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**WIPO | MADRID**

The International  
Trademark System



# Overview of the Madrid System

**Phnom Penh  
20 Jan 2016**

Kazutaka Sawasato  
Legal Division, Madrid Registry

# What is the Madrid System?

- A **one-stop shop** for TM holders to obtain and maintain protection abroad
- An **alternative** to the national route
- A centralized filing and management **procedure**

The first international trademark was registered in 1893 by Swiss Chocolate-maker

N<sup>o</sup> 1

23 janvier 1893

RUSS-SUCHARD & C<sup>ie</sup>, fabricants  
NEUCHATEL (Suisse)



Chocolats et cacao

La marque ci-dessus a été enregistrée en Suisse  
le 1<sup>er</sup> novembre 1880 sous le N<sup>o</sup> 86

The Swiss watchmaker Longines registered what is the oldest international trademark registration still in effect

N<sup>o</sup> 14

27 mars 1893

ERNEST FRANCILLON & C<sup>ie</sup>,  
FABRIQUE DES LONGINES, fabricants  
ST-IMIER (Suisse)



Boîtes et mouvements de montres

La marque ci-dessus a été enregistrée en Suisse  
le 27 mai 1889 sous le N<sup>o</sup> 2684

# Legal Framework

- Madrid Agreement 1891

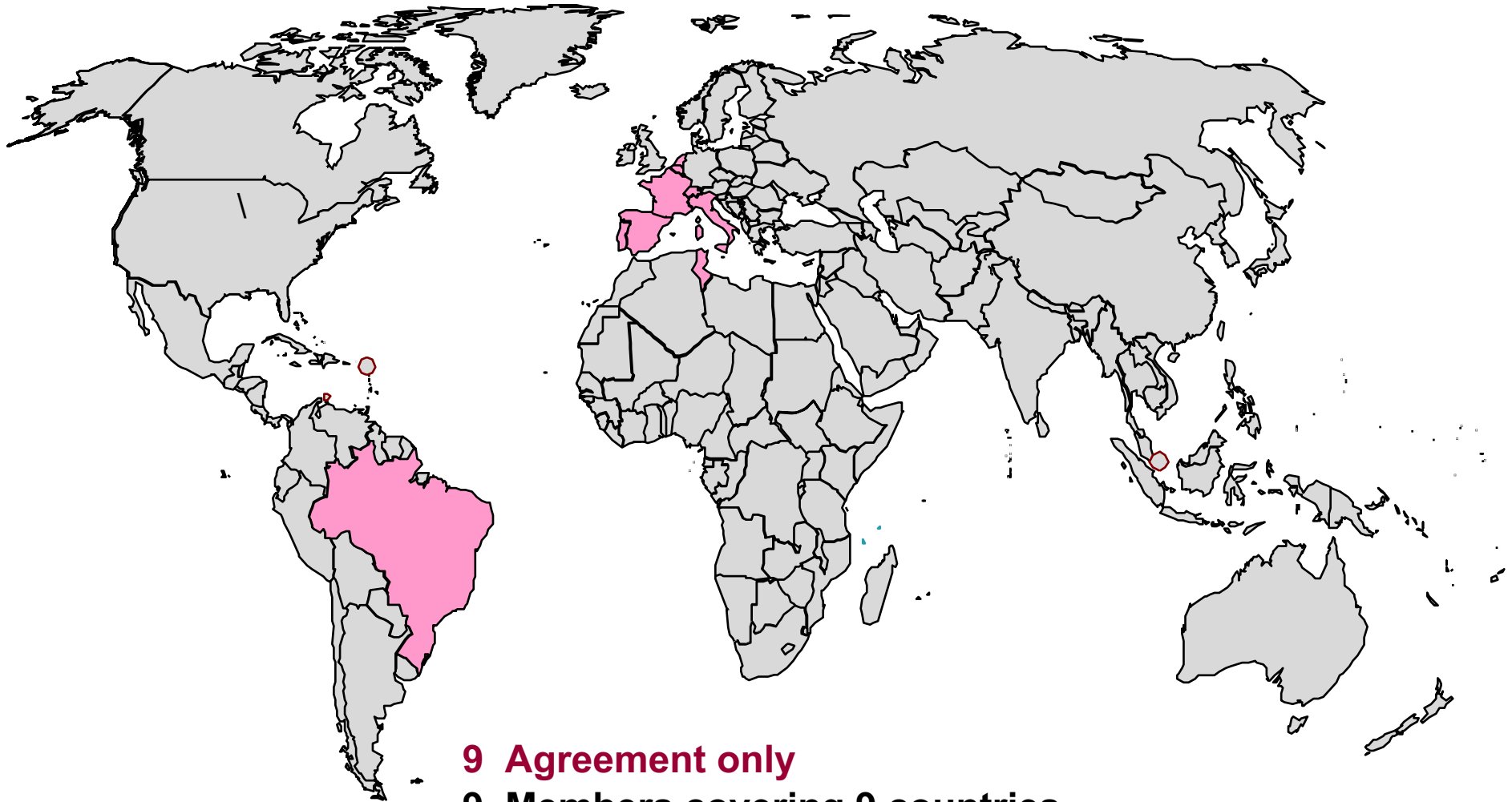
- Madrid Protocol 1989

  - Common Regulations

  - Administrative Instructions

- National laws

# Original Madrid Union – 1891



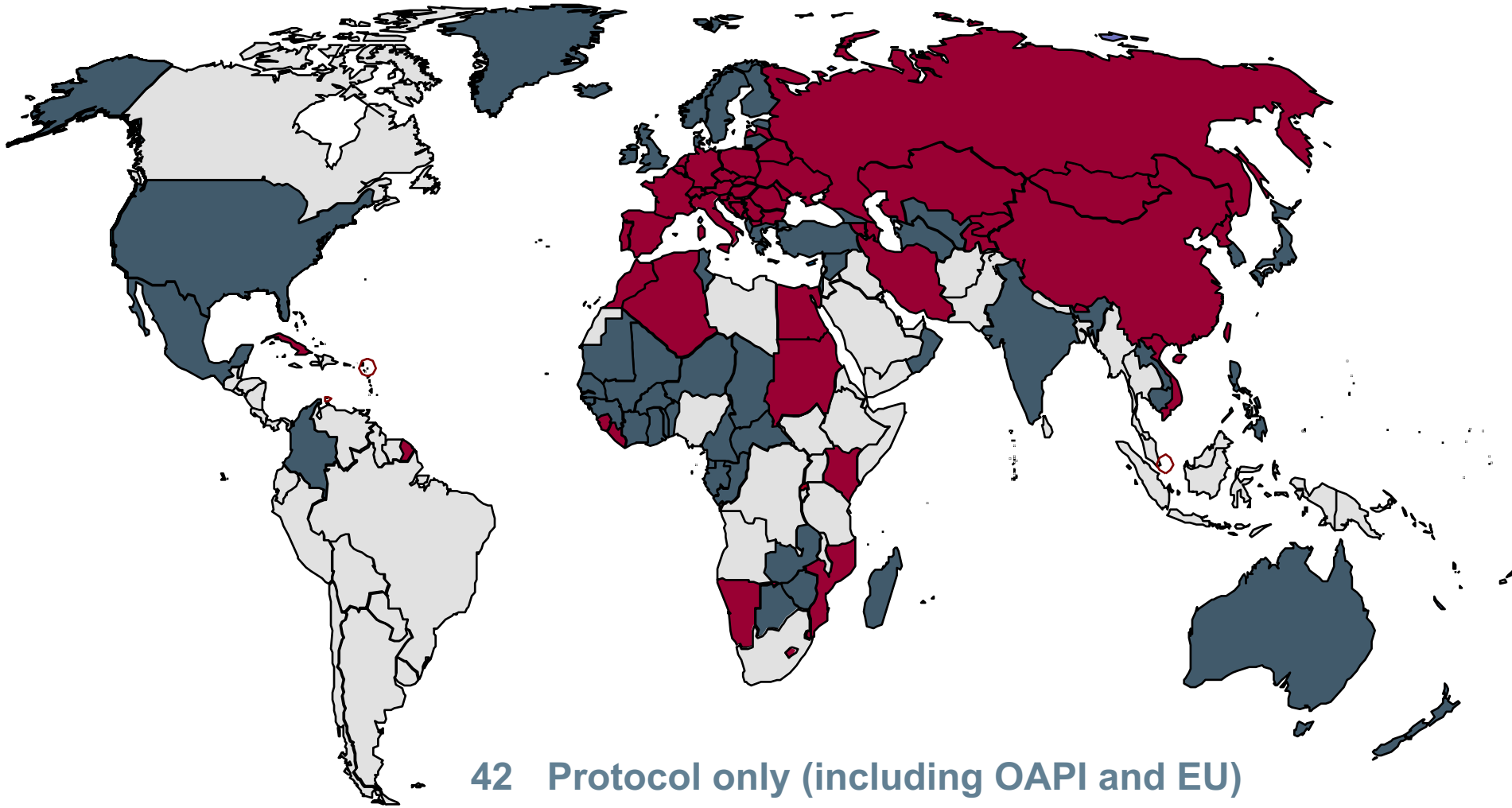
**9 Agreement only**

**9 Members covering 9 countries**

# Expansion of the Madrid Union

	1891 – 1900	1901 – 1994	1995 – 2015
Europe	7	28	40
Asia	–	8	26
Africa	1	4	26
America	1	1	5
Oceania	–	–	2

