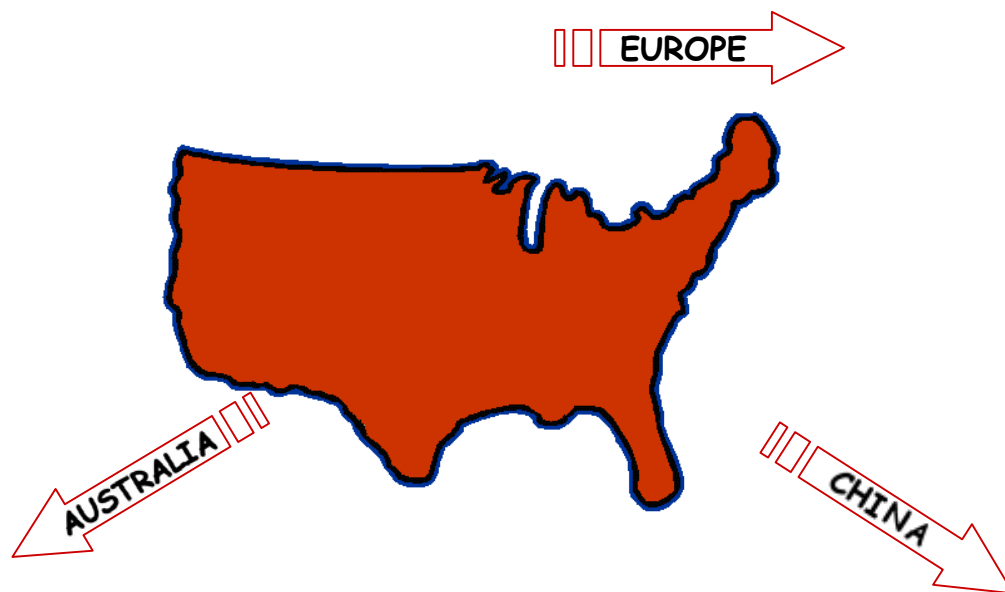


Madrid Made Clear

You will likely soon be receiving notification of refusals, and oppositions, arising in Madrid Protocol applications and may find some of the procedures alien. When the UK joined the Madrid System in 1996 it was very unfamiliar to us in many ways. We think the learning experience we went through puts us in a good position to offer insight into those areas which US trade mark practitioners may initially find unusual.



Haseltine Lake's specialist trade mark attorneys have an excellent track record in overcoming difficult objections at the UK national office and at OHIM. We hope you will find our guide useful – and that you will feel confident we can assist in overcoming obstacles to registration of your clients' trade marks.

For further information, please contact:

Bristol

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INTRODUCTION TO MADRID PROTOCOL

The Madrid Protocol offers a system, not a right. It is administered by the World Intellectual Property Organisation (“WIPO”), in Geneva. A registration does not confer a cross-jurisdictional right, but a bundle of rights in the countries designated. Each of these is equivalent to the rights ensuing from a national trade mark registration in that country.

FILING SYSTEM

- Cuts out local attorneys’ filing fees. Will confer substantial cost savings as compared to a national filing program.

RENEWAL AND MAINTENANCE SYSTEM

- Central renewal, again efficient and cost-effective.
- Cost and efficiency benefits when proprietor details have to be altered.

1.1 BASIS FOR FILING

An application for an International Registration (“IR”) must be based on “home country” application(s) or registration(s) for the same mark, and the same (or no narrower) goods or services.

Note:

- If the home application is amended (i.e. the goods limited) that amendment will carry over to the entire IR.
- If the home application fails, a valid IR cannot result.
- A home registration can form the basis for an IR regardless of how long ago that home trade mark was registered.

1.2 FILING COSTS

There is a fee calculator on the WIPO database at www.wipo.int/madrid/feecalculator/FirstStep. These figures are in Swiss Francs.

