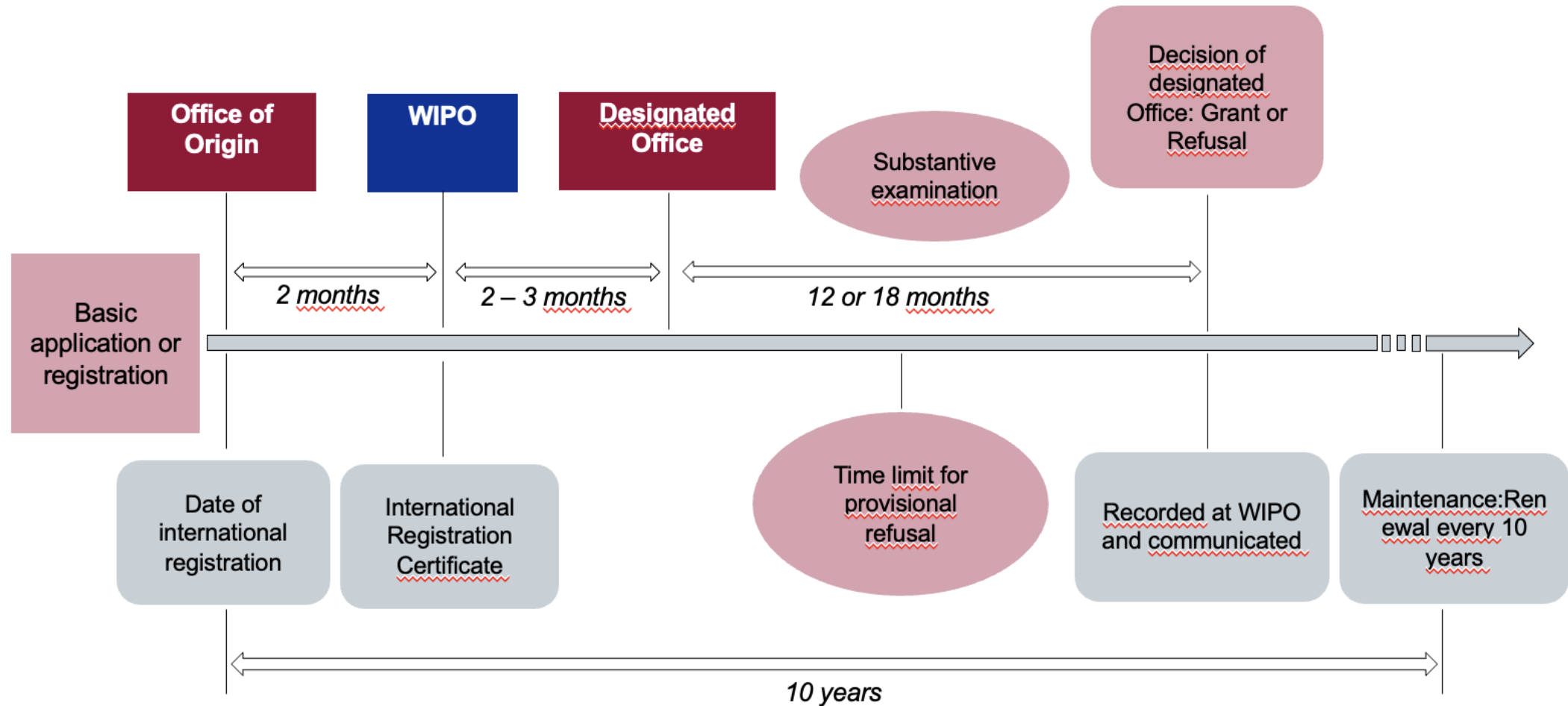
Stage 2 - Formal examination of application by WIPO

- ❖ WIPO conducts a formalities examination on the international application
- ❖ Once the requirements have been met, the mark is recorded on the International Register
- ❖ WIPO sends a certificate of international registration to the holder and notifies the IP Offices of all the designated members in which protection is sought
- ❖ The definitive scope of protection is determined after substantive examination and decision by the IP Offices of each designated member

Stage 3 - Substantive examination and decision by designated members

- ❖ The IP Office of each designated member decides to grant or refuse protection within 12 or 18 months in accordance with its own law. WIPO records the decisions and notifies the registered holder
- ❖ Refusal by one IP Office does not affect the decisions of other offices. A refusal decision may be contested directly before the competent authorities of the member issuing the refusal
- ❖ If an IP Office accepts to protect the mark, it will issue statement of grant of protection
- ❖ The international registration is valid for 10 years. Renewal is requested directly with WIPO and has effect in all the members designated in the registration

International registration timeline



Fees

All fees are payable to WIPO in Swiss francs (CHF) [CHF 1 = USD 1.28]

❖ Basic fee for WIPO *

- CHF 653 – black/white reproduction of mark
- CHF 903 – color reproduction of mark

❖ Fees for designated members

- Standard fees – complementary (CHF 100 per designation) plus supplementary (CHF 100 per class beyond third), OR
- Individual fees where this option is declared by the Contracting Party

