

Madrid System for the International Registration of Marks



Summary Report for the Year 2007



WORLD INTELLECTUAL PROPERTY ORGANIZATION

MADRID SYSTEM FOR THE INTERNATIONAL REGISTRATION OF MARKS

Summary Report for the Year 2007

Overall Registration Activity

In 2007, the volume of registration activity under the Madrid system continued to increase importantly. The number of international registrations reached the highest ever recorded in one year under the Madrid system (38,471), based on a growth of 3.3 per cent, as compared to 2006. The number of renewals went up by 14.9 per cent (to reach a total of 17,478) and the number of subsequent designations by 14.8 per cent (to reach a total of 12,605), both as compared to 2006 (see Graphs 1 and 2, on page 5).

Other recordings also increased significantly in 2007. The number of modifications (including changes in ownership, cancellations, renunciations, limitations of the list of goods and services, changes in name or address of the holder and some other entries) recorded in the International Register was 85,244, representing a 20.6 per cent increase over 2006. The number of decisions by designated Contracting Parties (including grants of protection, provisional refusals, extensions of the limit for refusal based on an opposition, final decisions following a refusal and invalidations) recorded in the International Register was 267,733, representing a 25.7 per cent increase over 2006.

Table 1
Selected Transactions Recorded in 2007
Growth rates as compared to 2006

	<u>2006</u>	<u>2007</u>	<u>Growth</u>
Acquisition and maintenance of rights			
International registrations	37,224	38,471	3.3%
Renewals	15,205	17,478	14.9%
Subsequent designations	10,978	12,605	14.8%
Individual designations			
in International registrations	321,401	324,437	0.9%
in renewals	170,866	202,767	18.7%
as subsequent designations	43,324	45,797	5.7%
International registrations in force (at the end of the year)			
Active registrations	471,325	483,210	2.5%
Active designations	5,275,465	5,410,918	2.6%
Number of right holders	159,075	159,420	0.2%
Decisions by designated contracting parties	212,941	267,733	25.7%
Grants of protection	79,128	105,602	33.5%
Refusals (total or partial)	75,379	78,489	4.1%
Extensions of the time-limit for refusal based on opposition	17,367	21,327	22.8%
Final decisions following a refusal	40,697	61,923	52.2%
Invalidations	370	392	5.9%
Recorded modifications	70,687	85,244	20.6%
Changes in ownership	11,384	13,891	17.4%
Cancellations due to ceasing of effect (Rule 22)	1,179	1,861	57.8%
Cancellations by holder	249	285	14.5%
Renunciations	927	1,079	16.4%
Limitations of the list of goods and services	2,033	2,301	13.2%
Changes in name or address of the holder	15,543	19,449	25.1%
Other changes (entries concerning representatives, corrections, etc.)	39,372	46,378	17.8%

Profile of Registrations

Coverage (goods, services, business sectors)

On average, the goods or services specified in an international registration fell under two to three classes of the International (Nice) Classification. The most popular classes were those listed below:

Table 2
Most Popular Classes in International Registrations
Registrations by class in 2007, shares within total and growth as compared to 2006

<u>Classes</u>	<u>Products and Services</u>	<u>2007</u>	<u>Share</u>	<u>Growth</u>
Class 9	covers e.g. computer hardware and software and other electrical or electronic apparatus of a scientific nature	8'459	8.5%	3.2%
Class 35	covers services such as office functions, advertising and business management	6'434	6.4%	11.0%
Class 25	covers clothing, footwear and headgear	5'286	5.3%	5.3%
Class 42	covers services provided by e.g. scientific, industrial or technological engineers and computer specialists	5'187	5.2%	4.9%
Class 5	includes mainly pharmaceuticals and other preparations for medical purposes	4'720	4.7%	14.3%
Class 41	covers services in the area of education, training, entertainment, sporting and cultural activities	4'355	4.4%	5.8%
Class 16	includes mainly paper, goods made, from that material and office requisites	4'246	4.3%	6.3%
Class 3	includes mainly cleaning preparations and toilet preparations	3'853	3.9%	5.3%
Class 30	Includes mainly foodstuffs of plant of origin, prepared for consumption or conservations as well as auxiliaries intended for the improvement of the flavour of food	3'042	3.0%	0.5%
Class 7	includes mainly machines, machine tools, motors and engines	2'999	3.0%	12.1%

Coverage (territories)

On average, 8.4 Contracting Parties were designated per international registration; 58 per cent of the registrations recorded in 2007 contained one to five designations of Contracting Parties (see Graph 3, on page 6).