# Madrid Union – January 2016

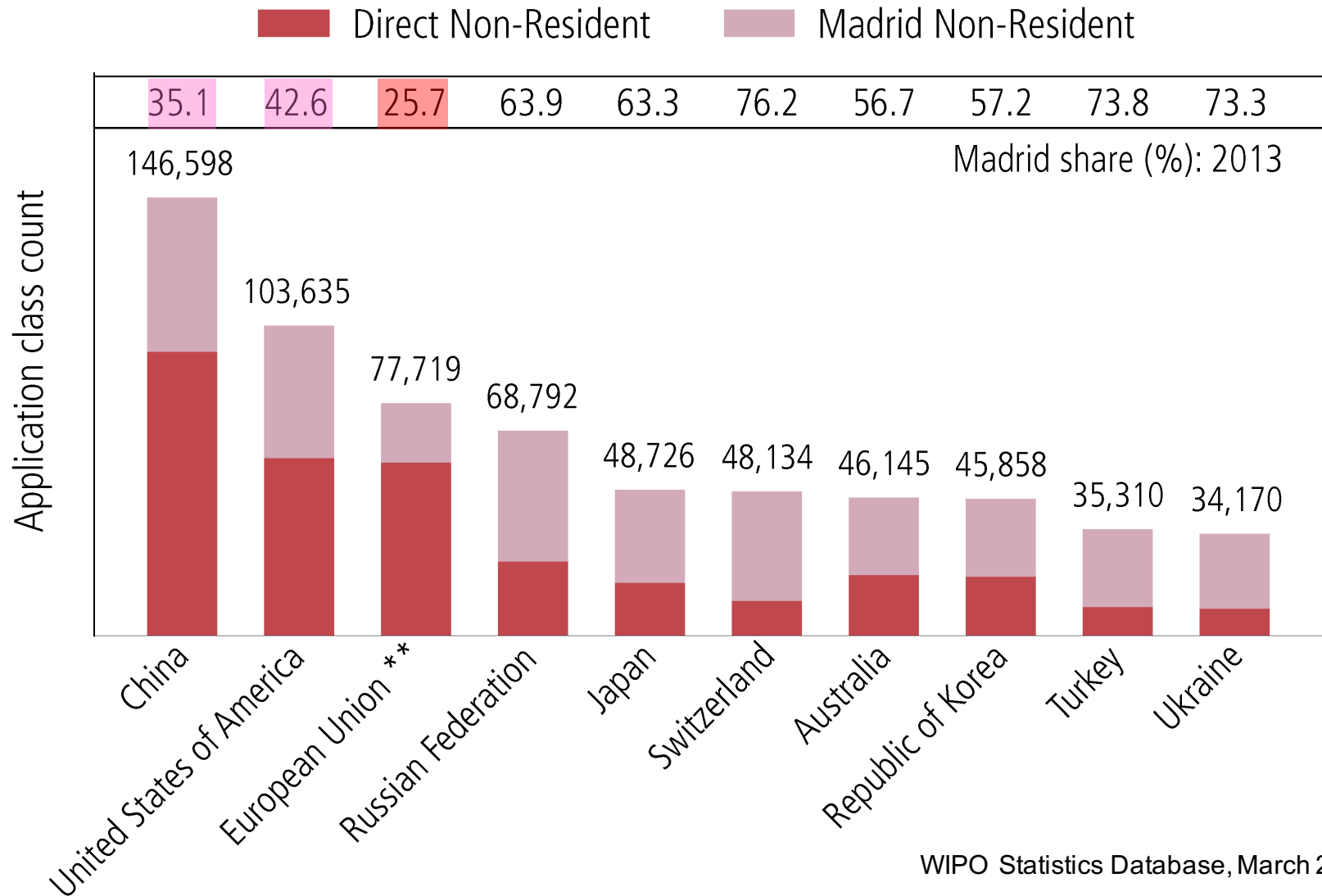


**42** Protocol only (including OAPI and EU)

**55** Agreement and Protocol

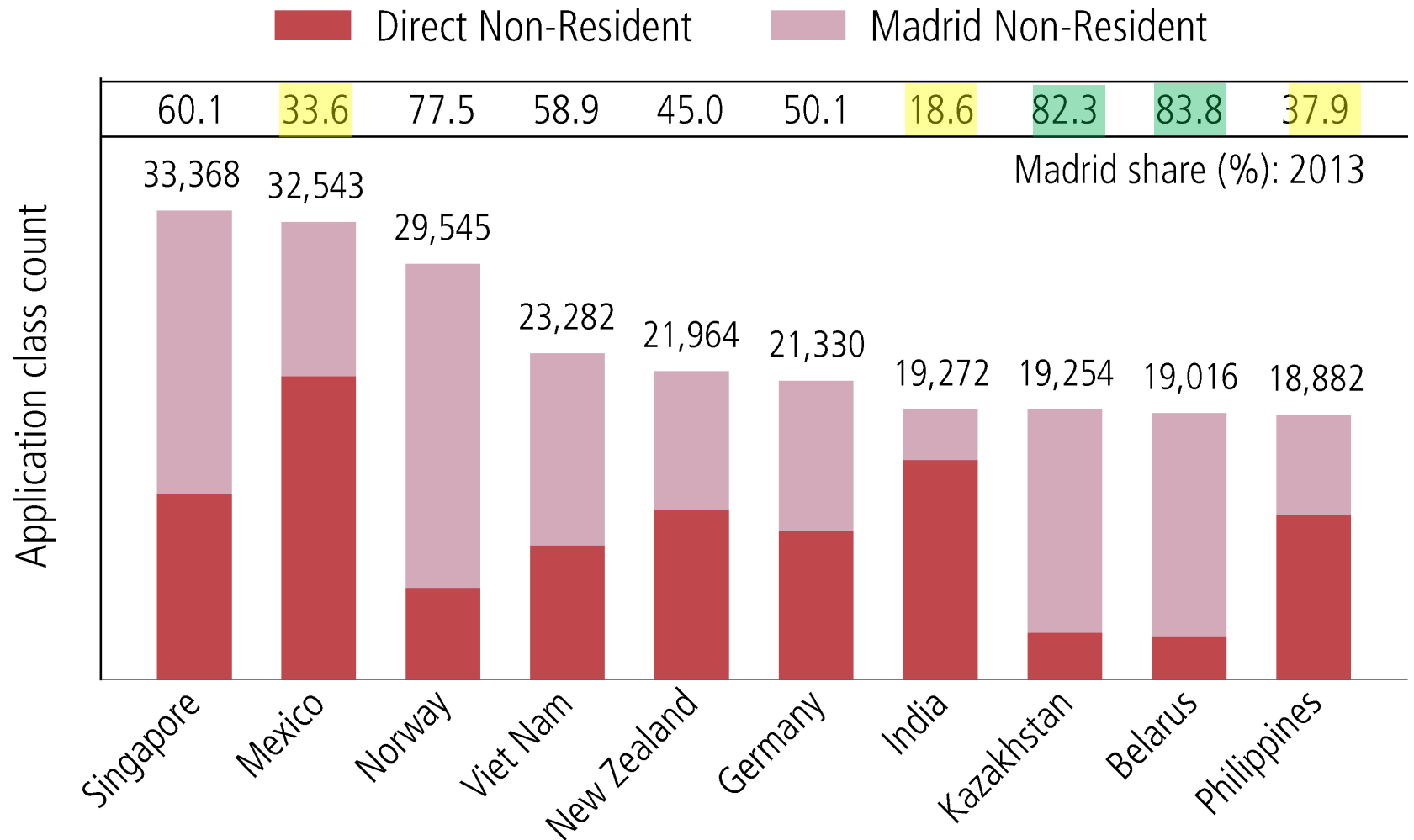
**97** Members covering 113 countries

# Non-resident