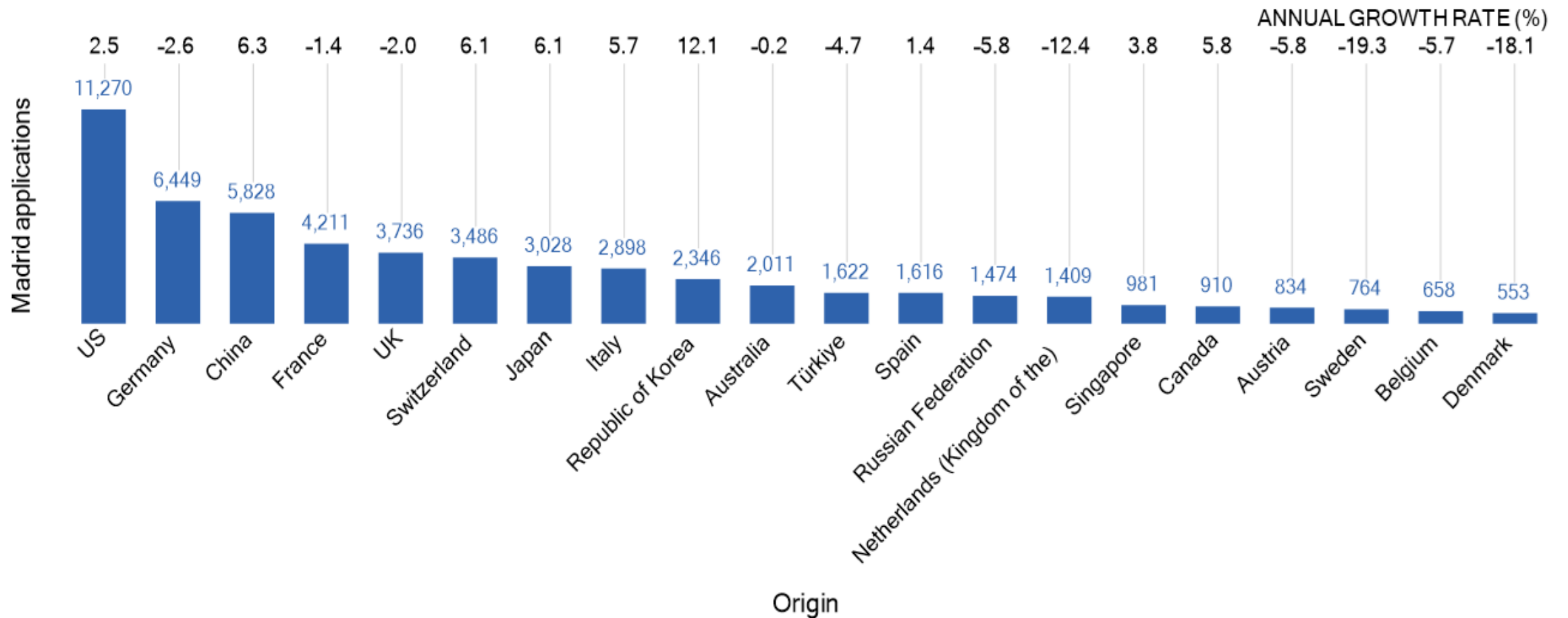
* Applicants from Least Developed Countries have a 90% reduction in the basic fee

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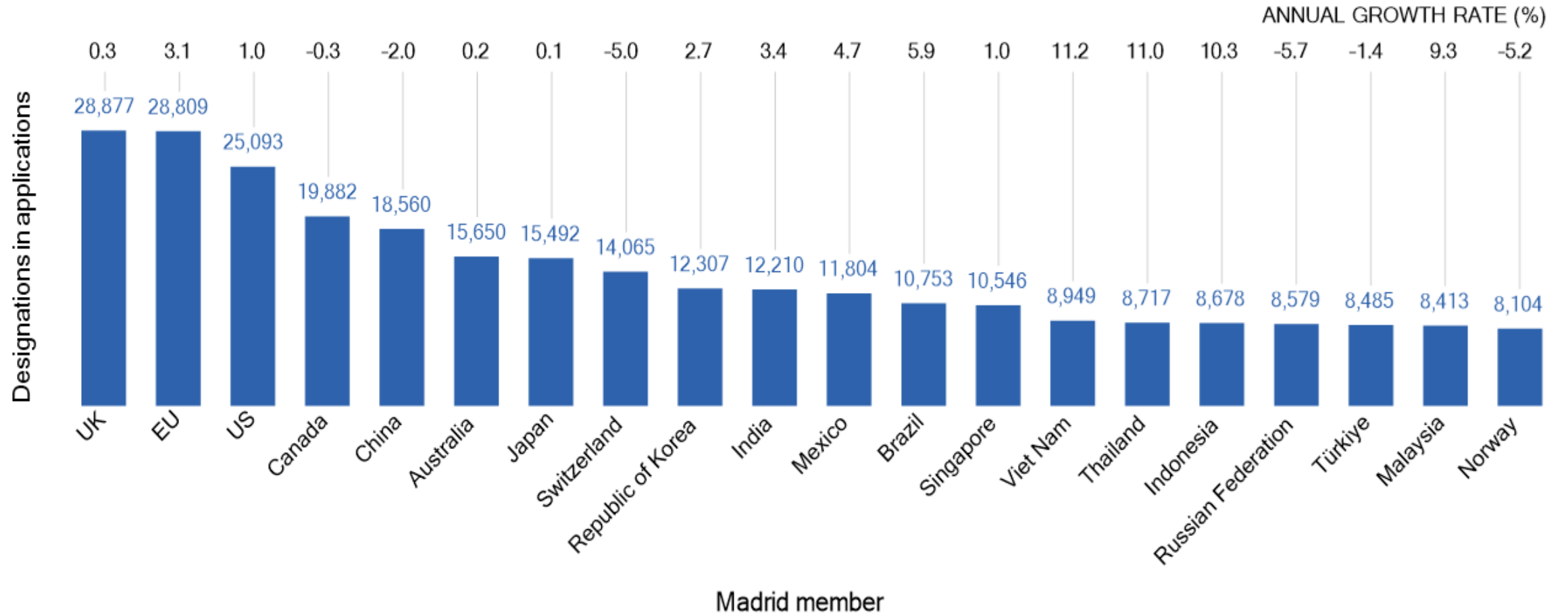
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Some statistics