Amount of fees paid

Applicants paid on average a fee of 3,549 Swiss francs for an international registration; for 81 per cent of the registrations the fees paid were less than 5,000 Swiss francs (see Graph 4, on page 6).

Registrations in Force

On December 31, 2007, there were 483,210 international registrations in force in the International Register, containing a total of more than 5.4 million active designations.

Those international registrations belonged to 159,420 different right holders (many of them SMEs) (see Graph 5, on page 7).

Filing Trends

Global

39,945 international applications were filed throughout 2007, which represents a growth of 9.5 per cent as compared to 2006 (see Graph 6, on page 7).

Filing trends by Contracting Party (Table 3)

The largest share of filings in 2007 was received from users based in Germany, France, the United States of America, Italy, Switzerland, Benelux, China, the United Kingdom and Australia (see the list of the 40 major user countries, number of filings per country, share within total filings and growth rates in Table 3, page 8).

The 27 countries of the European Union, in 2007, together accounted for 26,026 international applications. The number of international applications filed through the European Community Office (OHIM) rose to 3,371 (a 37.9 per cent increase as compared to 2006).

Some countries showed significant growth rates in filings in 2007 and moved up in the ranking of major filer countries, as compared to 2006. They included, *inter alia*, the United States of America (+18.8%) in the 3rd position, the United Kingdom (+11.8%) now ranking 9th (previously 11th), Japan (+16.2%) now ranking 12th (formerly 13th), Russian Federation (+42.9%) now 13th (formerly 15th), Denmark (+19.6%) now 16th (formerly 17th), Sweden (+19.5%) now 18th (formerly 19th) and Hungary (+101.8%) now 19th (formerly 25th).

Developing countries accounted for 2,108 filings in 2007, representing 5.3 per cent of total filings and a 10.5 per cent growth over 2006. The developing country having witnessed the most significant growth in international trademark filings in 2007 is the Republic of Korea with 330 applications (+73.7%).

Trends in Designations (Table 4)

370,234 new designations (made in international registrations or as subsequent designations) were notified to Contracting Parties in 2007 (a 1.5 per cent increase over 2006) (see Table 4, on page 9).

China (with 16,676 designations) continues to be the most designated country, followed by the Russian Federation, the United States of America, Switzerland, the European Community and Japan.

The European Community continues to be a favorite target market for designations. Having received 12,744 designations in 2007 (+19.8%), the European Community has moved from the 6th to the 5th position in the ranking of most designated members of the Madrid Union; the majority of these designations, i.e., 7,529 (59%), were made in applications or subsequent designations originating in an European Community member State.

Other countries which moved up in the ranking of most designated countries compared to 2006 are the United States of America (from 4th to 3rd position), the Ukraine (from 9th to 8th place), Turkey (from 10th to 9th place), Croatia (from 18th to 13th place) and Singapore (from 21st to 14th place).

Latest Developments in the areas of Information Technology and Electronic Communication

Of the total number of international applications filed in 2007, 34 per cent were transmitted to WIPO electronically (as compared to 33 per cent in 2006); the transmitting trademark offices were those of Australia, the Benelux, the European Community, the Republic of Korea, Switzerland and the United States of America.

Electronic communication is also used by a number of trademark offices for the transmission of refusals (the European Community, Japan, the Russian Federation and the United States of America), statements of grant of protection (the European Community and Japan) and modifications (Australia, Benelux, the European Community and the United States of America).