applications by filing route

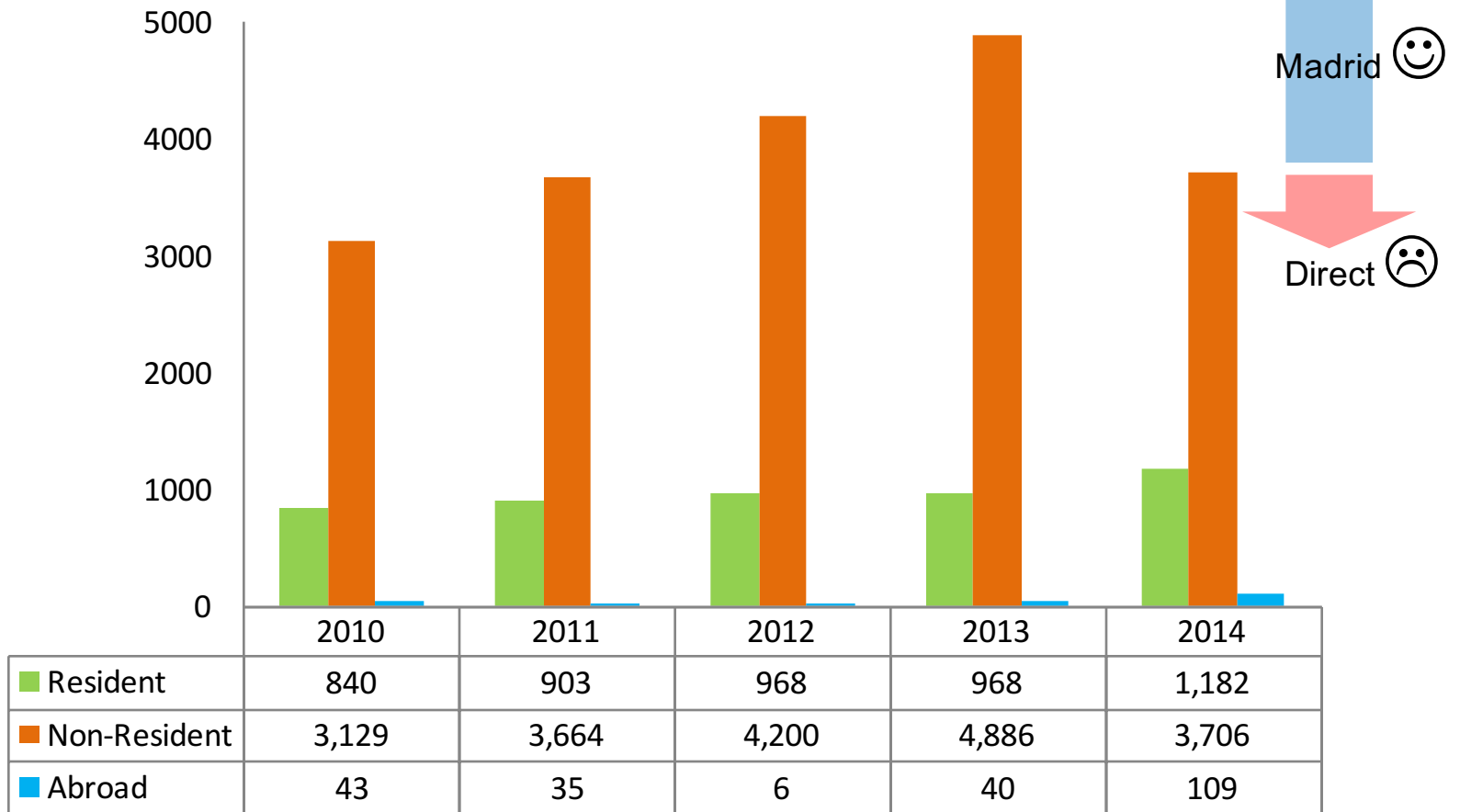




# Non-resident applications by filing route



# Trademark applications (Cambodia)



Resident – domestic filings

Non-resident – filings coming in from other countries

Abroad – filings going out to other countries

# Protecting trademarks (Cambodia)

Domestic filing  
(resident)



KH/32834/09 (KH)  
GREATGOAL CO., LTD  
Class 32 (Beer)

Filings coming in from other  
countries (non-resident)