Top 20 Offices of origin of filings in 2024



Top 20 Offices designated in 2024



Top trademark owner filings in 2024

Ranking	Change in position from 2023	Madrid applicant	Origin	Madrid applications		
				2022	2023	2024
1	0	L'Oréal	France	170	199	244
2	2	Novartis AG	Switzerland	131	110	193
3	0	Euro Games Technology Ltd.	Bulgaria	120	118	141
4	3	Shiseido Company, Ltd	Japan	98	103	124
5	-1	Boehringer Ingelheim International GmbH	Germany	54	110	106
6	12	Egis Gyógyszergyár Zrt.	Hungary	30	49	103
7	28	Amorepacific Corporation	Republic of Korea	47	31	96
8	1	Huawei Technologies Co., Ltd.	China	80	78	86
9	n.a.	O'Reilly Automotive Stores, Inc.	US		1	77
10	179	BYD Company Limited	China	21	13	73
11	239	Zitro Laboratory S.l.u.	Spain	2	11	61
12	13	Renault S.A.S.	France	59	37	59
13	-2	Richter Gedeon Nyrt.	Hungary	52	64	58
14	12	Topgolf Callaway Brands Corp.	US	6	36	57
15	n.a.	Eurospin Italia S.p.a.	Italy	5	1	55
16	n.a.	Mob Entertainment, Inc	US	4	2	54
17	-9	Mizuno Corporation	Japan	51	79	51
17	6	Rigo Trading S.A.,	Luxembourg	85	42	51
19	-5	Nintendo Co., Ltd.	Japan	74	55	50
20	2	Krka, Tovarna Zdravil, D.D., Novo Mesto	Slovenia	47	45	49

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Overview of the Hague system for the international registration of industrial designs

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Outline

Part 1

What are industrial designs?

Part 2

What is the Hague system of international design protection?

Part 3

Hague system online resources

Part 1

What are industrial designs?

What is an industrial design?

An industrial design is the appearance of a useful product

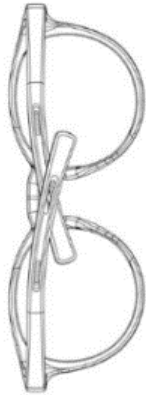
An industrial design may consist of three-dimensional features, such as the shape and contours of a product, or two-dimensional features, such as patterns, lines or colors, or a combination of two- and three-dimensional features

An industrial design focuses on the ornamental features of a product. However, the ornamental features are integrated or embodied in the functional features of the product

Examples of industrial designs



1.1) Front



1.2) Back



1.3) Top



1.4) Bottom



1.5) Right



1.6) Left



1.7) Perspective

Examples of industrial designs

DM/214 805



DM/060547



DM/086304

1.1



DM/022 932



DM/216 130



Why protect industrial designs?



Positive image



Obtain exclusive rights



Encourage creativity
and fair competition



Enjoy Return on
investment



Strengthens the
commercial value
of business



Opportunity to
license/sell

What are industrial design rights?

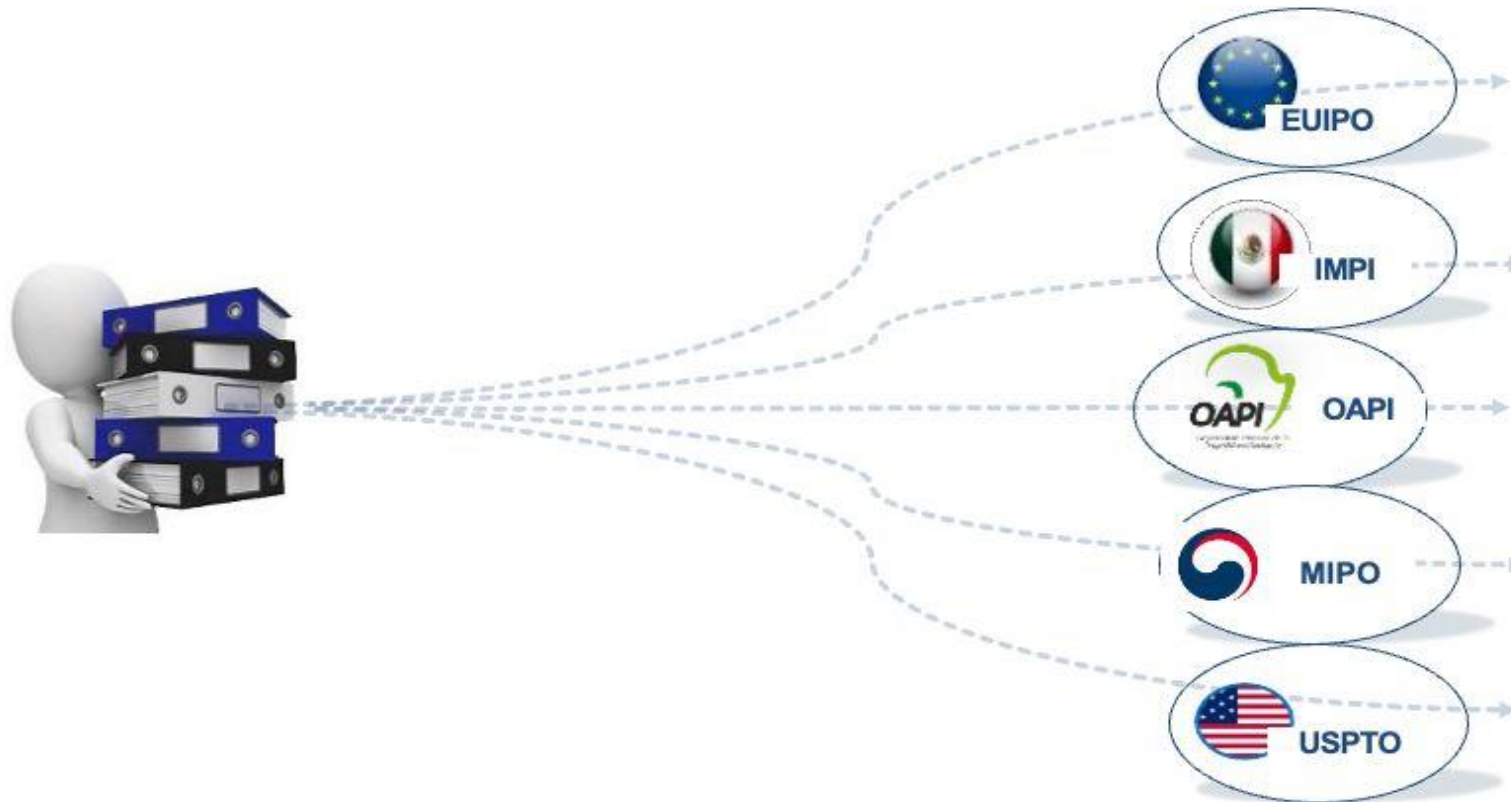
They are legal rights that cover the **ornamental features** of a product, including its shape, pattern, lines and colors. They do not cover the **functional features of a product**