In 2007, the number of Offices of the members of the Madrid Union to which WIPO sends Madrid notifications electronically has increased from 43 to 48 (the five Offices that started receiving notifications electronically in 2007 were those of Bahrain, Botswana, Cyprus, Egypt and Monaco). By the end of the year, the number of offices that had agreed to receive these notifications exclusively by electronic means was six (Australia, the European Community, Monaco, the Russian Federation, the United Kingdom and the United States of America).

In November 2007, the Madrid Union Assembly approved the implementation of a four-year investment program (2008-2011), aimed at generating efficiencies by modernizing the information technology (IT) infrastructure of the Madrid system. The program should allow the International Bureau to provide additional services to the Offices of Contracting Parties and the users of the Madrid system.

Membership and Legal Development of the Madrid System

In 2007, the membership of the Madrid Union expanded from 80 to 81 members, following the accession of Oman. In addition, Azerbaijan and San Marino, already members of the Madrid Agreement, acceded to the Protocol, which reduced the number of Madrid Union members bound only by the Agreement to seven.

The *Ad Hoc* Working Group on the Legal Development of the Madrid System met in Geneva in January/February 2007 and in May 2007, to consider proposals for a review of the safeguard clause established under Article 9*sexies* of the Madrid Protocol, possible amendments to the Common Regulations under the Madrid Agreement and Protocol, and matters concerning the future legal development of the Madrid system.

In November 2007, the Madrid Union Assembly undertook a review of the safeguard clause under the Madrid Protocol. Based on the recommendations of the Working Group, the Assembly decided to repeal the safeguard clause with effect as from September 1, 2008. The Assembly also adopted a number of amendments to the Common Regulations, including changes consequential to the repeal of the safeguard clause, changes introducing a full trilingual regime under the Madrid system, and a change of the amounts of the supplementary and complementary fees from 75 to 100 Swiss francs, all of which changes will also come into effect on September 1, 2008. The Assembly further decided to amend the Common Regulations, effective as from January 2008, concerning the conditions under which a designation which, as a matter of principle, is governed by the treaty (Agreement or Protocol) under which it was made (in the international application or subsequent to the international registration) may become governed by the other of the two treaties.

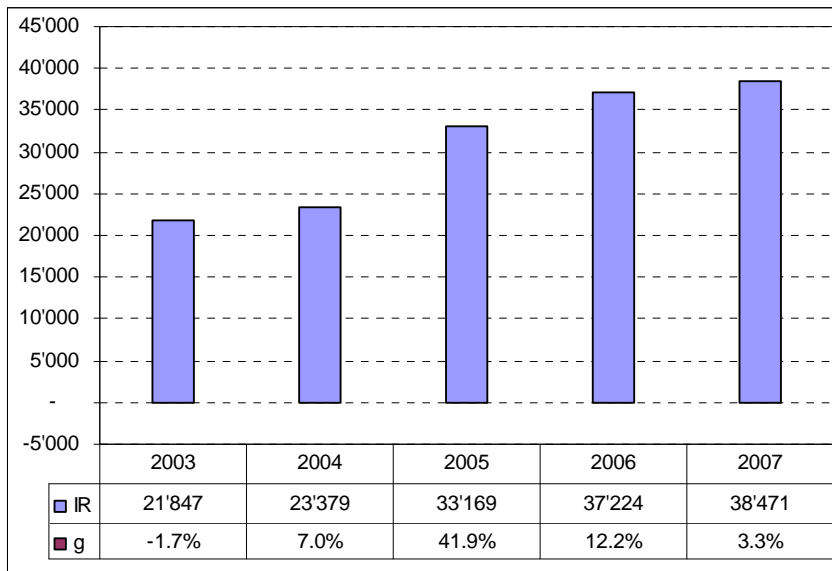
Following the recommendations made by the Working Group, the Madrid Union Assembly decided, to ensure the continued enhancement of the Madrid system, to give the Working Group on the Legal Development of the Madrid System an ongoing mandate to consider other issues relating to the legal development of the Madrid Protocol as from 2008.

