



# WIPO: IP Protection Systems

Lucy Headington-Horton  
Senior Legal Officer, Madrid Legal Division  
[Lucy.headington-horton@wipo.int](mailto:Lucy.headington-horton@wipo.int)

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# Patents, designs, trademarks, GI's

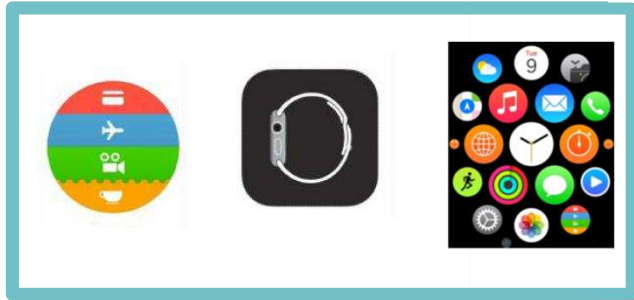
- **A patent** grants protection for an invention (a new way of doing something/new technical solutions)
- **A design** applies to the shape and/or appearance of an article or part of a product, for example, the shape of a piece of furniture (3D) or patterns, lines or color (2D)
- **A geographical indication:** sign used to indication a specific geographical origin (qualities, characteristics reputation)
- **A trademark:** sign used by the owner on their products/services to distinguish them from the products/services of other enterprises

# 3 IP rights – one product



Trademarks

# Apple WATCH



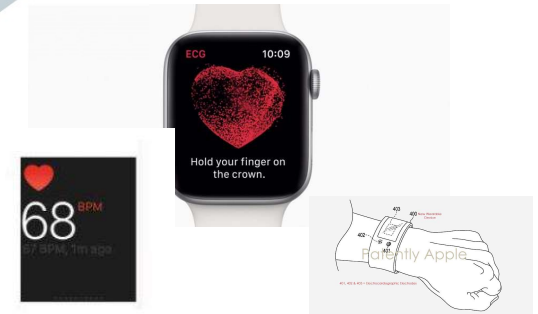
Designs



Patents



“Interchangeable band mechanism”



“seamlessly embedded heart rate monitor”

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# IP protection abroad

- The national route
- The regional route
- The international route
  - PCT (patents)
  - The Hague (industrial designs)
  - Lisbon (geographical indications)
  - The Madrid System (trademarks)

# The PCT System in a Nutshell

- Need a connection with a Contracting State (resident or national)
- File one application with national/regional Office or WIPO
- 157 Contracting States
- Contracting States grant or refuse protection (national phase)
- Duration: generally 20 years

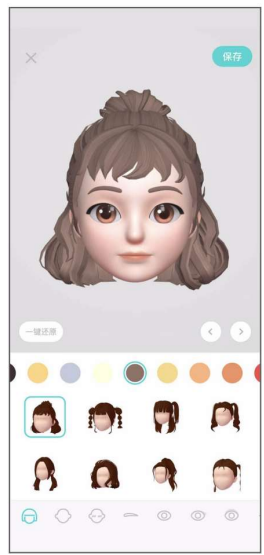


# The Hague System in a Nutshell

- Need a connection with a member
- File directly with WIPO
- Can cover up to a100 designs
- Can designate 96 countries
- One application, one language, one currency
- Designated members grant or refuse
- Centralized management of rights
- Limited duration – min. 15 years



