Madrid eFiling User Guide for Applicants

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Contents

1. Introduction 3
2. Accessing Madrid eFiling 3
3. Madrid eFiling for Applicants 5
   - **3.1 Applicant Settings** 5
   - **3.2 My Portfolio List** 6
   - **3.3 Application History and eDossier** 10
4. Filing an international application 11
   - **4.1 Getting started** 11
   - **4.2 Designated Contracting Parties** 14
   - **4.3 Applicant** 15
   - **4.4 Representative** 17
   - **4.5 Languages and Correspondence** 18
   - **4.6 Mark** 19
   - **4.7 Goods and Services** 21
   - **4.8 Limitation** 23
   - **4.9 Claimed Priorities** 25
   - **4.10 Seniority Claim (mm17)** 27
   - **4.11 Declaration of Intention to Use (MM18)** 28
   - **4.12 Attachments** 29
   - **4.13 Fee Calculations** 30
   - **4.14 Disclaimers** 31
   - **4.15 Validation** 32
   - **4.16 Payment** 33
   - **4.17 Summary** 34
5. Irregularities 35
   - **5.1 Responding to an Office Correction** 35
   - **5.2 Responding to a WIPO irregularity** 40
6. Registration 42

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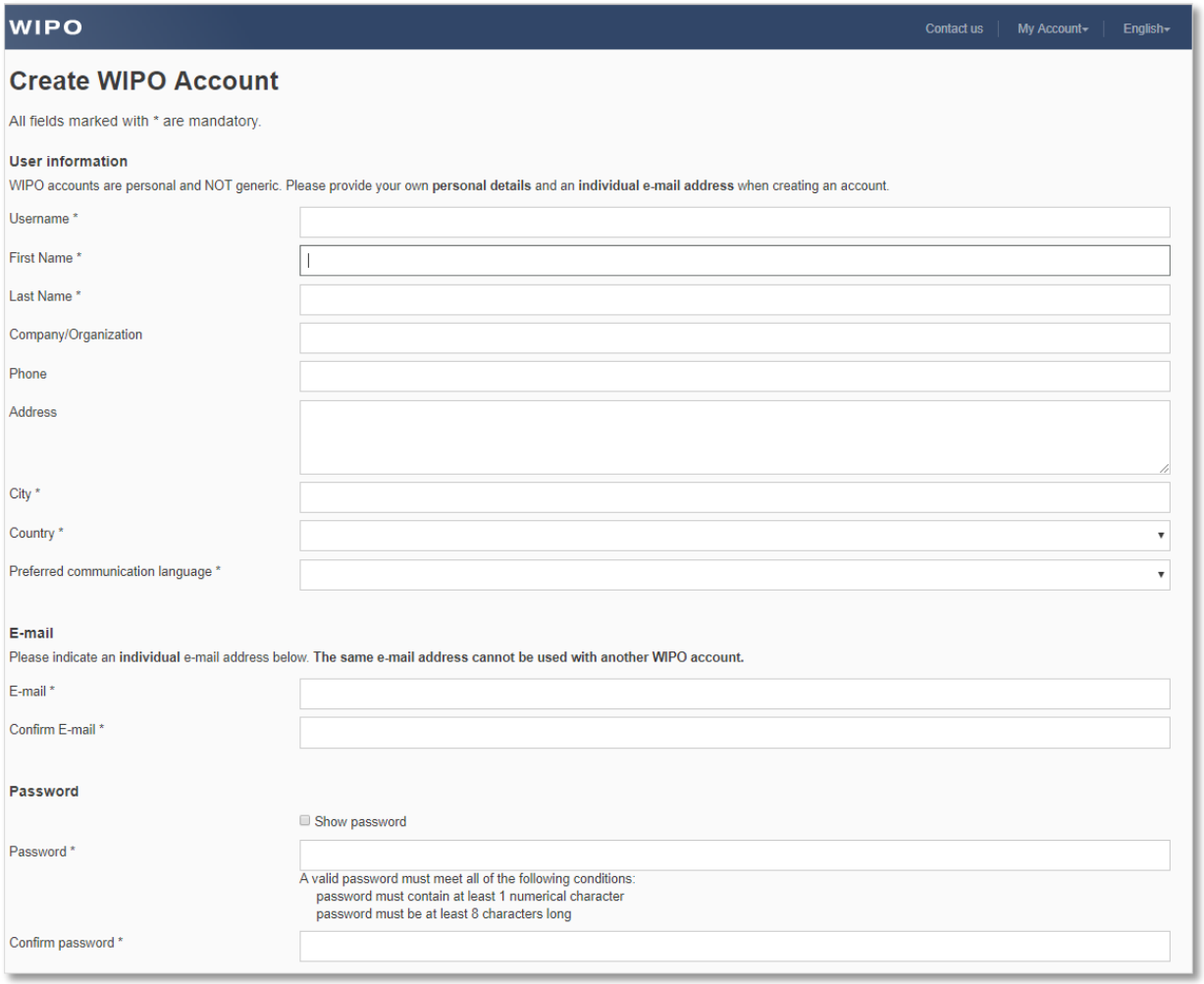
1. Introduction

This introductory guide is for applicants. It clearly illustrates the necessary steps required by a trademark holder or appointed representative on how to file and submit an international application (IA) request to their office of origin; how to respond to a pre-certification correction issued by their office of origin and how to respond to an irregularity issued WIPO.

2. Accessing Madrid eFiling

Access to Madrid eFiling is possible via WIPO's external user registration and authentication service. Creating a WIPO Account is required for users to get started. Account registration information is available here - https://www3.wipo.int/wipoaccounts/en/usercenter/public/register.jsf.