[Graphs and Tables follow]

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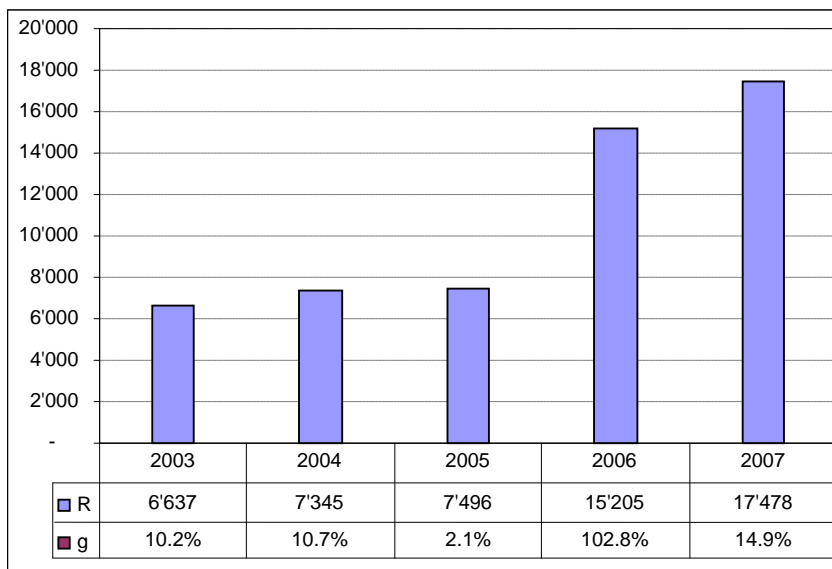
Graph 1 – International Registrations 2003-2007