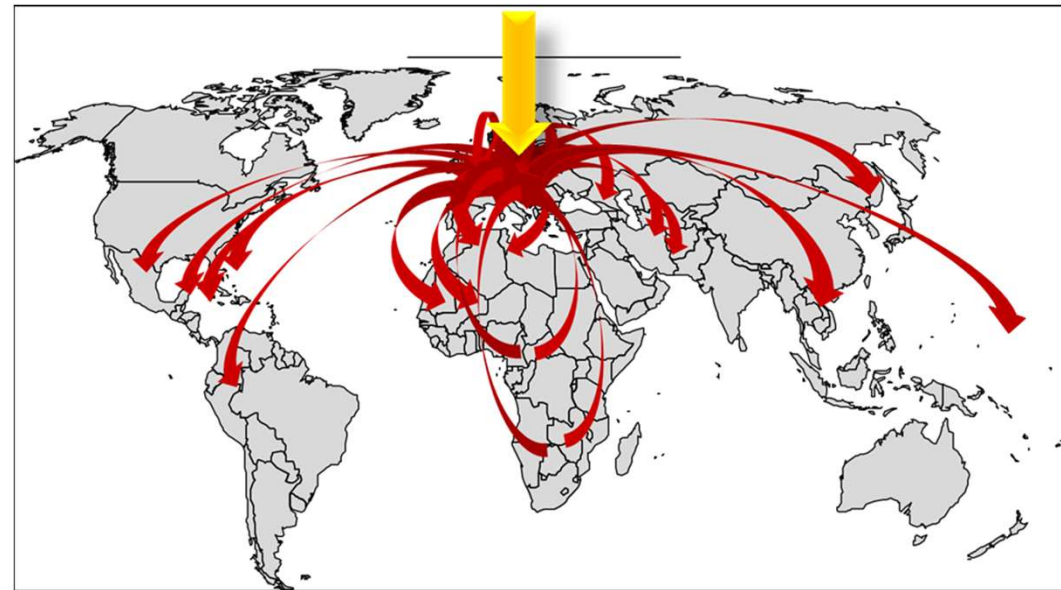
# Industrial Designs in the Hague System



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# The Lisbon System in a Nutshell

- Need a connection (must be located/produced in a member of Lisbon)
- Must be protected in home country
- One application/language/currency (through home office/direct with declaration)
- Overall protection in 72 countries
- Members have the right to refuse
- Centralized management of rights
- Unlimited duration – linked to validity of GI in home country



**43 members covering up to 72 countries**

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The International  
Trademark System



# Examples of Geographical Indications



**KAMPOT PEPPER**  
(IG1152 / Cambodia)



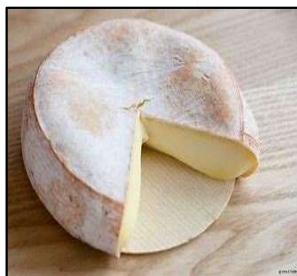
**BANANO DE COSTA RICA**  
(AO900 / Costa Rica)



**FIGUES DE DJEBBA**  
(AO1155 / Tunisie)



**SPECK ALTO ADIGE**  
(AO941 / Italy)



**REBLOCHON**  
(AO458 / France)



**SAN LUIS**  
(AO 488/ Cuba)



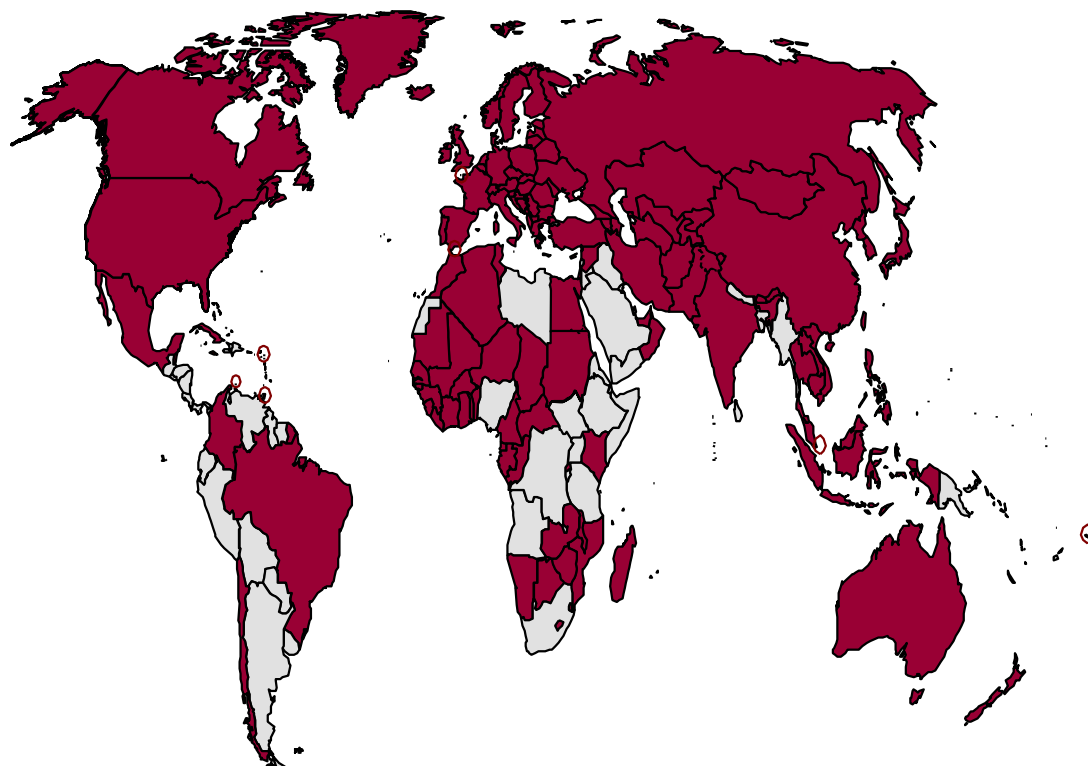
**HEREND**  
(AO737 / Hongrie)