Once complete, access to Madrid eFiling is available via two entry points:

- Pre-production environnement: https://webaccess.wipo.int/iwa
- Production environnement: https://www3.wipo.int/iwa

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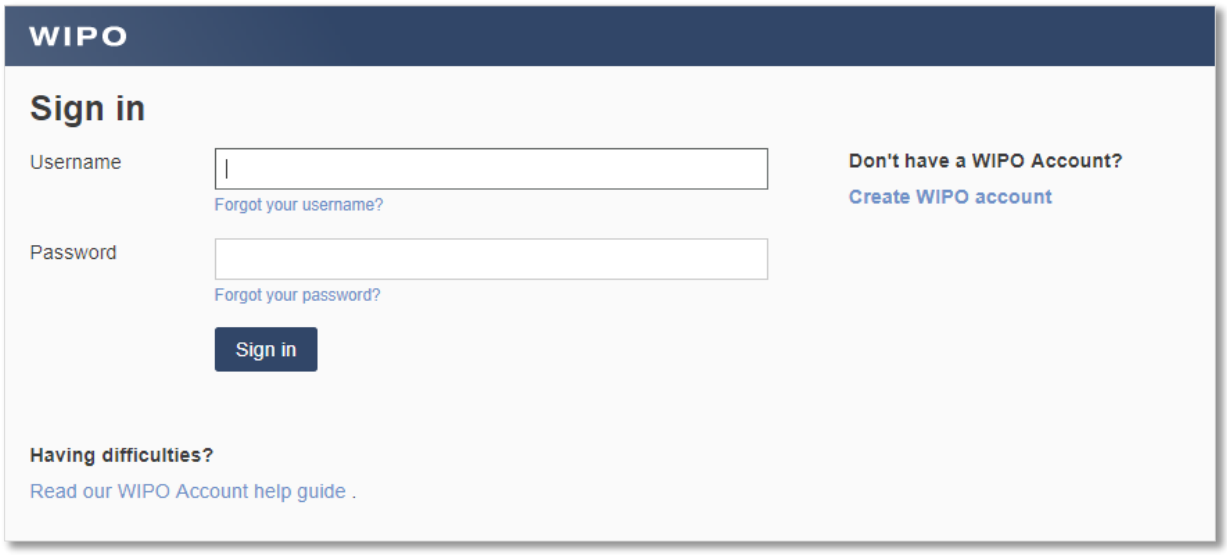
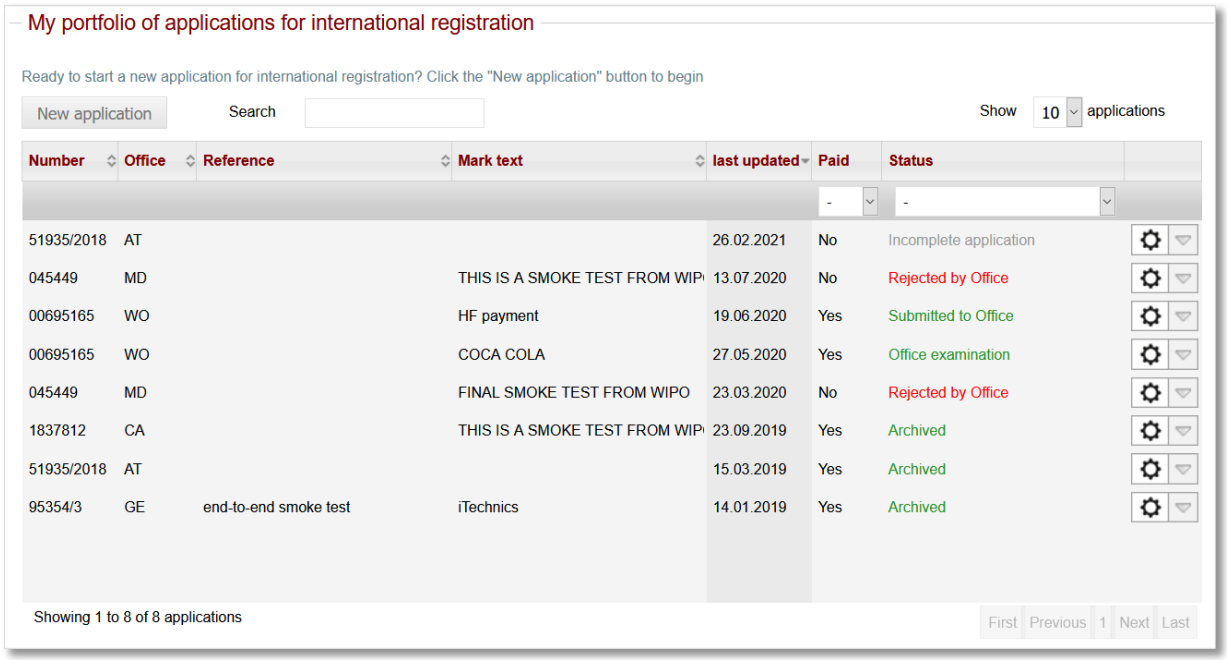
Both URLs will redirect the user to the WIPO user authentication page.



To access Madrid eFiling, the applicant must provide the same credentials (username and password) used when creating the WIPO account, clicking the 'Sign in' button when complete. After which, the applicant is redirected to the Madrid eFiling applicant module.