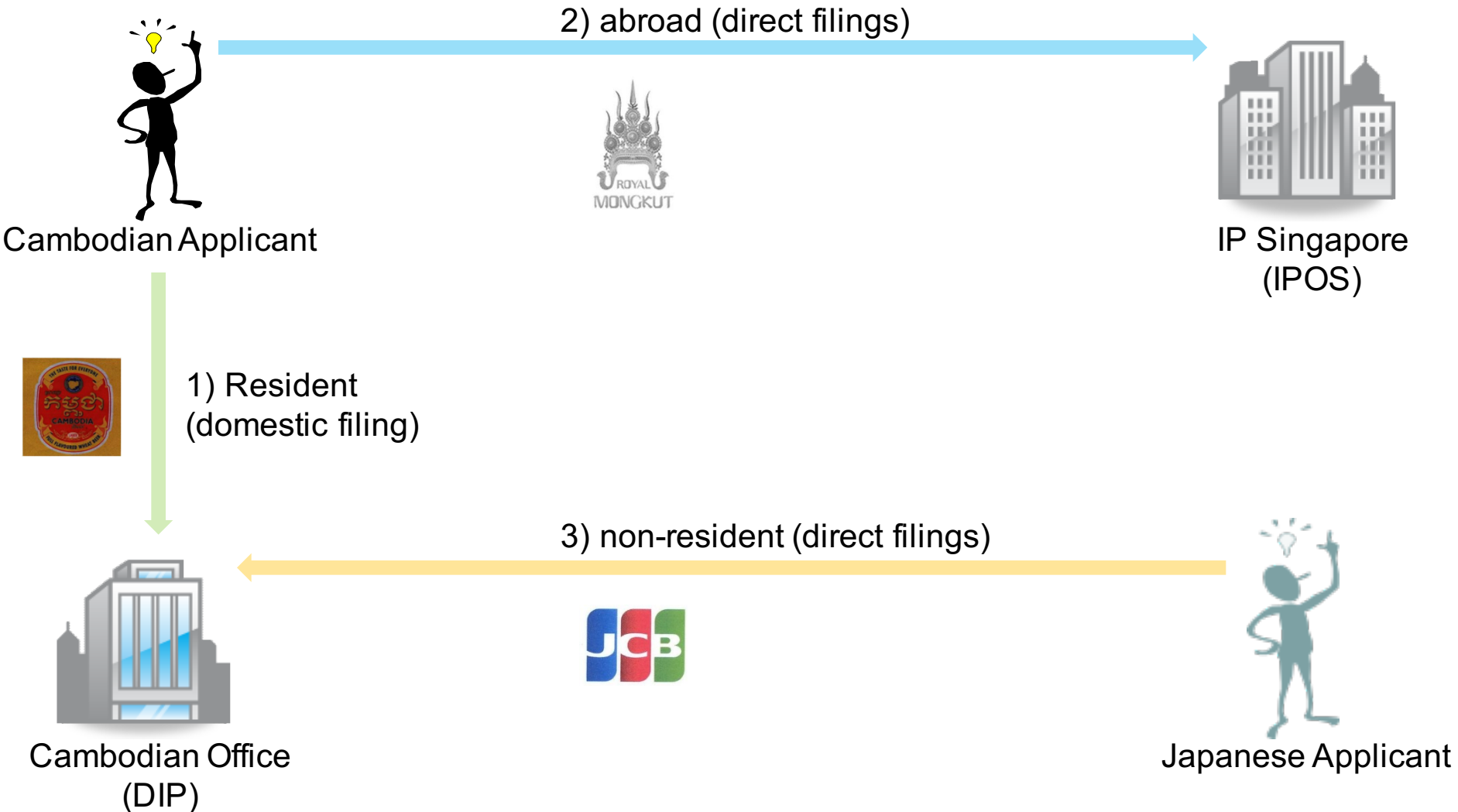
KH/25899/07 (KH)  
JCB Co., Ltd.  
Class 36 (Credit card services)

Filings going out to other  
countries (abroad)



40201512621V (SG)  
APSARA Rice (Cambodia) Co., LTD  
Class 30 (Rice)