The following elements are built into the fee structure:

- WIPO charges a basic fee, higher if the application is in colour rather than black and white.
- Most countries charge ‘designated fees’, so there is a standard fee of about US\$60 for including each of them, which increases for each class beyond three.
- The countries charging ‘individual fees’ have each determined their own price structure. In some, the cost increases with each class added beyond the first. The cost savings, in these countries, result from avoiding local attorneys’ filing charges.
- The application does not have to claim uniform rights across the spectrum of countries claimed. For example, a three class application could be limited to one class in **Switzerland**. Conversely, the Protocol overrides national provisions in e.g. **China** that a single application can cover one class only.
- A schedule is attached showing the official fees for the current EU member states (page 10).



1.3 THE APPLICATION FORM

Is straightforward. Attached is an example of a completed form. It has to be filed through your 'home' office, the USPTO, which certifies to WIPO that the application corresponds to the home application(s) or registration(s).

1.4 REGISTRATION

About two months after filing, WIPO issues a registration certificate, and the mark is published in WIPO's Gazette. The certificate should be regarded more in the nature of a filing receipt than a registration certificate in the manner of one issued by the USPTO. The WIPO certificate is issued before the designated countries have considered whether to allow protection to the mark, and only after it is issued does WIPO pass particulars of the mark to the designated national offices.

Protection occurs by default in the designated countries in the absence of objections. Any objections must be raised within 12 or 18 months (depending on the country), though where refusal may result from an opposition, (as in the **UK**), a longer period can be allowed.

1.5 OBJECTIONS TO REGISTRATION

Since using the Madrid process leads to a "bundle of national rights", once filed the mark will in each country be treated, for most purposes, as if it were a national application filed there directly. A significant difference may be that it can receive faster examination than a nationally filed application, because of the time limits for refusal.

Local attorneys are appointed to handle objections before the national offices. You will learn of these objections directly from WIPO. It is common practice for an attorney firm to charge for taking on responsibility for a designation. In some instances it will be rather unclear from WIPO's communication exactly what is the basis for objection – or even exactly what is the term within which a response must be filed. The term for responding is sometimes very short, as in e.g. **China**. Some of these communications from WIPO may be in French, or Spanish, the official operating languages along with English.

An awareness of how the different national systems operate is useful, when using Madrid. There is a spectrum of different procedures. In some countries e.g. the **UK, Germany**, there will be examination for distinctiveness. At the other end of the spectrum, in e.g. the **Benelux**, the mark may receive little effective examination for distinctiveness, nor will it be refused on the basis of earlier conflicting rights.

In a number of countries, when a *national* trade mark application is made the filing receipt and registration certificate are the only communications issued by the national office. In those countries, when using Madrid, you will not even receive these papers, and there will be protection in the country by default, after the period for raising objections ends.

A potentially confusing aspect of the Madrid system is the variation in procedures for opposition. To some extent, these reflect differences in the national systems. For example, unlike in the **US** and the **UK** (where a mark is published once any objections at examination stage have been overcome, and before registration), in **Spain** the opposition period occurs before examination. In some countries, e.g. **Denmark** and **Japan**, opposition is post-registration. Of the 61 current members of the Protocol, nearly one third make no provision for opposition at all.

For an IR, there is therefore not one, but many opposition terms. Moreover, these will run from different dates and be triggered by different events. Some countries republish Madrid marks in their own national publications; the **UK**, for example, does this. Publication in the WIPO Gazette triggers the opposition term in some countries, though depending on the country may do so in slightly differing ways. Though the average opposition term is three months, this also varies.

Most of the countries you can designate under the Madrid Protocol do not confirm when a mark is protected, but the practice varies. In the **UK**, a letter issues from the Trade Marks Office confirming that protection has been granted. In **Japan**, a registration certificate issues.



You can review the status of International Registrations on the WIPO database at:

www.wipo.int/ipdl/en/search/madrid/search-struct.jsp.