The owner of a registered industrial design can legally prevent any unauthorized third party from making, selling or importing articles that bear or embody a design that is identical to the registered design or that cannot be distinguished therefrom in its essential aspects

Part 2

What is the Hague system of international design protection?

National or regional routes outside the Hague system



In this example: 5 different Offices, 4 or 5 languages, 5 applications, 5 procedures, 5 separate registrations, 5 separate renewals, 5 different currencies to pay fees ...

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The international route under the Hague system



In this example: 1 Office, 1 application, 1 language, 1 procedure, 1 registration, 1 renewal, 1 currency

Hague system membership

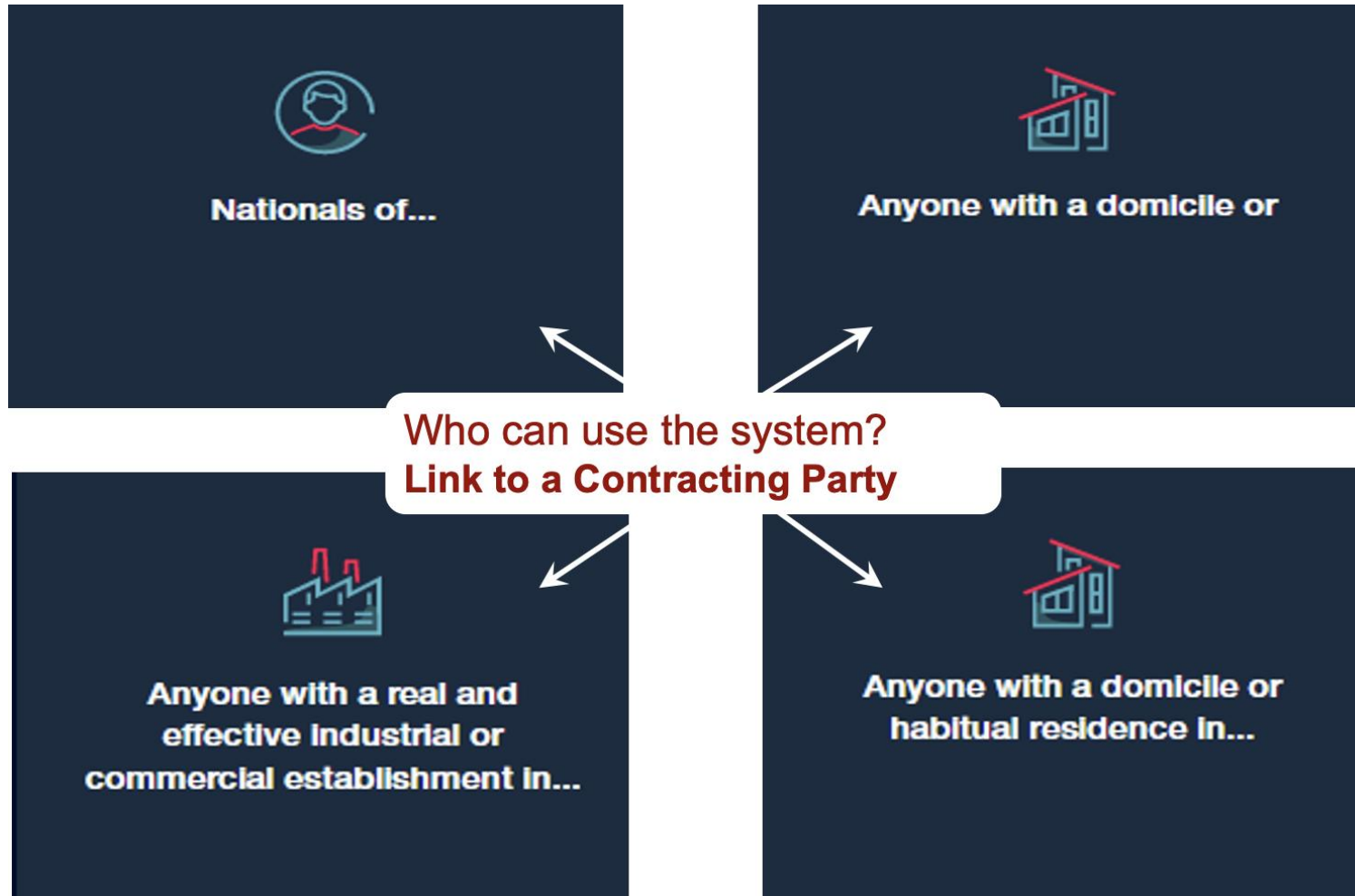
- ❖ 82 Contracting Parties **covering 99 countries**
- ❖ Some recent accessions to the Geneva Act (1999) :

St Kitts & Nevis 2024	Belarus 2021
Brazil 2023	Mexico 2020
Mauritius 2023	Israel 2020
Morocco 2022	Suriname 2020
Jamaica 2022	Samoa 2020
China 2022	Belize 2019

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Who can use the system?