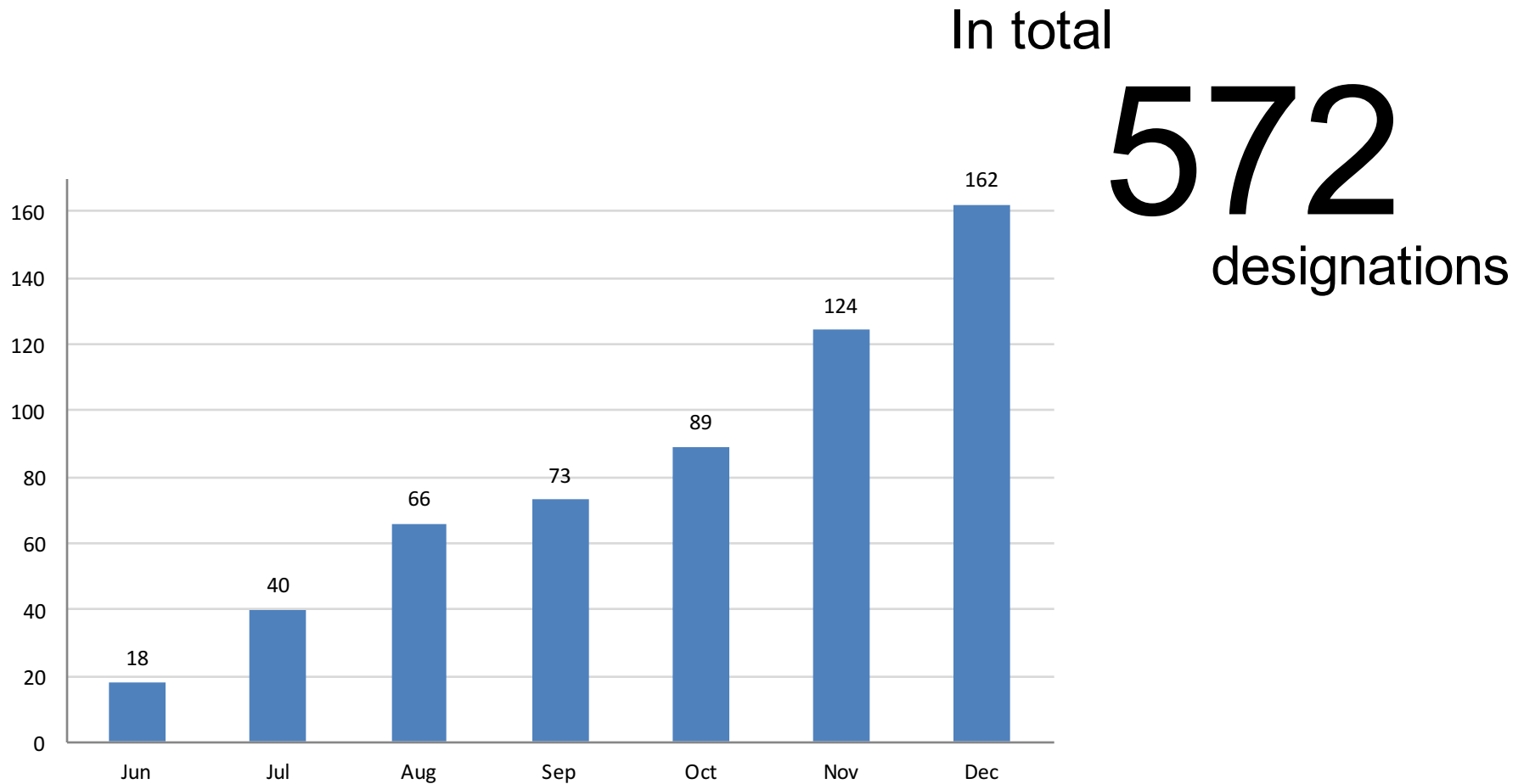
# Protecting trademarks (before joining the Madrid System)