There are certain points it is useful to be aware of:

- If, in a designated country, there has been a “partial refusal”, this may only equate to an office action asking for the description of goods to be amended. It should not be confused with a “total refusal”.
- The country codes used may not be immediately transparent. For example, it might be assumed that CH meant **China**, but in fact, it means **Switzerland** (**China** is CN).
- A schedule is attached showing the country codes for the current Protocol members.

1.6 AFTER REGISTRATION

1.6.1 Renewal:

There are significant cost savings as compared to renewing an equivalent set of national trade mark registrations. A single renewal application is lodged at WIPO, and one set of fees paid, (worked out on a similar basis to the application fees). It is not necessary to renew the entire International Registration: selected countries, of no interest, can be excluded from the renewal application.

1.6.2 Extending the International Registration:

At any stage in the life of an International Registration, it is possible to file an application to designate further countries. Obviously, the date from which protection will run in those countries is the date on which the extension application is made. There is an up-front fee for filing an extension application, and additional costs for each country designated. Extending protection in this way may still cost less than filing for national protection in many cases, and if protection is extended to several countries at the same time the cost savings increase.

1.6.3 Assignment / change of name:

Very significant cost savings are made in recording proprietorship changes for an International Registration as compared to doing this against individual national registrations. There is no need to consider the varying national requirements, powers of attorney, or legalisation of documents.

Note, an IR may only be assigned to an entity entitled to own one, so such entity must be domiciled or have an effective place of business in a Protocol member state. This would exclude **Canada** and most **Caribbean** and **Latin American** states at present.

1.6.4 Central Attack:

If the “home” registration, on which the IR was based, is cancelled during the first five years of the IR, the whole IR collapses. There is, though, a window of time within which it may be converted to national applications which would retain the original filing date. From this you can see there will be more certainty if an IR is based on a home registration, rather than a pending application.

1.6.5 Effect of International Registration on Existing National Registrations:

An IR will automatically replace a national registration already existing in a country to which the IR extends where both

marks are in the name of the same party and where the goods or services listed in the national mark are also listed in the IR. However, this automatic replacement is without prejudice to rights arising from the national registration(s), which can continue to be renewed.

There is an optional, formal, process whereby a request may be made to a national office to note its records to the effect that the national registration is replaced by the IR; the national office must then also inform WIPO that this has been done. Normally this process would be carried out where the proprietor has decided to allow its national rights to lapse through non-renewal. The process may be seen as confirming the fact of replacement, but it does not effect the replacement, which is automatic. It does mean that the earlier national right will be recorded on the IR database, which might in some circumstances be advantageous.

1.6.6 Amendments to Trade Marks:

After filing, these are not permitted (though neither are they permitted under the Community Trade Mark system, or by the national systems of most of the European countries).

TARGETING EUROPE: CONSIDERATIONS

2.1 EU MEMBER STATES

All EU member states (i.e. countries which can be covered by a CTM registration) are in the Protocol. These are the current EU members:

- *Austria*
- *Belgium*
- *Denmark*
- *Finland*
- *France*
- *Germany*
- *Greece*
- *Ireland*
- *Italy*
- *Luxembourg*
- *Netherlands*
- *Portugal*
- *Spain*
- *Sweden*
- *United Kingdom*

From mid 2004, because of EU enlargement¹, a CTM will automatically cover a further ten countries, and so will also extend to:

- *Cyprus*
- *Czech Republic*
- *Estonia*
- *Hungary*
- *Latvia*
- *Lithuania*
- *Malta*
- *Poland*
- *Slovak Republic*
- *Slovenia*

➤ Of these, all except **Malta** are members of the Protocol.

➤ European countries which are not in the EU, and will remain outside the EU after enlargement, include:

- *Liechtenstein*
- *Monaco*
- *Norway*
- *San Marino*
- *Switzerland*

All these can be covered by a Protocol filing.