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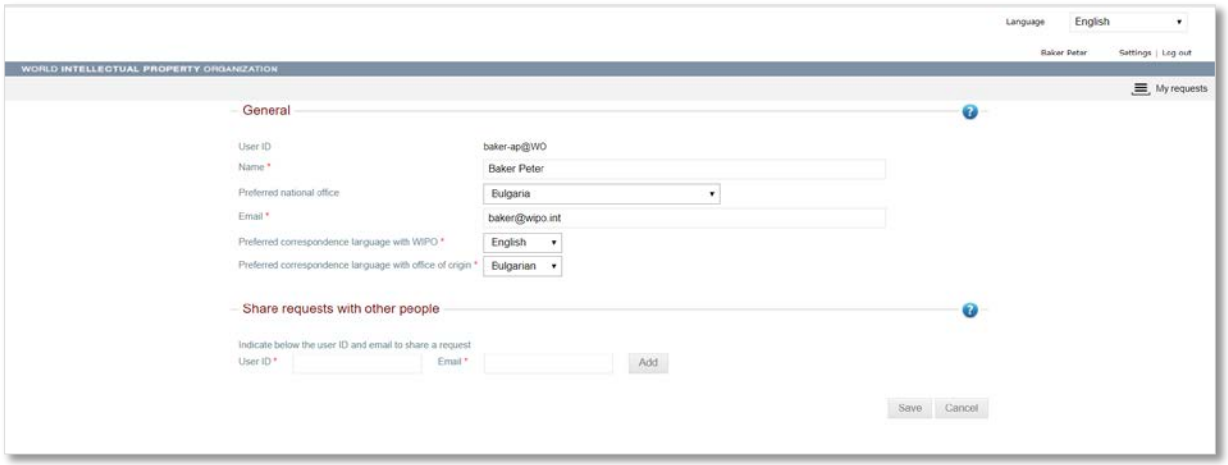
3. Madrid eFiling for Applicants

3.1 APPLICANT SETTINGS

Applicants new to Madrid eFiling should start by navigating to the 'Settings' screen.
Note: the 'Settings' button is located in the top right-hand corner of the screen.



On this screen, a user can set their default national office and preferred language of communication with their office and WIPO. These values, including the email, populate automatically during the filing process.

For advanced users, it is also possible to share application requests with other applicant users. To do so, enter the User ID and Email of the person wished to share the application request, clicking save once complete.

Use this feature with the utmost discretion and reserve. A user can remove granted access at any time.

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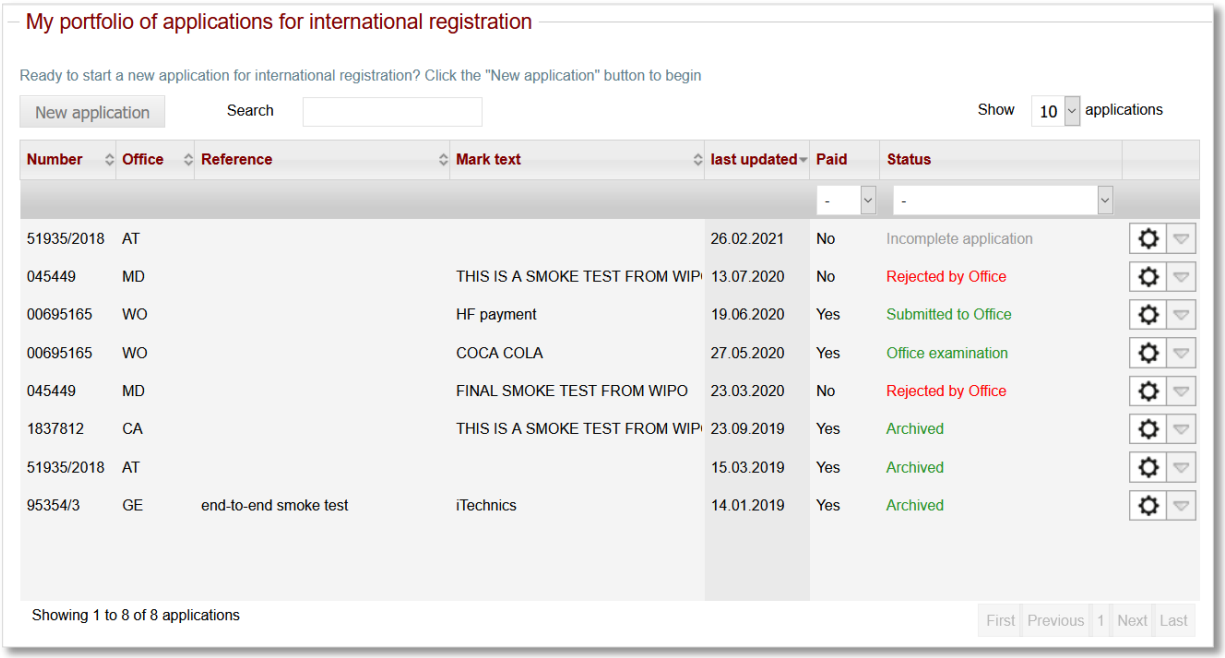
3.2 MY PORTFOLIO LIST

An applicant's portfolio list serves as a centralized repository displaying each international application (IA) request created. These IA requests will stay in the applicants' Madrid eFiling account in perpetuity. It is no longer necessary to download and maintain a separate file repository in parallel to Madrid eFiling. However, it is always possible to download a PDF copy of any IA at any time.