Growth rate over the previous year



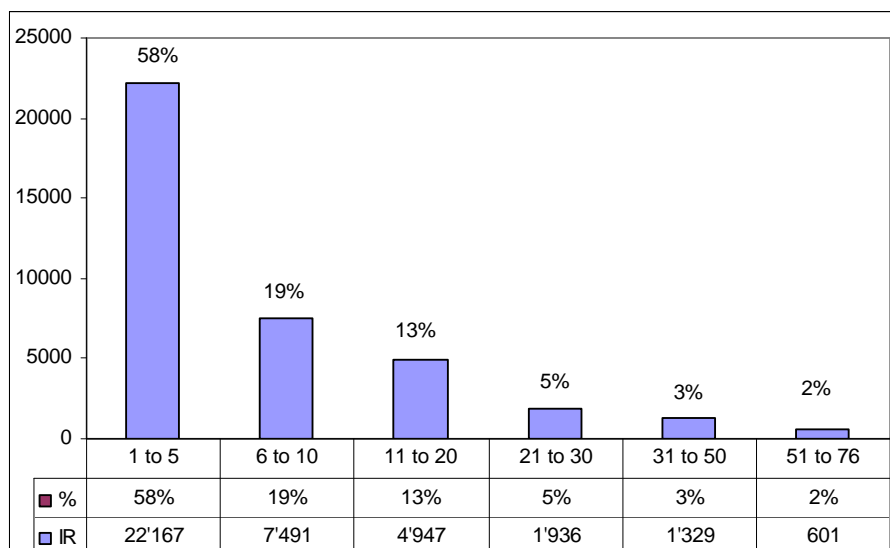
Graph 2 – Renewals 2003-2007

Growth rate over the previous year

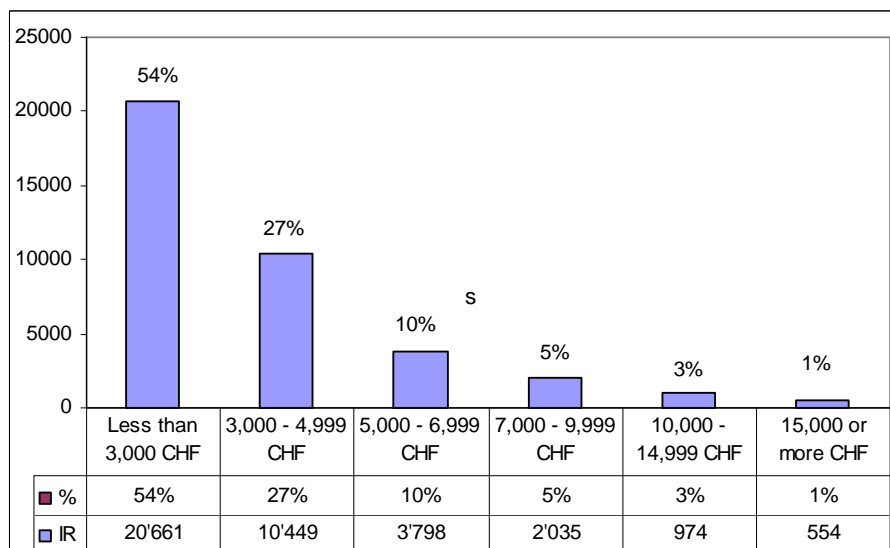


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Graph 3 – Number of Designations per International Registration (2007)



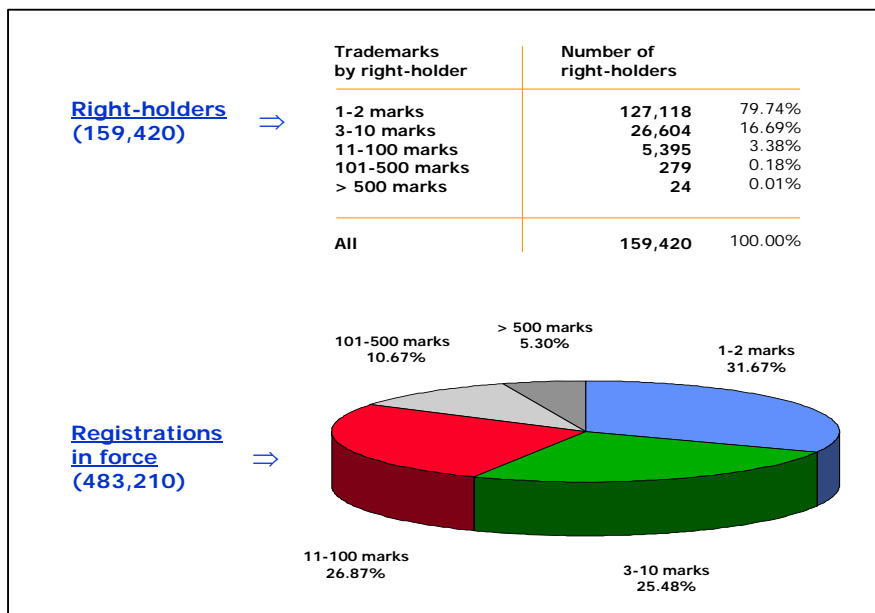
Graph 4 – Amounts of Fees paid per International Registration (2007)



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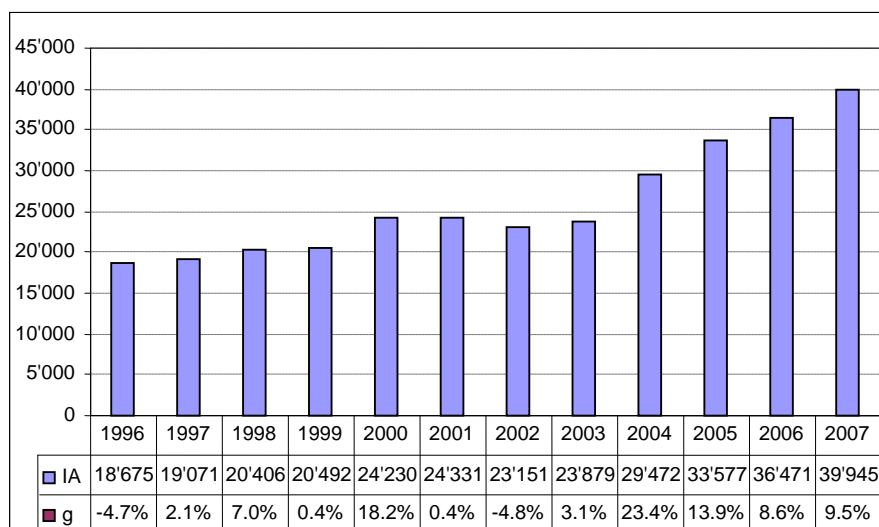
Graph 5 – Trademarks in Force in the International Register