2.2 GEOGRAPHICAL SCOPE OF PROTECTION IN THESE COUNTRIES:

Note this may not be equivalent under the CTM and Madrid systems. For example, a national **UK** registration (including one obtained through the Madrid system) covers the **Isle of Man** whereas a CTM registration confers no protection there.

¹ For more information on EU enlargement, please see **Haseltine Lake's** separate information sheet.

COMMUNITY TRADE MARK / MADRID?

3.1 LINKAGE

For many years, there has been a proposal that an IR could designate the whole EU, through the Community Trade Mark Office. The link between the systems will at last be established towards the end of this year, so that to obtain trade mark protection in Europe you could file:

- A CTM;
- An IR designating CTM (and other countries of interest);
- An IR designating each of the EU countries (and other countries of interest); or
- National applications in countries of interest.

Although both the CTM and IR systems have provision for “conversion” to national applications in the event of the main application failing, conversion is costly. The systems have complementary benefits:

3.2 BENEFITS OF THE IR SYSTEM

- If protection is needed only in two or three member states of the EU, an IR designating those countries may be more cost effective.
- If the trade mark may be objected to on descriptiveness grounds in a certain EU member state (e.g. **Spain**), but is likely to be acceptable in other states, it would be wise to use the IR system and to designate the countries of interest. Under the national trade mark systems, that mark may be acceptable in countries other than **Spain** – whilst descriptiveness in Spanish would be a ground for refusal of an entire CTM application.
- If there is a serious conflicting earlier right in one EU member state, this could successfully be used to oppose the entirety of a CTM application. If you are aware of such an earlier right, you may elect to file an IR and not to use the CTM system, limiting the effect of such an opposition to the country in question.

3.3 BENEFITS OF THE CTM SYSTEM

- To protect the continued validity of the registration, there will be no requirement to show use in every EU member state (compare with an IR designating individual countries where continued validity in any designated country is dependent on use of the mark in that country).
- There are far fewer limitations on who is entitled to hold CTM registrations, so there is an enhanced ability to transfer the right.
- If a CTM is filed directly there is no dependence on the corresponding home application / registration (as there is for the first five years of an IR: see “central attack above”), and the goods and services claimed can be broader than in such home trade mark.
- There should be more control over costs in the event of objections or oppositions: you would be dealing with one overseas attorney, and one set of objections or oppositions only.
- A CTM registration may confer a choice of forum, in litigation, which may not be so readily available to the owner of a set of national trade mark registrations.

- A CTM application cannot be opposed on absolute grounds (though, once registered, an invalidation attack can be filed on such grounds). A competitor therefore has reduced options for objection during the opposition stage as compared to options under some of the national systems.
- Speculative filing is bona fide: there is no “intent to use” requirement (unlike e.g. the **UK**).
- Cooling-off period available for negotiation in oppositions (available under some national systems, such as the **UK**, but not all).

3.4 INTENT TO USE

In Europe, it is acceptable practice to make broad claims for goods and services, and the Community Trade Marks Office and most national offices allow this. In particular, the Community Trade Marks Regulation does not contain any intent to use provision.

US companies basing an IR on a home application or registration may be at a disadvantage to European-based companies using the Protocol. Since US claims must reflect an intention to use, and the USPTO requires tighter descriptions of goods and services than do any of the trade marks offices in Europe, US users of the IR system will obtain considerably narrower registration rights, as against other users of the system, across the range of countries designated.

In contrast, US companies choosing to protect trade marks in Europe directly through the CTM system are not circumscribed by the narrow base of a home application or registration. Even where convention priority is to be claimed from a US application, it is possible to claim a broad range of goods and services in the CTM (perhaps going into additional classes, since the fee for filing a CTM covers up to three classes) and to make a partial convention priority claim. It is our practice to review new filing instructions and to broaden claims where doing so appears to be to an applicant’s advantage and will not increase costs. If you choose to instruct **Haseltine Lake** on-line with CTM filings using our *hlmark2* system, you will be guided through considerations of how to broaden the claim. See www.hlmark2.com.