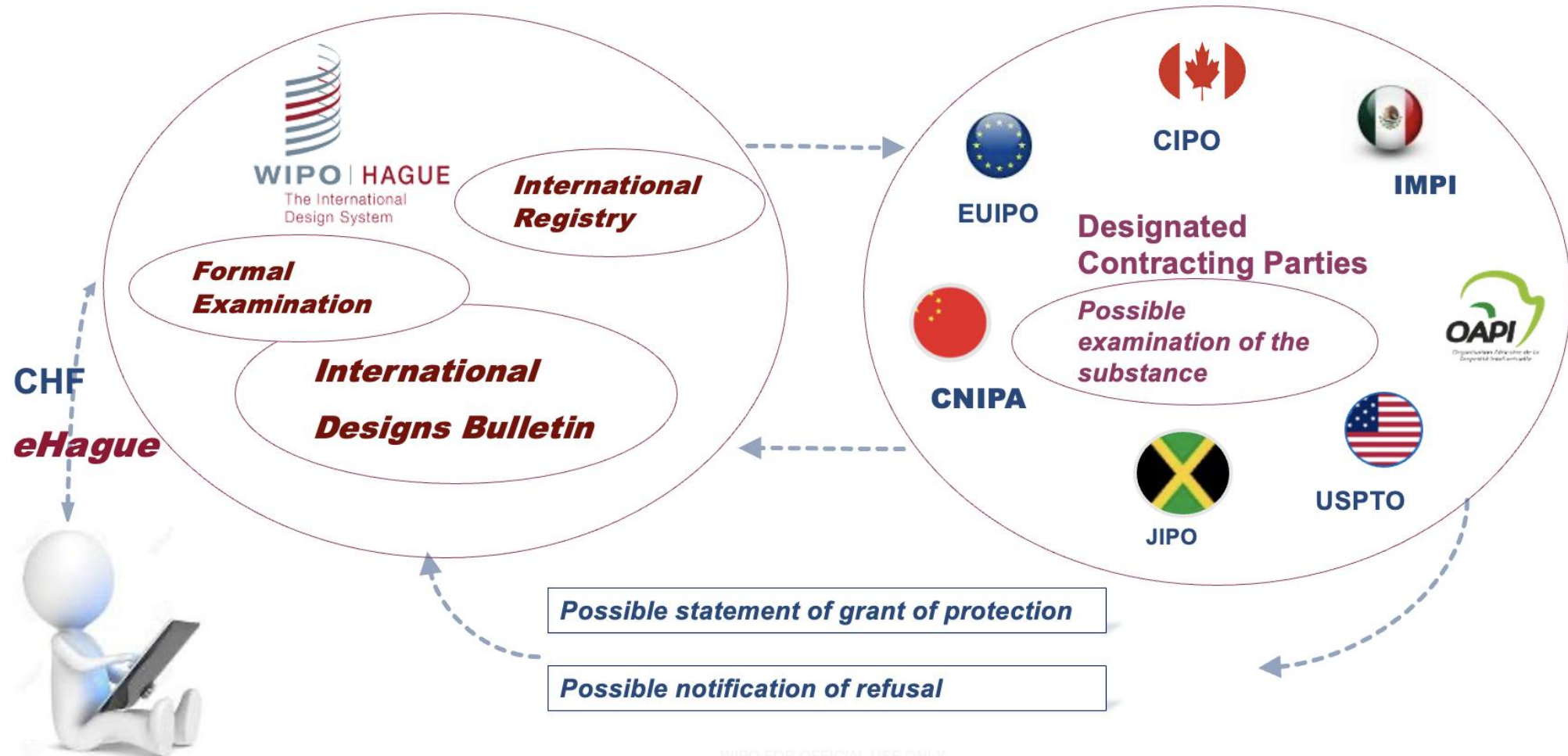
Advantages for the local IP profession

- ❖ More non-resident filings through the Hague system means more opportunities for representation before the IP Office and courts
- ❖ More opportunities for representation in respect of:
 - Monitoring the design holder's rights
 - Filing and answering oppositions
 - Dealing with IP Office actions
 - Licensing and other contracts
 - Enforcement and border measures

Advantages for local industry and designers

- ❖ The Hague system is cost-effective and efficient thereby creating opportunities that would not otherwise exist for any enterprise with a limited budget
- ❖ Flexible affording right holders great flexibility in targeting national regional or global markets for particular goods

The Hague system – A procedural agreement



Main features of the Hague registration procedure

- ❖ An application for registration may be filed directly with WIPO
- ❖ No previous regional or national registration is required
- ❖ All Contracting Parties in which protection is sought must be designated in the application; it is not possible to make designations later
- ❖ Possible to designate one, several or all Contracting Parties
- ❖ Up to 100 designs (of the same class) may go into one international application
- ❖ The declarations of designated Contracting Parties apply in respect of the designation of the creator (designer), postponement of publication, oath or certificate, special reproductions, claim and description requirements