On December 31, 2007



Graph 6 – International Applications 1996-2007

Annual growth rates



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Table 3

Major Filing Contracting Parties

Number of applications filed by Contracting Party

Shares within total filings in 2007 and growth rates as compared to 2006

<u>Contracting Party of Origin</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>Share</u>	<u>Growth</u>
1. Germany (DE)	5,559	5,395	5,803	5,663	6,090	15.2%	7.5%
2. France (FR)	3,331	3,518	3,497	3,705	3,930	9.8%	6.1%
3. United States of America (US)	139	1,737	2,849	3,148	3,741	9.4%	18.8%
4. European Community (EM)		354	1,852	2,445	3,371	8.4%	37.9%
5. Italy (IT)	1,915	2,499	2,340	2,958	2,664	6.7%	-9.9%
6. Switzerland (CH)	2,189	2,133	2,235	2,468	2,657	6.7%	7.7%
7. Benelux (BX)	2,189	2,482	2,426	2,639	2,510	6.3%	-4.9%
8. China (CN)	472	1,015	1,334	1,328	1,444	3.6%	8.7%
9. United Kingdom (GB)	674	917	1,016	1,054	1,178	2.9%	11.8%
10. Australia (AU)	340	683	852	1,100	1,169	2.9%	6.3%
11. Austria (AT)	861	1,181	1,191	1,117	1,134	2.8%	1.5%
12. Japan (JP)	394	692	893	847	984	2.5%	16.2%
13. Russian Federation (RU)	502	575	604	622	889	2.2%	42.9%
14. Spain (ES)	980	866	854	994	859	2.2%	-13.6%
15. Turkey (TR)	442	593	787	733	717	1.8%	-2.2%
16. Denmark (DK)	374	441	510	479	573	1.4%	19.6%
17. Czech Republic (CZ)	493	615	547	559	541	1.4%	-3.2%
18. Sweden (SE)	377	462	409	400	478	1.2%	19.5%
19. Hungary (HU)	156	231	152	217	438	1.1%	101.8%
20. Bulgaria (BG)	183	334	391	426	431	1.1%	1.2%
21. Norway (NO)	168	218	235	312	403	1.0%	29.2%
22. Portugal (PT)	158	175	263	276	355	0.9%	28.6%
23. Republic of Korea (KR)	68	127	148	190	330	0.8%	73.7%
24. Poland (PL)	314	344	334	339	294	0.7%	-13.3%
25. Finland (FI)	228	198	208	239	278	0.7%	16.3%
26. Serbia (RS)	97	86	107	157	275	0.7%	75.2%
27. Ukraine (UA)	52	78	105	133	195	0.5%	46.6%
28. Slovakia (SK)	195	249	215	241	190	0.5%	-21.2%
29. Croatia (HR)	117	135	79	150	185	0.5%	23.3%
30. Slovenia (SI)	122	201	180	177	182	0.5%	2.8%
31. Liechtenstein (LI)	90	89	96	129	148	0.4%	14.7%
32. Singapore (SG)	74	93	138	161	146	0.4%	-9.3%
33. Latvia (LV)	67	109	81	103	115	0.3%	11.7%
34. Iceland (IS)	7	33	39	92	110	0.3%	19.6%
35. Romania (RO)	42	58	101	97	103	0.3%	6.2%
36. Estonia (EE)	72	75	72	96	101	0.3%	5.2%
37. Morocco (MA)	48	57	66	119	93	0.2%	-21.8%
38. Monaco (MC)	44	45	43	49	89	0.2%	81.6%
39. Greece (GR)	44	49	65	81	80	0.2%	-1.2%
40. Lithuania (LT)	80	63	101	84	78	0.2%	-7.1%
Other countries	222	268	359	344	397	1.0%	15.4%
Total	23'879	29'472	33'577	36'471	39'945	100%	9.5%