The IA request list page displays the following columns:

- **Number** – the national basic application number used as the base for the international application (IA)
- **My reference** – an optional field available for an applicant to enter a reference
- **Mark text** – displays the name of the registered national trademark
- **Updated** – date when the application was last modified or changed status
- **Paid** – shows if the application is paid or not.
- **Status** – displays the point in the filing process the IA has reached. The possible statuses are:
    - **Incomplete request** – an application that is started but not complete. The ownership of the IA request remains with the applicant.
    - **Submitted to office** – a completed application submitted to the national office for verification. The ownership of the IA request is with the originating office. An applicant has read-only access to the application
    - **Office examination** – an application that the office of origin has started verifying. The ownership of the IA request is with the originating office. An applicant has read-only access to the application
    - **Correction pending** - an application that the office of origin has partially verified, identifying irregularity issues in the process and returned to the applicant for correction. The ownership of the IA request is with the applicant. Access is limited only to the screens requiring verification/correction. The office has the ability to 'recall' the application.

    - **Rejected by Office** –the applicant or office canceled the application process for various reasons: lack of payment, withdrawal, irregularities etc.

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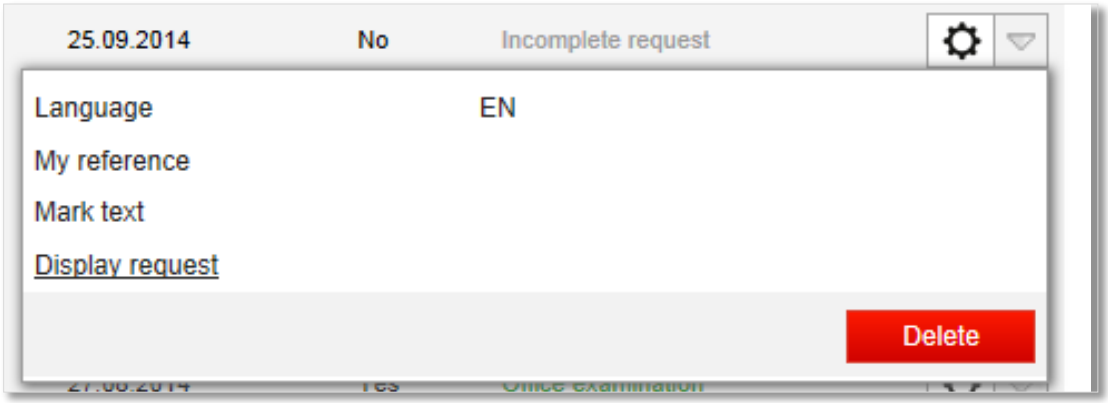
- **Archived** – a rejected application becomes an archived application after a month.
- **Submitted to WIPO** – an application submitted to the IB after successful validation and certification. The application has not yet reached the IB.
- **WIPO Processing** – an application submitted to the IB after successful validation and certification. Both the originating office and the applicant have read-only access to the application.
- **Irregularity pending** – an application returned by the IB containing one or more irregularities. An applicant response is required. The initial ownership of the irregularity response request is with the applicant. The office has the ability to 'recall' the application.
- **Irregularity examination** – an application with an irregularity response submitted to the office of origin for validation and certification.
- **Irregularity correction** - an application with an irregularity response that the office of origin has identified an issue and returned to the applicant for correction. The ownership is with the applicant yet limited only to the 'WIPO Irregularity' screen.
- **Irregularity submitted** – an application with an irregularity response submitted to the IB but it has not yet reached the IB.
- **Registered** – an application updated with an international registration number. This signals to the applicant and office that the international registration process is complete.

Clicking on the action wheel will display additional details for the application (Filing language; Applicants Reference; Mark text; WIPO service request number). Different actions and details display depending on the status of the application

- Incomplete request – only an incomplete IA request can be deleted by the applicant