**SAROUGH HANDMADE  
CARPET** (AO956 / Iran)

# The Madrid System in a Nutshell

- Need a connection with a member
- Must file through your local Office
- Need a basic mark with your local Office
- One application/language/currency
- Can designate up to 130 countries
- Can later add members
- Designated members grant or refuse
- Centralized management of rights
- Unlimited duration – renew every 10 years



**114 members covering 130 countries**

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# Examples of trademarks in the Madrid System

 **SOFT-FX**



 **arnicon**

**Novex**



**tukola**

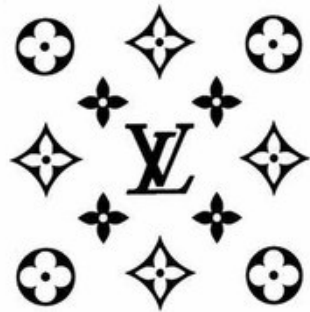
  
**ACB**  
CARIBBEAN  
*Simply Smarter Banking*

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The International  
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# Protection strategy (national/international route)

- What IP do you need to protect?



- Territories of interest?
- Do you have/need “home” protection?
- Entitlement to use international systems?

# Considerations

	<b>Connection</b>	<b>“home right”</b>	<b>CARIPI States</b>
Patent (PCT)	National, resident	Local/regional patent application	Antigua & Barbuda; Barbados; Belize; Dominica; Dominican Republic; Grenada; Jamaica; Saint Lucia; St Vincent and the Grenadines; Trinidad & Tobago
Design (Hague)	National, domicile/residence <b>business</b>	n/a	Belize; Jamaica
GI (Lisbon)	GI is linked to Contracting Party	Beneficiary of the GI in Contracting Party	Cuba; Dominican Republic; Haiti
Trademark (Madrid)	National, domicile, <b>business</b>	Local trademark application/ registration	Antigua & Barbuda; Belize Cuba; Jamaica; Trinidad and Tobago