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Table 4

Most Designated Contracting Parties (2007)

**Number of designations by designated Contracting Party
(Includes designations in new registrations and subsequent designations)**

Growth rates as compared to 2006

<u>Designated Contracting Party</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>Share</u>	<u>Growth</u>
1. China (CN)	7,106	9,265	13,575	15,801	16,676	4.5%	5.5%
2. Russian Federation (RU)	9,006	9,940	12,813	14,432	15,455	4.2%	7.1%
3. United States of America (US)	238	7,109	11,863	13,994	14,618	3.9%	4.5%
4. Switzerland (CH)	10,174	10,137	13,197	14,260	14,528	3.9%	1.9%
5. European Community (EM)	-	114	6,309	10,640	12,744	3.4%	19.8%
6. Japan (JP)	5,359	7,071	10,104	11,844	12,296	3.3%	3.8%
7. Australia (AU)	4,683	5,617	7,989	9,115	9,848	2.7%	8.0%
8. Ukraine (UA)	6,262	6,361	8,271	9,057	9,751	2.6%	7.7%
9. Turkey (TR)	5,878	6,272	8,602	8,958	9,377	2.5%	4.7%
10. Norway (NO)	6,582	6,821	8,443	9,102	9,346	2.5%	2.7%
11. Republic of Korea (KR)	1,694	4,852	7,160	8,334	8,988	2.4%	7.8%
12. Germany (DE)	8,394	8,275	9,150	8,147	7,184	1.9%	-11.8%
13. Croatia (HR)	5,054	5,298	6,716	6,970	7,059	1.9%	1.3%
14. Singapore (SG)	3,708	4,451	6,127	6,717	7,005	1.9%	4.3%
15. Italy (IT)	8,656	7,945	8,817	7,374	6,618	1.8%	-10.3%
16. United Kingdom (GB)	7,917	7,720	8,288	7,482	6,502	1.8%	-13.1%
17. France (FR)	8,679	8,094	8,587	7,495	6,443	1.7%	-14.0%
18. Spain (ES)	8,756	7,922	8,329	7,231	6,298	1.7%	-12.9%
19. Belarus (BY)	4,328	4,382	5,401	5,818	6,140	1.7%	5.5%
20. Benelux (BX)	8,391	7,697	7,922	6,800	5,979	1.6%	-12.1%
21. Serbia (RS)	4,924	4,562	5,513	5,644	5,956	1.6%	5.5%
22. Austria (AT)	8,453	7,487	7,638	6,564	5,928	1.6%	-9.7%
23. Romania (RO)	6,192	6,125	7,766	8,103	5,649	1.5%	-30.3%
24. Poland (PL)	9,415	7,598	6,825	6,092	5,553	1.5%	-8.8%
25. Bulgaria (BG)	5,450	5,407	6,596	6,903	4,987	1.3%	-27.8%
26. The F.Y.R. of Macedonia (MK)	3,344	3,342	4,337	4,261	4,689	1.3%	10.0%
27. Czech Republic (CZ)	8,199	6,633	6,018	5,161	4,546	1.2%	-11.9%
28. Hungary (HU)	8,009	6,508	5,914	5,039	4,528	1.2%	-10.1%
29. Viet Nam (VN)	2,058	2,254	2,639	3,074	4,381	1.2%	42.5%
30. Moldova (MD)	2,835	2,836	3,500	3,793	4,274	1.2%	12.7%
31. Morocco (MA)	2,861	3,091	3,992	4,229	4,194	1.1%	-0.8%
32. Portugal (PT)	6,330	5,609	5,695	4,839	4,130	1.1%	-14.7%
33. Kazakhstan (KZ)	2,411	2,542	3,099	3,463	4,004	1.1%	15.6%
34. Bosnia and Herzegovina (BA)	3,462	3,282	3,797	3,798	3,976	1.1%	4.7%
35. Slovakia (SK)	6,810	5,628	5,113	4,367	3,925	1.1%	-10.1%
36. Montenegro (ME)	-	-	-	-	3,851	1.0%	
37. Georgia (GE)	2,160	2,439	2,951	3,347	3,801	1.0%	13.6%
38. Greece (GR)	5,171	5,039	5,020	4,100	3,800	1.0%	-7.3%
39. Lithuania (LT)	5,837	4,744	4,041	3,903	3,786	1.0%	-3.0%
40. Monaco (MC)	3,149	2,987	3,792	3,876	3,737	1.0%	-3.6%
Other Countries	72,935	74,744	84,630	84,598	87,684	23.7%	3.6%
Total	290'870	298'200	356'539	364'725	370'234	100%	1.5%