3.5 SUMMARY OF MAJOR CONSIDERATIONS

- Broad description of goods required: CTM not as an IR designation.
- Use contemplated in only a few EU member states: CTM obtained either way.
- Speedy registration process required: IR designating EU countries individually.
- New trade mark, with US application likely to encounter objections: CTM not as an IR designation.
- Mark likely to be objected to in one or two EU countries, on absolute or relative grounds: IR designating EU countries individually.

TABLE OF OFFICIAL FEES (with very approximate conversion to US\$)

INTERNATIONAL REGISTRATION

Covers up to three classes

Base application: SF 653
CTM designation: Euro 1875

Total Conversion: US\$ 2900

COMMUNITY TRADE MARK

Covers up to three classes

Filing fee: Euro 975
Registration fee: Euro 1100

Total Euro 2075
Conversion: US\$ 2600

INTERNATIONAL REGISTRATION

IR designating any of EU member States

Base application: SF 653

Designation of

Austria	SF 73
Benelux	SF 201
Denmark	SF 487
Finland	SF 236
France	SF 73
Germany	SF 73
Greece *	SF 140
Ireland *	SF 584
Italy *	SF 186
Portugal	SF 73
Spain	SF 73
Sweden *	SF 485
UK *	SF 600

"Individual" fees in remaining Protocol Members

Designation of

Armenia *	SF 265
Australia *	SF 1191
Belarus	SF 600
Bulgaria *	SF 281
China *	SF 689
Cuba *	SF 832
Estonia *	SF 499
Georgia *	SF 511
Iceland *	SF 322
Japan *	SF 568
Norway	SF 394
South Korea *	SF 947
Moldova *	SF 493
Singapore *	SF 690
Switzerland *	SF 650
Turkmenistan *	SF 548
Ukraine	SF 680

* for three classes – in these countries the cost would be less if fewer classes were nominated.



MADRID PROTOCOL MEMBERS (with country codes)

AMERICAS

Antigua & Barbuda **AG** Cuba **CU** Netherlands Antilles **AN** United States of America * **US**

EUROPEAN UNION

Austria **AT** Benelux * **BX** Denmark * **DK** Finland * **FI**
France **FR** Germany **DE** Greece * **GR** Ireland * **IE**
Italy * **IT** Portugal **PT** Spain **ES** Sweden * **SE**
United Kingdom * **GB**

IN EU FROM 1 MAY 2004

Cyprus **CY** Czech Republic **CZ** Estonia * **EE** Hungary **HU**
Latvia **LV** Lithuania **LT** Poland **PL** Slovak Republic **SK**
Slovenia **SI**

EUROPE & EURASIA (not EU)

Albania **AL** Armenia * **AM** Belarus **BY** Bulgaria * **BG**
Croatia **HR** Georgia * **GE** Iceland * **IS** Liechtenstein **LI**
Moldova **MD** Monaco **MC** Norway * **NO** Macedonia **MK**
Russian Federation **RU** Serbia & Montenegro **YU** Switzerland * **CH** Romania **RO**
Turkey **TR** Turkmenistan * **TM** Ukraine **UA**

FAR EAST & AUSTRALASIA

Australia * **AU** Bhutan **BT** China * **CN** Japan * **JP**
Korea – DPR **KP** Mongolia **MN** Singapore * **SG** South Korea * **KR**

AFRICA

Kenya **KE** Lesotho **LS** Morocco **MA** Mozambique **MZ**
Sierra Leone **SL** Swaziland **SZ** Zambia **ZM**

MIDDLE EAST

Iran **IR**

* these countries charge individual fees.