# A brand and a plan to export (Madrid case example)



Business operations:  
Bahamas  
Trinidad and Tobago

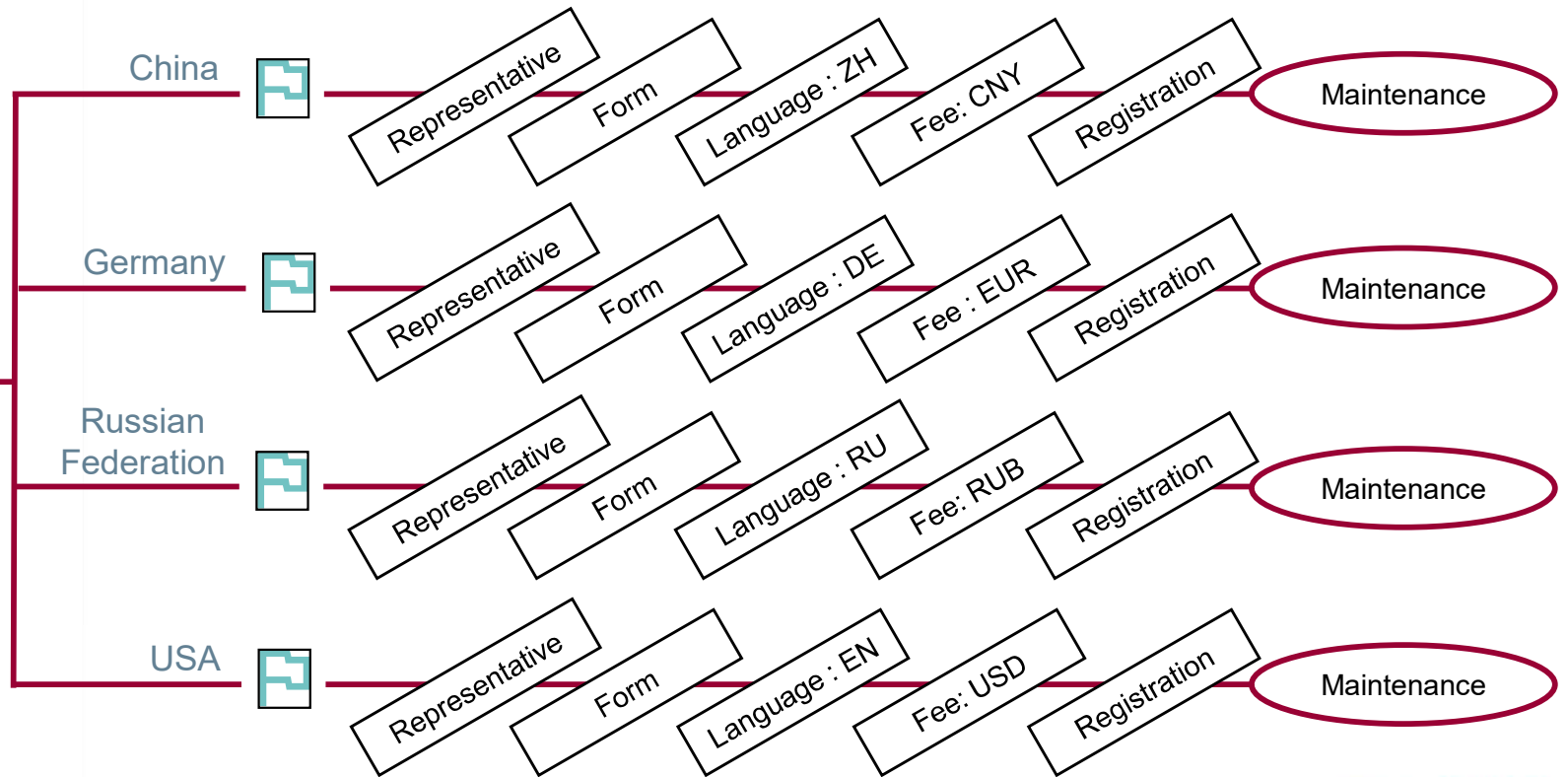


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# Question 1

- What should Sally consider; what options are available to her, what does she need?