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**List of Members of the Madrid Union (81)
as December 31, 2007**

Albania (A&P)	Iran (Islamic Republic of) (A&P)	Sierra Leone (A&P)
Algeria (A)	Ireland (P)	Singapore (P)
Antigua and Barbuda (P)	Italy (A&P)	Slovakia (A&P)
Armenia (A&P)	Japan (P)	Slovenia (A&P)
Australia (P)	Kazakhstan (A)	Spain (A&P)
Austria (A&P)	Kenya (A&P)	Sudan (A)
Azerbaijan (A&P)	Kyrgyzstan (A&P)	Swaziland (A&P)
Bahrain (P)	Latvia (A&P)	Sweden (P)
Belarus (A&P)	Lesotho (A&P)	Switzerland (A&P)
Belgium* (A&P)	Liberia (A)	Syrian Arab Republic (A&P)
Bhutan (A&P)	Liechtenstein (A&P)	Tajikistan (A)
Bosnia and Herzegovina (A)	Lithuania (P)	The former Yugoslav Republic of Macedonia (A&P)
Bulgaria (A&P)	Luxembourg* (A&P)	Turkey (P)
China (A&P)	Moldova (A&P)	Turkmenistan (P)
Croatia (A&P)	Monaco (A&P)	Ukraine (A&P)
Cuba (A&P)	Mongolia (A&P)	United Kingdom (P)
Cyprus (A&P)	Morocco (A&P)	United States of America (P)
Czech Republic (A&P)	Mozambique (A&P)	Uzbekistan (A&P)
Democratic People's Republic of Korea (A&P)	Namibia (A&P)	Viet Nam (A&P)
Denmark (P)	Netherlands:	Zambia (P)
Egypt (A)	– Territory in Europe* (A&P)	
Estonia (P)	– Antilles** (P)	
European Community (P)	Norway (P)	
Finland (P)	Oman (P)	
France (A&P)	Poland (A&P)	
Georgia (P)	Portugal (A&P)	
Germany (A&P)	Republic of Korea (P)	
Greece (P)	Romania (A&P)	
Hungary (A&P)	Russian Federation (A&P)	
Iceland (P)	San Marino (A&P)	
	Serbia (A&P)	

(A): indicates a party to the Agreement (57)

(P): indicates a party to the Protocol (75)

* Belgium, Luxembourg and the territory of the Kingdom of the Netherlands in Europe have a unified legislation on trademarks and a common Office for the registration of trademarks under that legislation (Benelux Office). Under the Madrid system, protection shall be requested as if they were one country (Benelux). Their designation shall be subject to payment of a single complementary or individual fee.

** The Netherlands Antilles is a territory of the Kingdom of the Netherlands to which Benelux Trademark law does not apply, but which has its own trademark law and its own Office for the registration of trademarks under that law. Protection in respect of the Netherlands Antilles shall be requested through a specific designation under the Protocol, distinct from that of the Benelux.

[End of Summary Report]

