

How to Register an International Trade Mark

What rights does an International trade mark registration give you?

An International trade mark registration can cover some or all member states of the Madrid Protocol*. An International trade mark registration is renewable every ten years.

An International trade mark registration has to be based on a 'home' trade mark application or registration in a member state or territory of the Madrid Protocol.

An International trade mark registration gives you the exclusive right to use the trade mark in the member states covered by the International Registration. A trade mark registration can stop another trader using a mark which is either identical or similar to the registered trade mark in relation to goods or services which are identical or similar to the registered goods and services. In certain circumstances, a trade mark registration can stop the use of an identical or similar mark on wholly dissimilar goods.

An International Registration will be cancelled if the 'home' registration is cancelled in the five years following the date of grant of the International Registration. This is termed a 'central attack'.

Advantages of International registration system:

- Costs tend to be lower than corresponding national applications;
- One trade mark registration covers multiple countries;
- International registrations can be extended to cover new countries.

Disadvantages of International registration system:

- Registration is dependent on 'home' application of registration for five years.

Member states of the Madrid Protocol (effective 6th July 2022):

Afghanistan	Cuba	Jamaica	Samoa
Albania	Cyprus	Latvia	San Marino
Algeria	Czech Republic	Lesotho	São Tomé & Príncipe
Antigua & Barbuda	Denmark	Liberia	Senegal*
Armenia	Egypt	Liechtenstein	Serbia
Australia	Equatorial Guinea*	Lithuania	Sierra Leone
Austria	Estonia	Macedonia	Singapore
Azerbaijan	Eswatini	Madagascar	Slovakia
Bahrain	European Union	Malawi	Slovenia
Belarus	Finland	Malaysia	South Korea
Benelux	France	Mali*	Spain
Benin*	Gabon*	Mauritania*	Sudan
Bhutan	Gambia	Mexico	Sweden
Bosnia & Herzegovina	Georgia	Monaco	Switzerland
Botswana	Germany	Mongolia	Syria
Brazil	Ghana	Montenegro	Thailand
Brunei Darussalam	Greece	Morocco	Togo*
Bulgaria	Guernsey	Moldova	Trinidad & Tobago
Burkina Faso*	Guinea*	Mozambique	Tunisia
Cambodia	Guinea Bassau*	Namibia	Turkey
Cameroon*	Hungary	New Zealand	Turkmenistan
Canada	Iceland	Niger*	Ukraine
Cape Verde	India	North Korea	United Arab Emirates
Central African Rep.*	Indonesia	Norway	United Kingdom**
Chad*	Iran	Oman	United States of America
Chile	Ireland	Pakistan	Uzbekistan
China	Israel	Philippines	Vietnam

Columbia	Italy	Poland	Zambia
Comoros*	Japan	Portugal	Zimbabwe
The Republic of Congo*	Kenya	Romania	
Cote d'Ivoire*	Kazakhstan	Russian Federation	
Croatia	Kyrgyzstan	Rwanda	

*Members of The Organisation Africaine de la Propriété Intellectuelle (OAPI)

** As of 1st January 2021 United Kingdom Designations cover Gibraltar regardless of the date of filing of the designation.

What information do we require to file an International trade mark application?

- Full name and address of applicant;
- Country and state, if appropriate, of incorporation of the applicant;
- Details of the trade mark to be registered;
- If the trade mark consists of a logo, a good representation of the logo, preferably by e-mail in jpeg format;
- Details of the goods and services to be sold under the trade mark;
- Details of any foreign trade mark application on which priority is to be claimed (if appropriate).

How long does it take to register an International trade mark?

- An International trade mark application is usually 'registered' around three months after filing, following a formalities examination by the World Intellectual Property Office (WIPO).
- However, the Intellectual Property Offices of each country covered by the registration have up to 18 months to raise objections to the registration.
- If no objections are raised, the registration is confirmed, but if objections are raised then we will deal with these objections through the Intellectual Property Offices concerned.