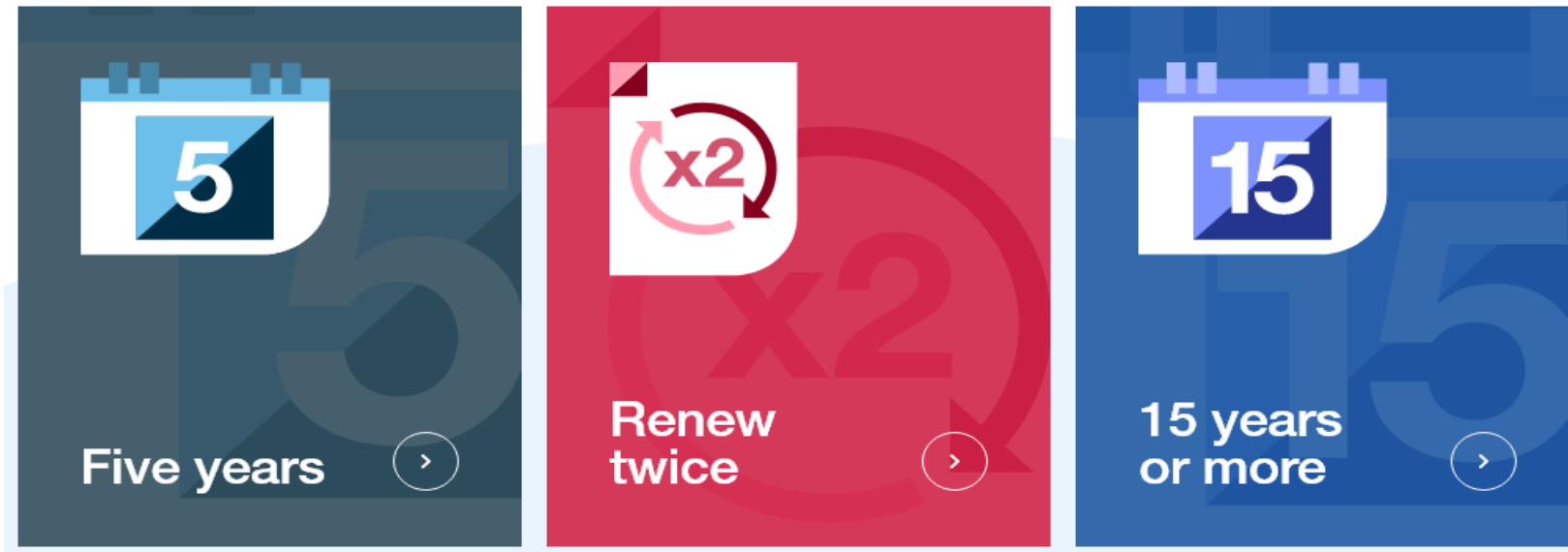
Role of WIPO

1. Receives the application (via e-filing) and sends a filing receipt to the applicant
2. Performs a formal examination of the application
3. Notifies any irregularity to the applicant (to be corrected within 3 months)
4. Records the design on the international register
5. Issues the certificate of international registration of the design
6. Publishes the designs in the *International Designs Bulletin* (notification to Contracting Parties)
7. Notifies holders of any refusal issued by a Contracting Party
8. Manages the international registration

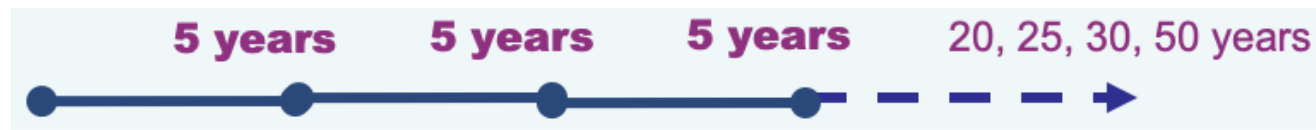
Role of each designated Contracting Party

1. A design registered at WIPO may be examined as to substance in accordance with the national law of a designated Contracting Party
2. The law of each designated Contracting Party will govern:
 - a) the substantive examination procedure
 - b) the conditions for granting protection
 - c) the grounds for refusal of protection
 - d) the scope of rights conferred by protection within its territory

Duration of protection



Longer term of protection applies if so provided for by the law of the designated Contracting Party



Contracting Parties are required to allow protection for 15 years as a minimum

Part 3

Hague system online resources

Main online resources for the Hague System

Global Design Database

Browse through the millions of designs that exist under the Hague System and in the collections of participating offices, including China, the EU, Japan, the Republic of Korea, and the USA.

Hague Express

Search our weekly updated database of all international registrations.

Hague System Statistics

Access WIPO's extensive statistical data on designs worldwide.

Other useful tools and resources

User guides

- [Guide to the Hague System](#)
- Preparing reproductions [[PDF](#)]
- Including multiple designs in an application [[PDF](#)]
- [Hague System Information Kit](#)

Hague System Members

- [Hague System Member Profiles](#)
- [Declarations by Contracting Parties](#)
- [Maximum duration of protection](#)

Tools and tutorials

- [Calculate your fees](#)
- [Filing tutorial and demo of eHague](#)
- [eHague workbench](#)
- [Strong authentication](#)

Legal resources

- [Hague System legal texts](#)
- [Information notices](#)
- [Hague System forms](#)
- History of Hague Regulations [[PDF](#)]
- [Order certified documents](#)

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Overview of the Lisbon Agreement for the international registration of appellations of origin and geographical indications

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Outline

- ❖ What are appellations of origin and geographical indications?
- ❖ Basic features of the Lisbon system for the protection of appellations of origin and geographical indications

What are appellations of origin and geographical indications?