EXAMPLE OF COMPLETED APPLICATION FORM (for an International Registration)

MM2(E)

MADRID AGREEMENT AND PROTOCOL CONCERNING THE
INTERNATIONAL REGISTRATION OF MARKS

APPLICATION FOR INTERNATIONAL REGISTRATION
GOVERNED EXCLUSIVELY BY THE MADRID PROTOCOL
(Rule 9 of the Common Regulations)



World Intellectual Property Organization
34, chemin des Colombettes, P.O. Box 18,
1211 Geneva 20, Switzerland
Tel.: (41-22) 338 9111
Fax (International Trademark Registry): (41-22) 740 1429
e-mail: intreg.mail@wipo.int – Internet: <http://www.wipo.int>

MM2(E) – IX.03

MM2(E)

APPLICATION FOR INTERNATIONAL REGISTRATION
GOVERNED EXCLUSIVELY BY THE MADRID PROTOCOL

<p style="text-align: center;"><u>For use by the applicant</u></p> <p>This request contains the following number of continuation sheets:</p>	<p style="text-align: center;"><u>For use by the applicant/Office</u></p> <p>Applicant's reference: <u>A-FILE/REF</u></p> <p>Office's reference:</p>
--	--

1 CONTRACTING PARTY WHOSE OFFICE IS THE OFFICE OF ORIGIN
UNITED KINGDOM

2 APPLICANT

(a) Name: A UK Client, Plc

(b) Address: High Street, Cathedral City, England

(c) Address for correspondence:

(d) Telephone : Fax:

E-mail address:

(e) Preferred language for correspondence: English French

(f) Other indications (as may be required by certain designated Contracting Parties):

(i) if the applicant is a natural person, nationality of applicant:

(ii) if the applicant is a legal entity:

- legal nature of the legal entity: Public Limited Company

- State and, where applicable, territorial unit within that State, under the law of which the legal entity is organized:
England and Wales

3 ENTITLEMENT TO FILE

(a) Check the appropriate box(es):

(i) where the Contracting Party mentioned in item 1 is a State, the applicant is a national of that State; or

(ii) where the Contracting Party mentioned in item 1 is an organization, the name of the State of which the applicant is a national:; or

(iii) the applicant is domiciled in the territory of the Contracting Party mentioned in item 1; or

(iv) the applicant has a real and effective industrial or commercial establishment in the territory of the Contracting Party mentioned in item 1.

(b) Where the address of the applicant, given in item 2(b), is not in the territory of the Contracting Party mentioned in item 1, indicate in the space provided below:

(i) if the box in paragraph (a)(iii) of the present item has been checked, the domicile of the applicant in the territory of that Contracting Party, or,

(ii) if the box in paragraph (a)(iv) of the present item has been checked, the address of the applicant's industrial or commercial establishment in the territory of that Contracting Party.

.....

.....

MM2(E) – IX.03

4 APPOINTMENT OF A REPRESENTATIVE (if any)

Name: HASELTINE LAKE

Address: Imperial House, 15-19 Kingsway, London WC2B 6UD

Telephone: +44 (0) 117 910 3200 Fax: +44 (0) 117 910 3201

E-mail address:

5 BASIC APPLICATION OR BASIC REGISTRATION

Basic application number: Date of the basic application: (dd/mm/yyyy)

Basic registration number: 2000000 Date of the basic registration: 20/02/2000 (dd/mm/yyyy)

6 PRIORITY CLAIMED

The applicant claims the priority of the earlier filing mentioned below:

Office of earlier filing:

Number of earlier filing (if available):

Date of earlier filing: (dd/mm/yyyy)

If the earlier filing does not relate to all the goods and services listed in item 10 of this form, indicate in the space provided below the goods and services to which it does relate:

.....

.....

7 THE MARK

(a) Place the reproduction of the mark, as it appears in the basic application or basic registration, in the square below.

(b) Where the reproduction in item (a) is in black and white and color is claimed in item 8 of this form, place a color reproduction of the mark in the square below.

MARK

(c) The applicant declares that he wishes the mark to be considered as a mark in standard characters.