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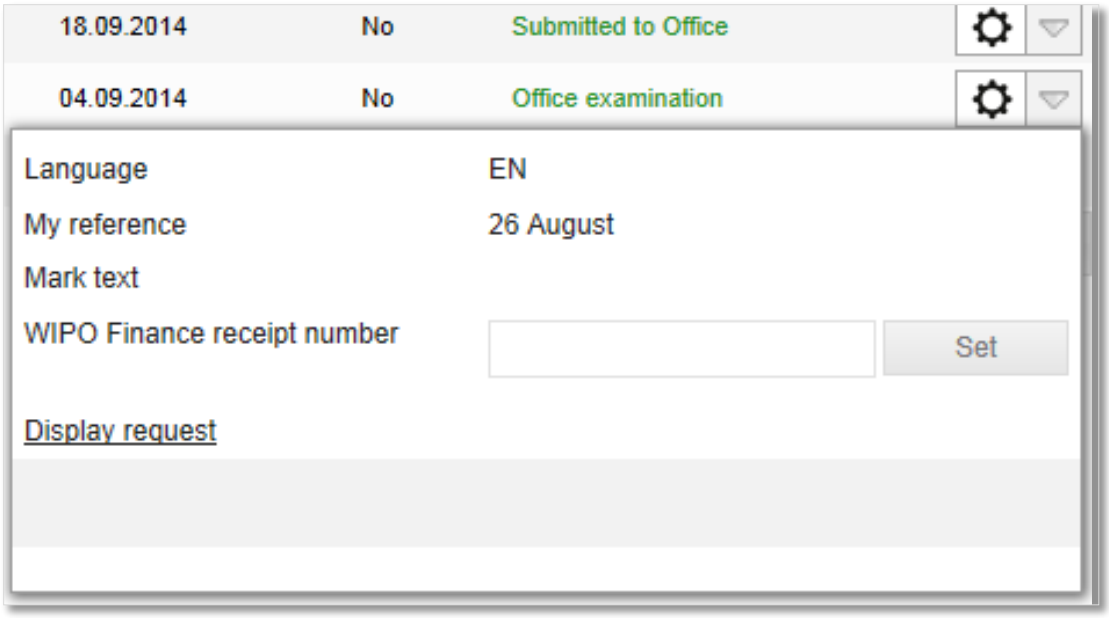
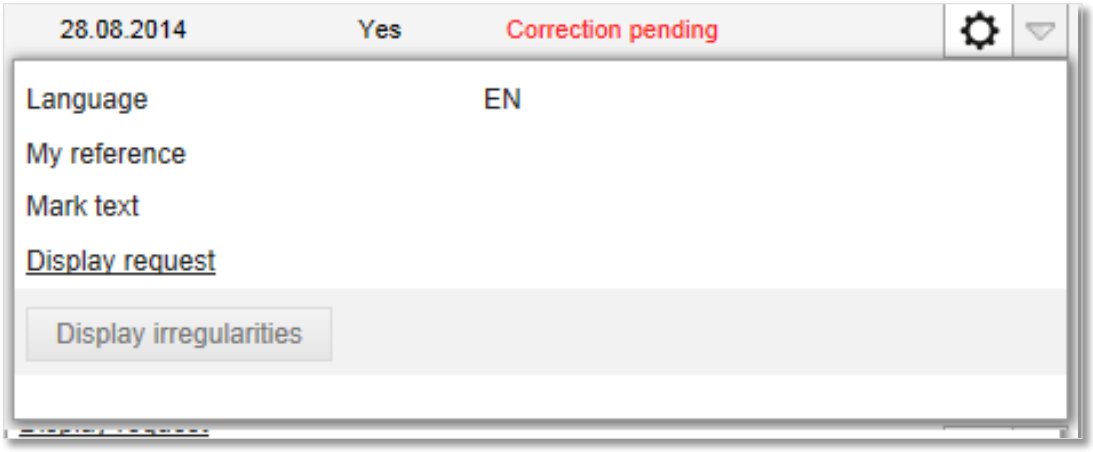
- Submitted to Office & Office Examination – allows the applicant download a PDF copy of the IA request and manually reconcile a payment made by bank transfer.



- Correction Pending – allows the applicant to view irregularities created by the Office of Origin for a submitted IA request.



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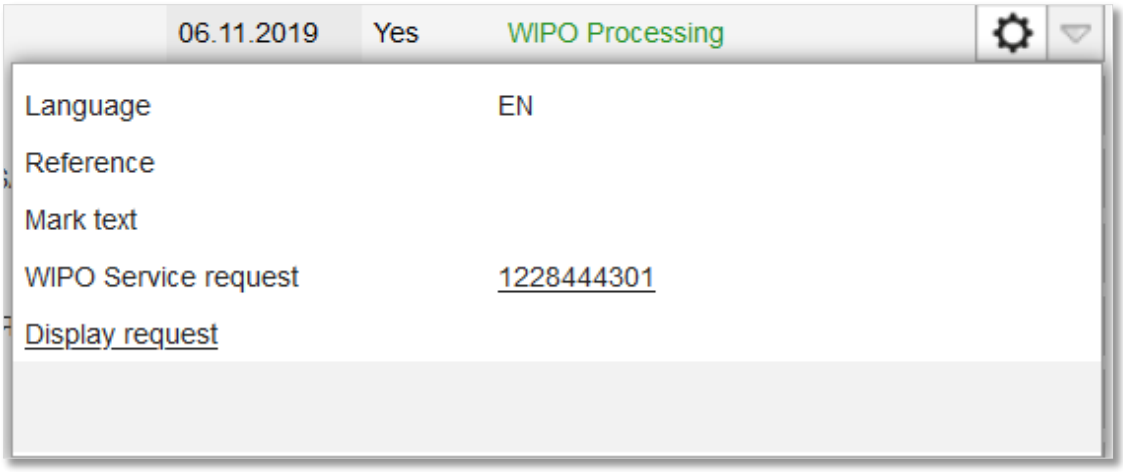
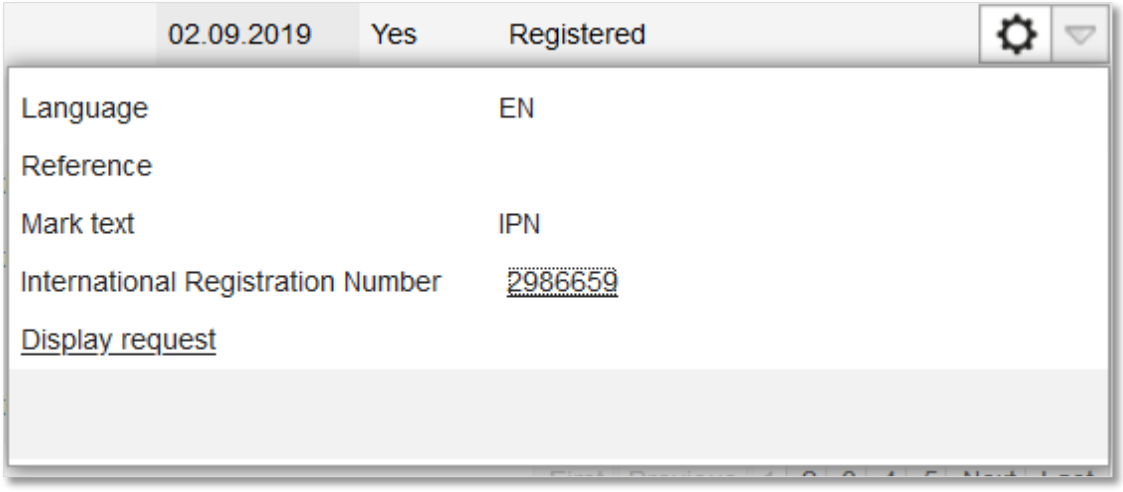
- WIPO Processing – shows the applicant the WIPO service request number. Clicking on the number directs the user to the realtime search in Madrid Monitor.