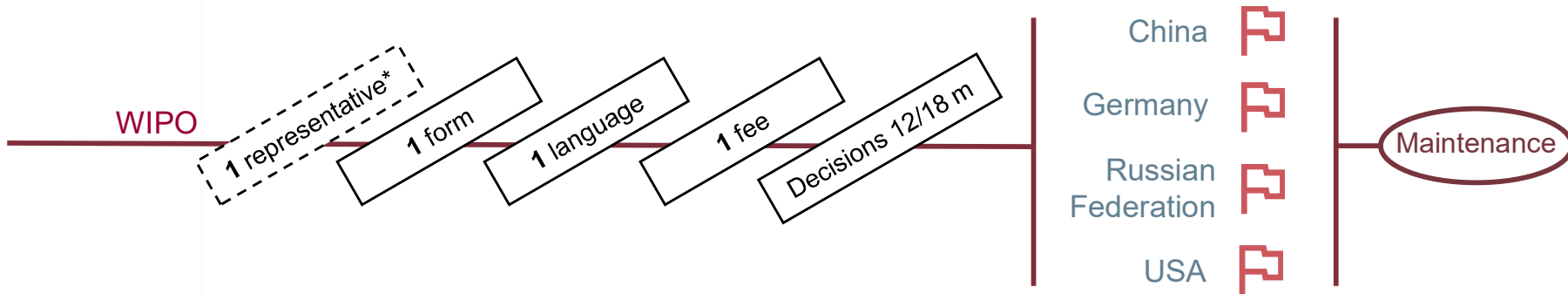
# Market by Market Filing



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# Madrid System



\* optional

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## Questions 2-4

- What are some of the benefits of using the Madrid System?
- What could Sally do if her business expands?
- What should Sally do if she moves address?

# Centralized management (benefits)



- Recording of changes  
(*name, address, owner, representative*)
- Add new territories
- Recording of restrictions  
(limitations, cancellations,  
*renunciations*)
- Renewal

# Costs comparison

## Madrid System

- Basic fee (mark in b/w or color)
  - Fees for designating members
  - Example: designating CN, DE, RU, US for a mark in color for 2 classes of goods/services
- = CHF 2,397**

## National Route

- Official fees for 4 countries
- Additional costs:
  - 3 x translations
  - 4 x local attorney fees