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Some examples of protected AO/GIs



MONTECRISTI
(hats)

JAFFA
(oranges)



NOIX DE GRENOBLE
(walnuts)



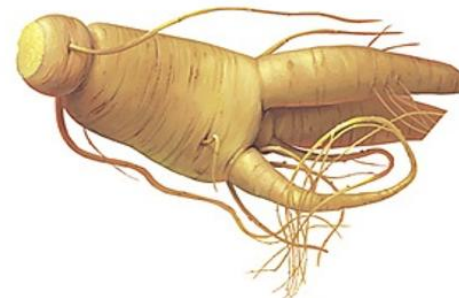
CHULUCANAS
(ceramics)



PORTO
(wine)



KAESONG-KORYO-INSAM
(ginseng)



BORJOMI
(water)



What are *appellations of origin*” (Lisbon Agreement)?

Appellations of origin (AOs) are objects of industrial property under Article 1(2) of the Paris Convention.

The [Lisbon Agreement Article 2\(1\)\(i\)](#) defines the term “**appellation of origin**” as:

“any **denomination** [...] consisting of or containing the name of a geographical area, or another denomination known as referring to such area, which serves to designate a **good** as originating in that geographical area, where the **quality or characteristics** of the good are **due exclusively or essentially** to the geographical environment, including natural and human factors, and which has given the good its **reputation**.”

The **geographical area of origin** is the territory, region or locality of the Contracting Party of origin whose name forms the AO and which has given the good **its reputation** (Lisbon Agreement, Art. 2(2)).

What are *geographical indications*?

The term **geographical indication** (IG) has been defined in the TRIPS Agreement (Article 22.1) as:

“[...] indications which identify a good as originating in the territory of a Member, or a region or locality in that territory, where a given quality, reputation or other **characteristic** of the good is **essentially attributable to its geographical origin.**”

The term **geographical indication** is defined under the Geneva Act of the Lisbon Agreement (Article 2(1)(ii) as:

“any **indication** [...] consisting of or containing the name of a geographical area, or another indication known as referring to such area, which identifies a good as originating in that geographical area, where a given quality, reputation or other **characteristic** of the good is **essentially attributable to its geographical origin.**”

Summary - Differences between GIs and AOs

AOs - Lisbon, Art. 2(1)(i)

- ❖ Geographical denomination
- ❖ Refers to :
 - quality or characteristics of a specific product
 - due **exclusively or essentially** to the geographical **environment (natural or human factors)**
 - **reputation** due to the geographical origin

GIs - TRIPS, Art. 22.1 + Lisbon, Art. 2(1)(ii)

- ❖ Geographical indication
- ❖ Refers to :
 - quality, **reputation** or other characteristic of the good
 - is **essentially** attributable to its geographical **origin**

Benefits from AO and GI protection

- ❖ **Benefits for the producers:** AO/GIs function as a differentiation and marketing tool, encourage improved quality of traditional products sold at a premium price, improving livelihood of producers
- ❖ **Benefits for consumers:** reduced search costs, guarantee to acquire unique high-quality products; sustained quality products, including natural and healthy agro-products
- ❖ **Benefits for rural areas:** strengthened rural economic development, enhanced value of the cultural and ecological characteristics of traditional rural locations and sustained production of traditional products
- ❖ **Benefits for regions and countries:** positive spillover and spin-off effects (tourism, additional income, improved reputation), enhanced regional identity, preservation of traditional knowledge and cultural expressions

Protection of AOs and GIs at the international level

At the international level appellations of origin (AOs) and geographical indications (GIs) may be protected by:

- ❖ Bilateral agreements:

E.g. EU/Australia, 1994; EU/Switzerland, 1999; EU/Chili, 2002;
EU/Canada, 2003; EU/USA, 2005; EU/Andean Community FTA

- ❖ Regional agreements and systems:

E.g. OAPI Agreement; EU Regulation 2024/1143 (wine, spirit drinks and agricultural products),
and Regulation 2023/2411 (craft and industrial products); Andean Community Decision No. 486

- ❖ Multilateral treaties (Paris Convention, Lisbon Agreement, TRIPS)

Basic features of the Lisbon system for the protection of appellations of origin and geographical indications

The Lisbon Agreement

- ❖ The Lisbon Agreement for the Protection of Appellations of Origin and their International Registration was concluded in **1958**; **entered into force in 1966**. **Revised in 2015 (Geneva Act), in force since 2020**
- ❖ Membership: 44 Contracting Parties covering **73 countries** :
OAPI, Albania, Algeria, Bosnia & Herzegovina, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Czech Republic, DPR of Korea, Djibouti, Dominican Republic, **European Union**, France, Gabon, Georgia, Ghana, Haiti, Hungary, Iran, Israel, Italy, Lao, Mexico, Moldova, Montenegro, Nicaragua, North Macedonia, Oman, Peru, Portugal, Russia, Samoa, Sao Tomé & Príncipe, Senegal, Serbia, Slovakia, Switzerland, Togo, Tunisia
- ❖ Up to the end of 2025, **1454** registration of appellations of origin and geographical indications had been recorded on the international register under the Lisbon Agreement
- ❖ At present the **Lisbon Agreement is the only global system** for the **international** registration of AOs and GIs

Main features of the Lisbon Agreement (1/3)

- ❖ Provides internationally agreed **definitions** for AOs and GIs (Art. 2(1))
- ❖ Provides local producers with an alternative and optional procedure to obtain protection for their AOs and GIs in foreign Contracting Parties
- ❖ Accession is open to any country party to the Paris Convention or to WIPO, and to intergovernmental organizations that provide regional protection for AOs or GIs, (such as the European Union and OAPI)
- ❖ Establishes an **international register** for AOs and GIs and a **single registration procedure** centrally administered by WIPO