- Irregularity Pending, Irregularity examination and Correction irregularity – Allows the applicant to download a copy of the irregularity notification

- Registered – shows the applicant the International Registration number. Clicking on the number directs the user to Madrid Monitor.



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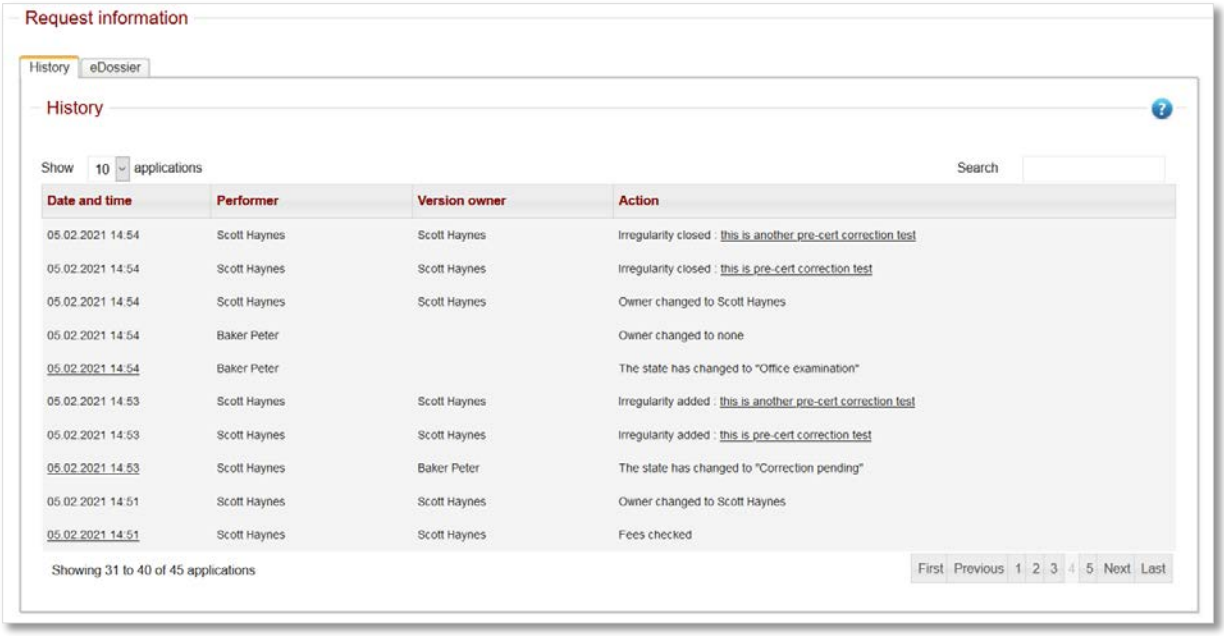
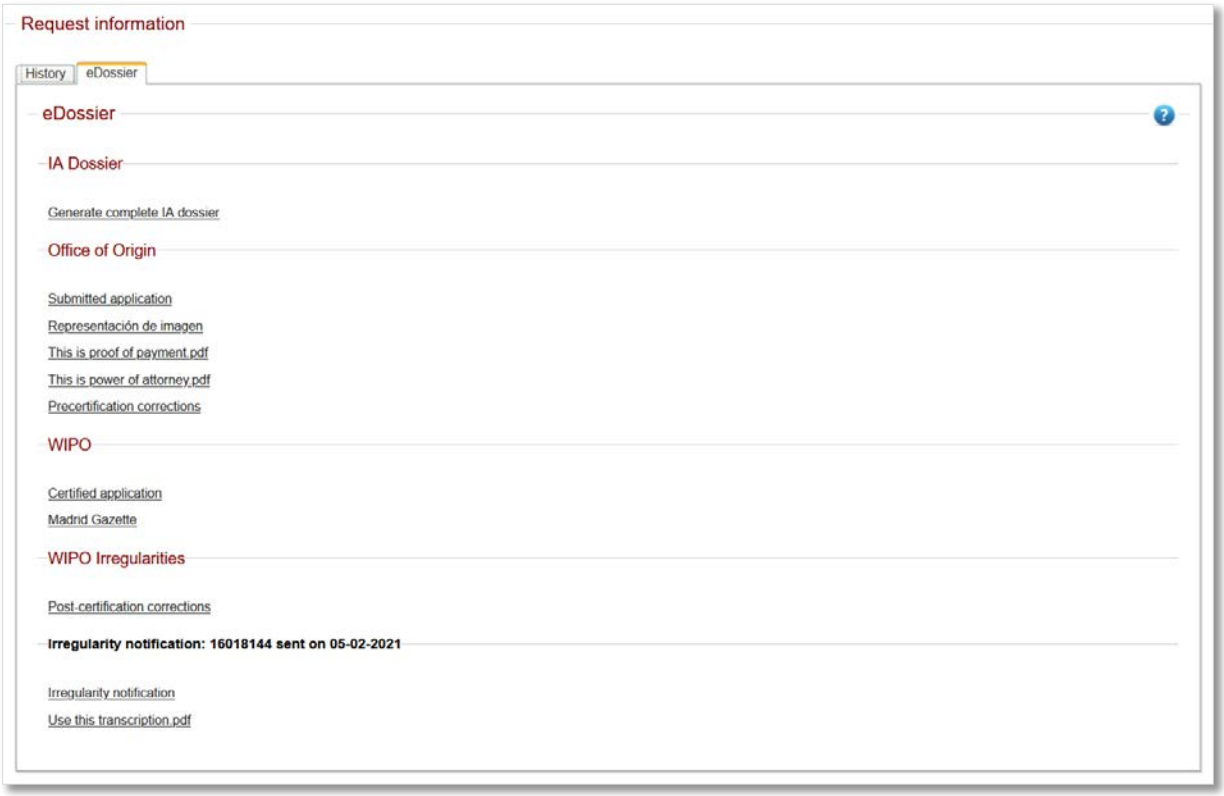
3.3 APPLICATION HISTORY AND EDOSSIER

