



International Trademark Filings Under the Madrid Protocol

What Is the Madrid Protocol?

The Madrid Protocol is an international treaty designed to simplify the process for obtaining and maintaining trademark protection through a centralized filing system.

How Does It Work?

Provided the owner of a US trademark application or registration (i) is a national of, (ii) is domiciled in, or (iii) has a real and effective place of business in the United States, it may file an International Application through the US Patent and Trademark Office (USPTO) designating any of the more than 116 member countries, including the European Union, in which protection is sought. If minimum filing requirements are met, an International Registration is issued by the World Intellectual Property Organization (WIPO) and the application is then forwarded for examination to the national trademark offices in the designated countries or to the European Union Intellectual Property Office (EUIPO). Individual national trademark offices that approve the mark will issue a “statement of grant of protection,” equivalent to a national trademark registration.

What Is the Term of Protection?

Ten years, with renewals and assignments processed centrally by WIPO with a single filing by the owner of the registration. Official renewal fees and national use requirements, if any, in the designated countries still apply.

The Madrid Protocol represents a potentially more cost-effective means of seeking trademark protection internationally, and we encourage you to contact us with any questions you may have.

Primary Advantages

- Single electronic filing at USPTO, in English, covering multiple countries
- Possible lower prosecution fees
- Simplified and less expensive filings of assignments and renewals

Primary Disadvantages

- Goods/services limited to home application (for US applicants, this will often mean a narrower scope of protection than may be possible with individual national filings)
- Subject to “central attack” for five years (abandonment, cancellation, or limitation of home application/registration affects all countries designated in International Registration)
- Assignees must be nationals of, domiciled in, or have a commercial establishment

Current Members:

OAPI ¹	Hungary	Philippines
Albania	Iceland	Poland
Algeria	India	Portugal
Antigua & Barbuda	Indonesia	Republic of Moldova
Armenia	Iran	Romania
Australia	Ireland	Russia
Austria	Israel	Rwanda
Azerbaijan	Italy	Saint Eustasius and Saba
Bahrain	Japan	San Marino
Belarus	Kazakhstan	Sao Tome and Principe
Belgium	Kenya	Serbia
Bhutan	Kyrgyzstan	Sierra Leone
Bonaire	Laos	Singapore
Bosnia & Herzegovina	Latvia	Slovakia
Botswana	Lesotho	Slovenia
Brunei	Liberia	South Korea
Bulgaria	Liechtenstein	Spain
Cambodia	Lithuania	Sudan
China	Luxembourg	Swaziland
Colombia	Macedonia	Sweden
Croatia	Madagascar	Switzerland
Cuba	Malawi ²	Syrian Arab Republic
Curacao	Mexico	Tajikistan
Cyprus	Monaco	Thailand
Czech Republic	Mongolia	Tunisia
Denmark	Montenegro	Turkey
Egypt	Morocco	Turkmenistan
Estonia	Mozambique	Ukraine
European Union	Namibia	United Kingdom
Finland	Netherlands	United States
France	New Zealand	Uzbekistan
Gambia	North Korea	Vietnam
Georgia	Norway	Zambia
Germany	Oman	Zimbabwe
Ghana		
Greece		

¹ As of October 2018, members of the African Intellectual Property Organization (OAPI) include Benin, Burkina Faso, Cameroon, the Central African Republic, Chad, Comoro Islands, Congo, Equatorial Guinea, Gabon, Guinea, Guinea-Bissau, Ivory Coast, Mali, Mauritania, Niger, Senegal, and Togo

² Malawi will be a member as of December 25, 2018

Current as of October 2018

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