Main features of the Lisbon Agreement (2/3)

- ❖ **Any type of product** may be designated by an AO or GI, including:
 - **Agricultural food** products and beverages such as FONTINA cheese (IT), NYONS olives (FR), BORDEAUX wine (FR), PISCO grape liquor, TARRAZÚ coffee, TEQUILA spirit, KAESONG-KORYO-INSAM ginseng (KP), VOLAILLE DU GERS poultry (FR).
 - **natural** products such as BORJOMI spring water (GE), KARLOVARKÁ VODA spring water (CZ), LEPENICA marble (BG), SARBISHEH magnesite stone (IR)
 - **manufactured** products such as BOHEMIA crystal-ware, HEREND porcelain (HU)
 - **handicraft** products such as CHULUCANAS pottery (PE), OLINALÁ woodcraft (MX), MONTECRISTI hats (EC).

Main features of the Lisbon Agreement (3/3)

- ❖ **Traditional appellations** that are not geographical names but have a **geographical connotation** and whose products have acquired a “**quality link**” with respect to a given geographical area can be **assimilated** to AOs and GIs

Examples:

- GRAVES (Nº 99, wine, France)
 - MUSCADET (Nº 279, wine, France),
 - REBLOCHON (Nº 458, cheese, France),
 - VINHO VERDE (Nº 564, wine, Portugal),
 - CHEVROTIN (Nº 1452, cheese, France)
- ❖ Contracting Parties can make a joint application to registration an AO/GI that designates products from a **trans-border geographical area** covering adjacent Contracting Parties, and designating a common competent authority

Protection for AOs and GIs at the national level (*sui generis* protection)

- ❖ **Prior recognition** and protection of an AO or a GI in its Contracting Party **of origin** is required in order to apply for its international registration
- ❖ Legal protection in each **Contracting Party** of origin is governed by that Party's law, and may be implemented by, in particular :
 - a decision from an administrative agency
 - an act by a legislative body or decree by an executive authority
 - a judicial decision
- ❖ Recognition and registration of an AO or GI may be requested by a group of **natural or legal persons** that produce the relevant products or ***ex officio*** by a public authority in charge of promoting local industries

Lisbon Agreement procedure for international registration (1/2)

- ❖ **Flexibility** to implement the protection of AO/GIs under the Lisbon Agreement: each Contracting Party may apply its own legal system and practice and is not required to establish a distinction between AOs and GIs. Each Contracting Party may choose the type of legislation under which it implements that protection
- ❖ **Application** must be filed with WIPO (in English, French or Spanish) **through the competent authority of the Contracting Party of origin**, on behalf of the holders of the right to use the appellation of origin (unless the Contracting Party waives this requirement).
- ❖ WIPO will:
 - **register** the AO or GI on the international register,
 - **notify** the AO or GI to all the Contracting Parties, and
 - **publish** the AO or GI in the *Bulletin of the Lisbon System - Appellations of Origin and Geographical Indications*

Lisbon Agreement procedure for international registration (2/2)

- ❖ Any Contracting Party may **refuse** protection of a registered AO/IG by submitting a notification to WIPO within **one year** from the notification of registration. The refusal is recorded, notified and **published** in the *Bulletin of the Lisbon System*
- ❖ Member States must indicate the **grounds** of the refusal, e.g.:
 - the registered AO or IG does not meet the definition under the Lisbon Agreement,
 - the AO or GI is the common or generic name of a type of a product
 - there is a *bona fide* earlier trademark and the registered AO or IG would cause a likelihood of confusion regarding the designated goods
- ❖ **In case of refusal, remedies** may be sought under the law of the Contracting Party that issued the refusal
- ❖ A refusal may be **withdrawn** at any time. The Contracting Parties involved may and often do negotiate the withdrawal of any refusal of protection

Scope of protection for a registered AO or GI

- ❖ A Contracting Party that has not refused protection to an international AO/IG must **prevent**:
 - (a) any use of the AO/GI in respect of goods of the same kind **not originating** in the geographical area of origin or **not complying** with requirements to use the AO/IG; or any use that would indicate or suggest a connection with the AO/IG likely to damage, impair or **dilute** the AO/GI or **take unfair advantage** of its **reputation**;
 - (b) any practice that may **mislead consumers** as to the true origin, provenance or nature of the goods;
 - (c) any **imitation** of the AO/GI even if the true origin of the goods is indicated, or if the AO/GI is used in translated form or accompanied by terms such as “style”, “kind”, “type”, “make”, “imitation”, “method”, “as produced in”, “like”, “similar” or other

- ❖ The **duration of protection** of an AO/GI international registration is **indefinite**. The registration remains in force as long as the AO/GI remains protected in its Contracting Party of origin. There is no need to renew the registration

After international registration of an AO or GI

- ❖ **A withdrawal of declaration of refusal is possible** at any time, in whole or in part (negotiation possible).
- ❖ The authority of a Contracting Party may grant third parties that are using a protected AO/GI a **period to terminate use**. The period granted must be notified to WIPO.
- ❖ **Modifications are possible** at request of Contracting Party of origin, including:
 - change in holder of right to use the AO/IG
 - change in name or address of registered holder
 - change in the area of production of the AO/IG product
 - change in provisions that recognize the AO/IG,
 - renunciation of protection in one or more Contracting Parties
- ❖ **Invalidation of the effects of the international registration** of an AO/IG may only be requested before the authority of the territory where the invalidation of the effects is sought
- ❖ Possible **coexistence between homonymous** AO/IG may be established by the competent authority of a Contracting Party.

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