

INTERNATIONAL TRADEMARK REGISTRATION

International registration of trademarks through World Intellectual Property Organisation (WIPO) protects your trademark worldwide. In order to avoid the need to register your trademark in each country you aiming protection separately, you can have it registered with a national office first and then proceed with a single application for wider protection in the selected jurisdictions. This system of International Registration is governed by two Treaties, the Madrid Agreement Concerning the International Registration of Marks and the Madrid Protocol.

The international procedural mechanism provides to the trademark owner the possibility to register its trademark and have it protected and safeguarded in multiple countries by simply filing one application. An international trademark registered through this procedure is equivalent to a registration of the same trademark registered directly in each of the countries designated by the applicant. If the trademark office of a designated country does not refuse protection within a specified period, the protection of the mark is the same as if it had been registered by that office.

Trademarks can be a combination of words, letters and numerals and they may consist of drawings, symbols 3D signs etc. The application must contain a clear reproduction of the proposed sign filed for registration. The application must also contain a list of services or goods (selected classes) to which the trademark should apply.

The trademark protection is sustained for a period of five years from the date of the international registration. The protection deriving from the international registration may no longer be valid if the basic registration (domestic registration) is withdrawn, cancelled, revoked invalidated or lapsed. This dependency is absolute and is effective regardless the reason why the basic registration has been cancelled, revoked or invalidated.

Even though the international registration must be filed by a person who is the holder of a domestic/national trademark registration, the validity of the international registration will not be affected if the national trademark is subsequently owned by a third person or persons and consequently such change of ownership has no influence on the effects of the dependency.

The above is intended to provide a brief guide only. It is essential that appropriate professional advice is obtained.