An applicant displays the history by clicking on the application number.



The eDossier tab displays all documents and attachments. An applicant can create a single PDF that compiles them by clicking on ‘Generate complete IA dossier’.



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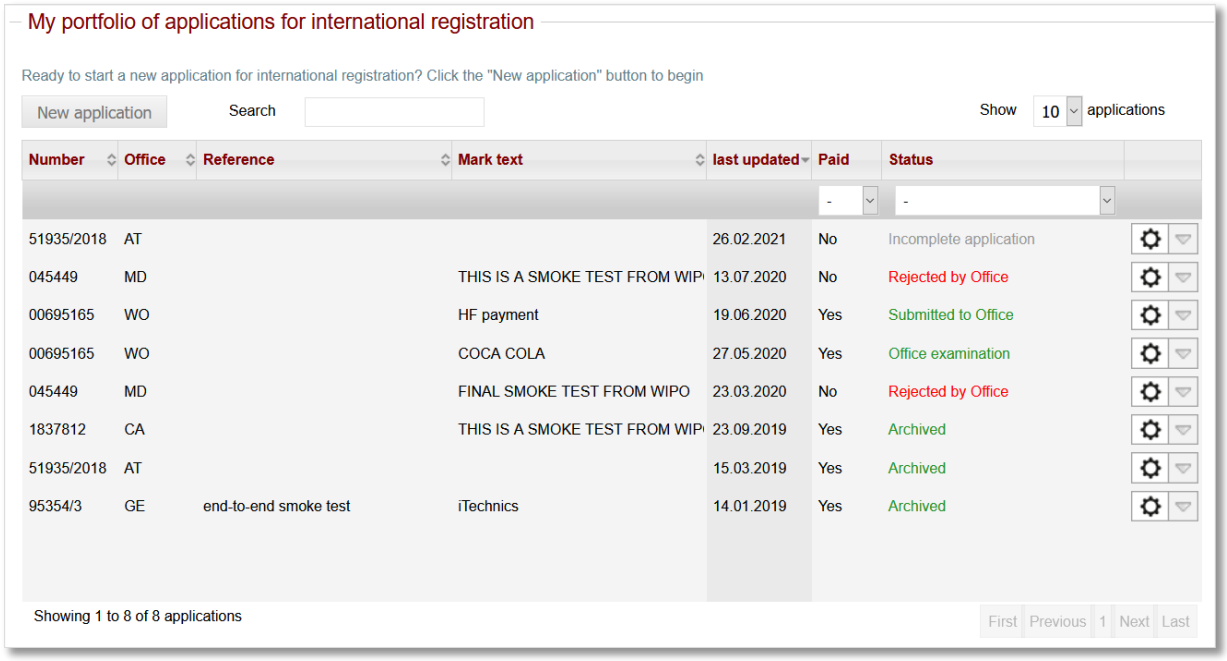
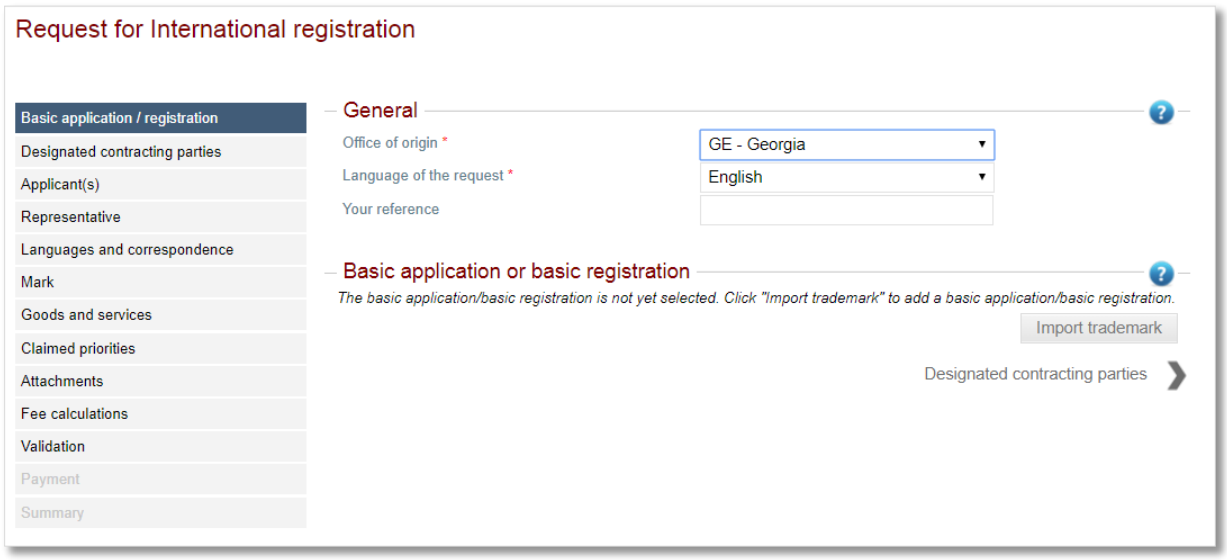
4. Filing an international application

4.1 GETTING STARTED

To start filing a new IA request, click on the 'New request' button that is located in the top left-hand corner of the 'My Request' screen. This will redirect the applicant to the 'Basic application/registration' screen.