# Cambodia joined the Madrid Protocol!



# Designations in registrations in Cambodia



# A designation via the Madrid Route

## Registrations

Designated Contracting Party:  
Cambodia



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## NOTIFICATION

ENN/2015/44

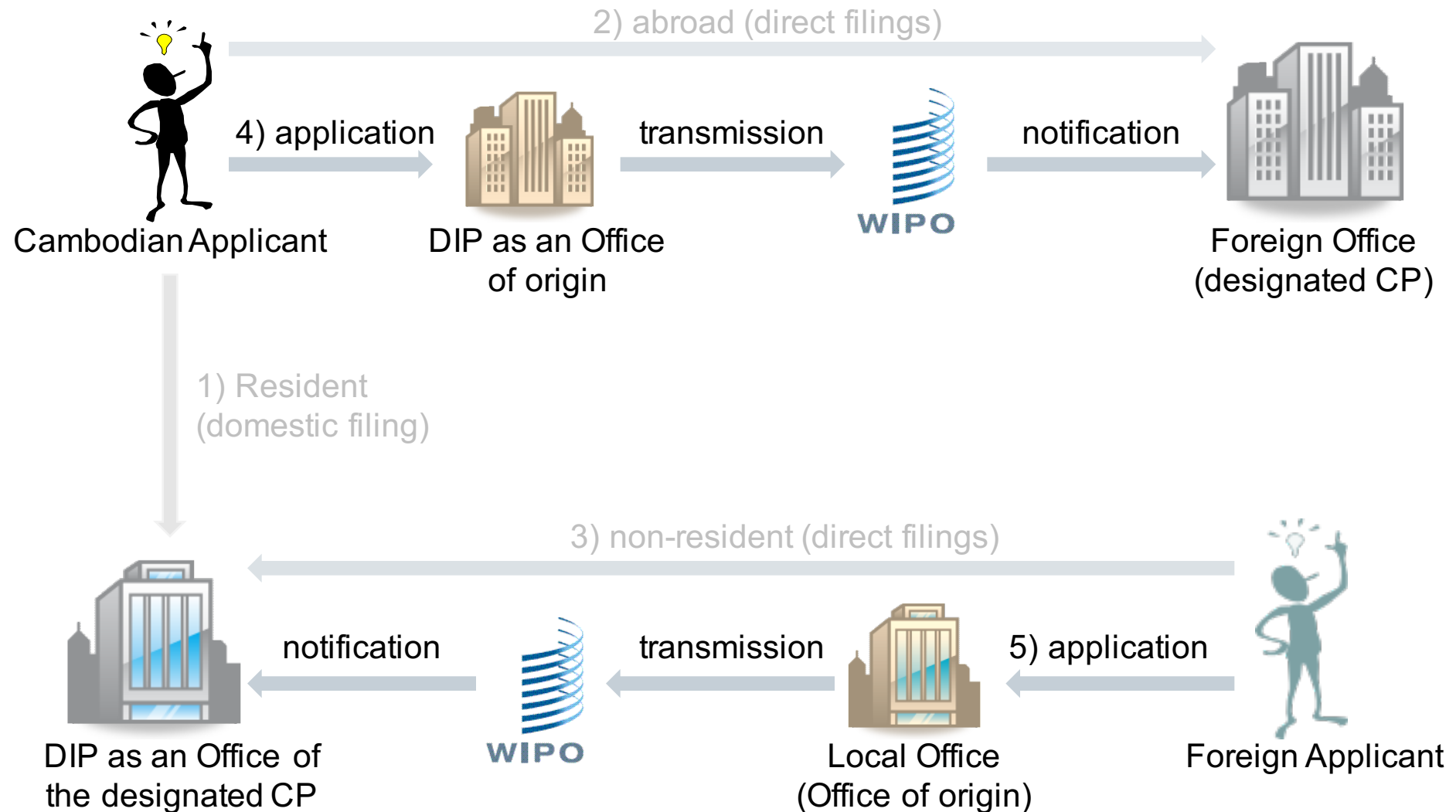
*Reproduction of the mark in  
color under Rule 9.4(a)(vii)*



## Uniquely Yours

*Registration number* **1 272 629**  
*Registration date* **July 28, 2015**  
*Date next payment due* **July 28, 2025**  
*Name and address of holder* JCB CO., LTD.  
5-1-22 Minami Aoyama, Minato-ku, Tokyo 107-8686 (Japan)  
*Legal nature of the holder (legal  
entity) and place of organization* Corporation, Japan  
*Name and address  
of the representative* KOJIMA Takiro c/o KOJIMA & ASSOCIATES, Tokyo Kotsu Kaikan  
Bldg. 9F, 2-10-1, Yurakucho, Chiyoda-ku, Tokyo 100-0006 (Japan)  
*Classification of  
figurative elements* 26.4; 27.5; 29.1  
*Colors claimed* Blue, red and green.

# Protecting trademarks (after joining the Madrid System)





# Benefits for the Trademark owner

## – One stop solution –

- File **one** international application
- File in **one** language (E, F or S)
- Pay **one** set of fees in one currency
- Obtain **one** registration covering multiple territories
- Renew every 10 years with **one** procedure
- Manage your marks through **one** centralized system

# Benefits for the Government and Offices

- The designated Office can focus on substantive examination
- It promotes international trade by contributing to the opening of new markets and assisting in development of export
- It creates a more favorable climate for foreign investment in the internal market

# Benefits for local agents

- “Madrid route” is optional and it does not replace “direct route”
- Applicants would need the services of local agents at filing stage or at post-registration stage
- Increased designations will create more business opportunities
- Post-registration activity may compensate for any reduction in local filing activity

*“We have less filing work, but there is a lot more provisional refusal work derived from the Madrid System”*

Mr. Alonso Camargo, a partner at Olivares in Mexico City  
World Trademark Review (Issue 54)

Thank you