Where the Office of origin has addressed this form by telefacsimile, the present space must be completed before addressing the original of this page to the International Bureau.

Number of basic application or registration or Office reference as shown on the first page of this form:

.....

Signature by the Office of origin:

8

COLOR(S) CLAIMED

(a) The applicant claims color as a distinctive feature of the mark.

Color or combination of colors claimed:

.....

.....

(b) Indication, for each color, of the principal parts of the mark that are in that color (as may be required by certain designated Contracting Parties):

.....

.....

.....

(c) The mark consists of a color or a combination of colors as such.

9

MISCELLANEOUS INDICATIONS

(a) Transliteration of the mark (where applicable):

.....

.....

(b) Translation of the mark (as may be required by certain designated Contracting Parties):

(i) into English:

.....

(ii) into French:

.....

(c) The words contained in the mark have no meaning (and therefore cannot be translated).

(d) Where applicable, check the relevant box or boxes below:

- Three-dimensional mark
- Sound mark
- Collective mark, certification mark, or guarantee mark

(e) Description of the mark (where a description is contained in the basic application or the basic registration):

.....

.....

(f) Verbal elements of the mark:

.....

.....

(g) The applicant declares that he wishes to disclaim protection for the following element(s) of the mark:

.....

.....

.....

11 DESIGNATED CONTRACTING PARTIES

Check the corresponding boxes:

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> AG Antigua and Barbuda | <input type="checkbox"/> DK Denmark | <input type="checkbox"/> KE Kenya | <input type="checkbox"/> PL Poland |
| <input type="checkbox"/> AL Albania | <input type="checkbox"/> EE Estonia | <input type="checkbox"/> KP Democratic People's Republic of Korea | <input type="checkbox"/> PT Portugal |
| <input type="checkbox"/> AM Armenia | <input type="checkbox"/> ES Spain | <input type="checkbox"/> KR Republic of Korea | <input checked="" type="checkbox"/> RO Romania |
| <input type="checkbox"/> AN Netherlands Antilles | <input type="checkbox"/> FI Finland | <input type="checkbox"/> LI Liechtenstein | <input checked="" type="checkbox"/> RU Russian Federation |
| <input type="checkbox"/> AT Austria | <input type="checkbox"/> FR France | <input type="checkbox"/> LS Lesotho | <input type="checkbox"/> SE Sweden |
| <input type="checkbox"/> AU Australia | <input type="checkbox"/> GB United Kingdom ¹ | <input type="checkbox"/> LT Lithuania | <input type="checkbox"/> SG Singapore ¹ |
| <input type="checkbox"/> BG Bulgaria | <input type="checkbox"/> GE Georgia | <input type="checkbox"/> LV Latvia | <input type="checkbox"/> SI Slovenia |
| <input type="checkbox"/> BT Bhutan | <input type="checkbox"/> GR Greece | <input type="checkbox"/> MA Morocco | <input type="checkbox"/> SK Slovakia |
| <input checked="" type="checkbox"/> BY Belarus | <input type="checkbox"/> HR Croatia | <input type="checkbox"/> MC Monaco | <input type="checkbox"/> SL Sierra Leone |
| <input type="checkbox"/> CH Switzerland | <input type="checkbox"/> HU Hungary | <input type="checkbox"/> MD Republic of Moldova | <input type="checkbox"/> SZ Swaziland |
| <input type="checkbox"/> CN China | <input type="checkbox"/> IE Ireland ¹ | <input type="checkbox"/> MK The former Yugoslav Rep. of Macedonia | <input type="checkbox"/> TM Turkmenistan |
| <input type="checkbox"/> CU Cuba | <input type="checkbox"/> IR Iran (Islamic Republic of) | <input type="checkbox"/> MN Mongolia | <input checked="" type="checkbox"/> TR Turkey |
| <input type="checkbox"/> CY Cyprus | <input type="checkbox"/> IS Iceland | <input type="checkbox"/> MZ Mozambique | <input checked="" type="checkbox"/> UA Ukraine |
| <input type="checkbox"/> CZ Czech Republic | <input type="checkbox"/> IT Italy | <input type="checkbox"/> NO Norway | <input type="checkbox"/> US United States of America ² |
| <input type="checkbox"/> DE Germany | <input checked="" type="checkbox"/> JP Japan | | <input checked="" type="checkbox"/> YU Serbia and Montenegro |
| | | | <input type="checkbox"/> ZM Zambia |