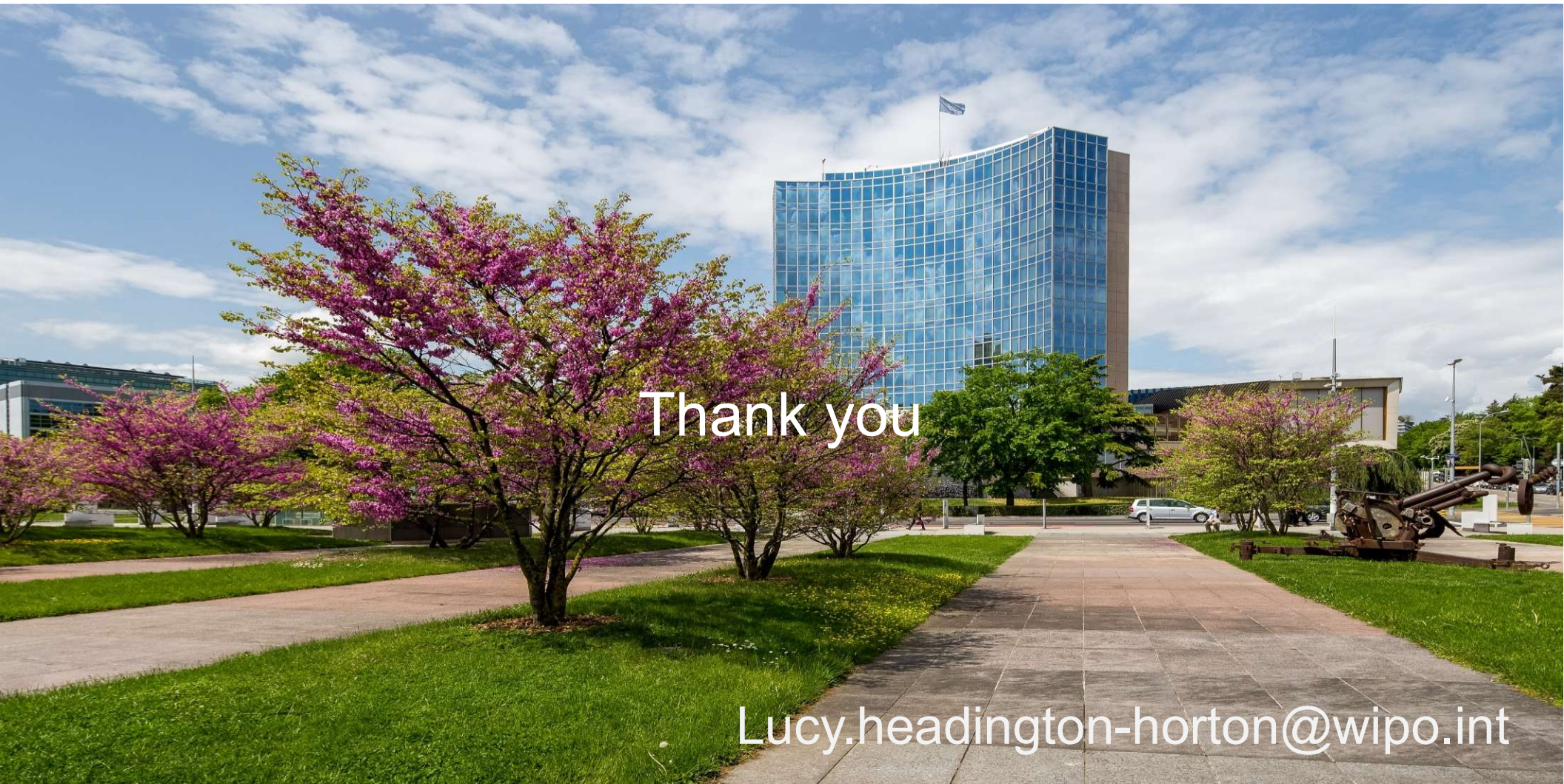
¥ € ₪ \$

\* Applicants from [LDCs](#) pay only 10% of basic fee

# eMadrid services

<p><b>PREPARE YOUR APPLICATION</b></p> <p>Use the Madrid Application Assistant to prepare your international registration.</p> <p><a href="#">Get started</a></p>	<p><b>MONITOR YOUR REGISTRATION</b></p> <p>Use Madrid Monitor to track the status of your international application or registration.</p> <p><a href="#">Get started</a></p>	<p><b>EXPAND PROTECTION OF YOUR REGISTRATION</b></p> <p>Use our Subsequent Designation service to expand the geographical scope of your international registration.</p> <p><a href="#">Get started</a></p>
<p><b>LIMIT THE GOODS AND SERVICES</b></p> <p>Restrict the list of goods and services for the Contracting Parties designated in your international registration.</p> <p><a href="#">Get started</a></p>	<p><b>RENOUNCE PROTECTION IN CONTRACTING PARTIES</b></p> <p>Abandon the effects of your international registration for all goods and services, for some of the designated Contracting Parties.</p> <p><a href="#">Get started</a></p>	<p><b>MANAGE YOUR REPRESENTATIVE</b></p> <p>Appoint, cancel or change name and/or contact details of your representative, as recorded in the International Register.</p> <p><a href="#">Get started</a></p>
<p><b>CHANGE HOLDER DETAILS</b></p> <p>Change the holder's name and/or address as recorded in the International Register.</p> <p><a href="#">Get started</a></p>	<p><b>CHANGE OWNERSHIP</b></p> <p>Record a total or partial change in ownership of your international registration.</p> <p><a href="#">Get started</a></p>	<p><b>RENEW YOUR REGISTRATION</b></p> <p>Renew your international registration for all or some of the designated Contracting Parties.</p> <p><a href="#">Get started</a></p>
<p><b>UPLOAD A FORM</b></p> <p>Submit a form to WIPO in the frame of your international registration.</p> <p><a href="#">Get started</a></p>	<p><b>CORRECT A RECORDING</b></p> <p>Rectify an error recorded in the International Register.</p> <p><a href="#">Get started</a></p>	<p><b>REQUEST A CERTIFIED DOCUMENT</b></p> <p>Request certified documents and extracts from the Madrid Registry.</p> <p><a href="#">Get started</a></p>

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Thank you

[Lucy.headington-horton@wipo.int](mailto:Lucy.headington-horton@wipo.int)