



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 119 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 in a member country.

Current Members:

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

¹ As of August 2020, 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

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