Others:

- ¹ By designating **Ireland, Singapore** or the **United Kingdom**, the applicant declares that he has the intention that the mark will be used by him or with his consent in that country in connection with the goods and services identified in this application.
- ² If the **United States of America** is designated, it is compulsory to annex to the present international application the official form (MM18) containing the declaration of intention to use the mark required by this Contracting Party.

12 SIGNATURE BY THE APPLICANT OR HIS REPRESENTATIVE
(if required or allowed by the Office of origin)

..... (dd/mm/yyyy)

13 CERTIFICATION AND SIGNATURE OF THE INTERNATIONAL APPLICATION BY THE OFFICE OF ORIGIN

(a) Certification

The Office of origin certifies

- (i) that the request to present this application was received on (dd/mm/yyyy).
- (ii) that the applicant named in item 2 is the same as the applicant named in the basic application or the holder named in the basic registration mentioned in item 5, as the case may be, that any indication given in item 8(c), 9(d) or 9(e) appears also in the basic application or the basic registration, as the case may be, that the mark in item 7(a) is the same as in the basic application or the basic registration, as the case may be, that, if color is claimed as a distinctive feature of the mark in the basic application or the basic registration, the same claim is included in item 8 or that, if color is claimed in item 8 without having been claimed in the basic application or basic registration, the mark in the basic application or basic registration is in fact in the color or combination of colors claimed, and that the goods and services listed in item 10 are covered by the list of goods and services appearing in the basic application or basic registration, as the case may be.

Where the international application is based on two or more basic applications or basic registrations, the above declaration shall be deemed to apply to all those basic applications or basic registrations.

(b) Office's signature:

Date of signature: (dd/mm/yyyy)



FEE CALCULATION SHEET

(a) INSTRUCTIONS TO DEBIT FROM A CURRENT ACCOUNT

The International Bureau is hereby instructed to debit the required amount of fees from a current account opened with the International Bureau (if this box is checked, it is not necessary to complete (b)).

Holder of the account: HASELTINE LAKE Account number: 00000

Identity of the party giving the instructions: HASELTINE LAKE

(b) AMOUNT OF FEES; METHOD OF PAYMENT

Basic fee (653 Swiss francs if the reproduction of the mark is in black and white only; 903 Swiss francs if there is a reproduction in color)

Complementary and supplementary fees:

Number of designations for which complementary fee is applicable		Complementary fee	Total amount of the complementary fees
.....	x	73 Swiss francs	= =>

Number of classes of goods and services beyond three		Supplementary fee	Total amount of the supplementary fees
.....	x	73 Swiss francs	= =>

Individual fees (Swiss francs):

Designated Contracting Parties	Individual fee	Designated Contracting Parties	Individual fee
.....
.....
.....
.....
.....

Total individual fees =>

Grand total (Swiss francs)

Identity of the party effecting the payment:

- Payment received and acknowledged by WIPO WIPO receipt number
- Payment made by banker's cheque (attached) Cheque identification dd/mm/yyyy
- Payment made by banker's cheque (sent separately) Cheque identification dd/mm/yyyy
- Payment made to WIPO bank account No. CH35 0425 1048 7080 8100 0 Credit Suisse, CH-1211 Geneva 70 Swift: CRESCH ZZ12A Payment identification dd/mm/yyyy
- Payment made to WIPO postal cheque account N° 12-5000-8, Geneva Payment identification dd/mm/yyyy