The applicant must select the office of origin and, if they wish, add an IA request reference.



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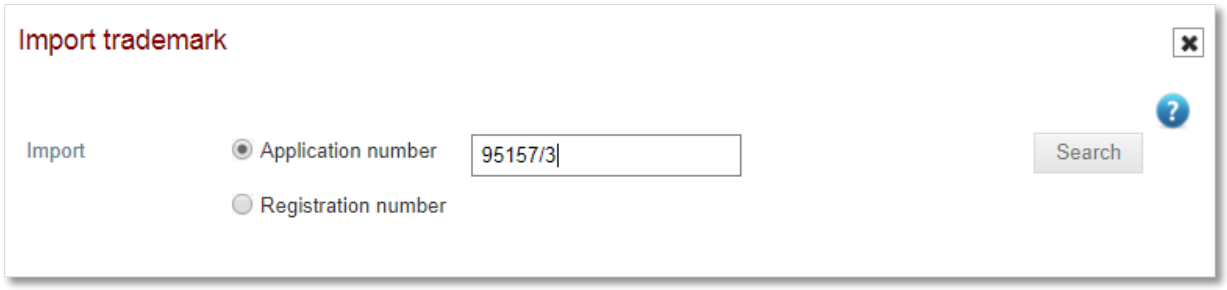
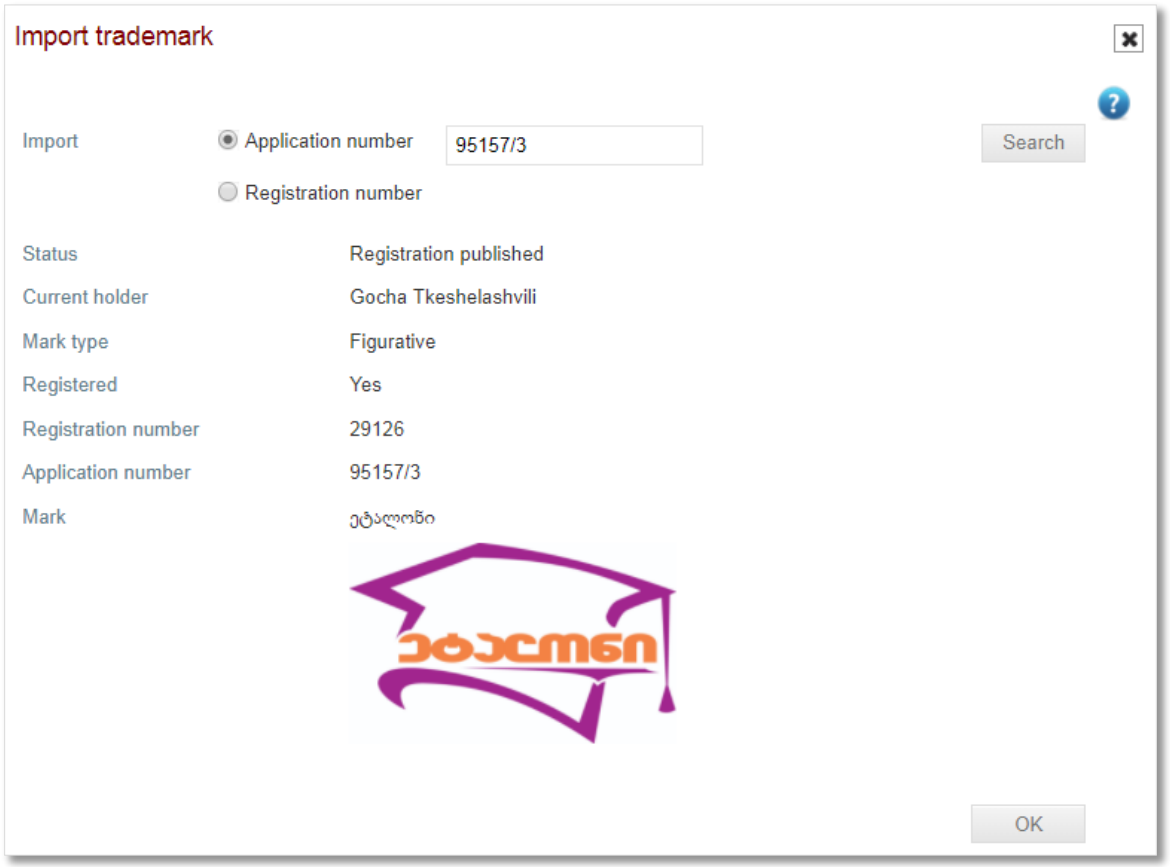
Clicking on the ‘Import trademark’ button opens the ‘Import trademark’ screen. An applicant must enter a national application or registration number, clicking on the ‘Search’ button once complete.

Note: the applicant should pay careful attention not to transpose the national basic numbers. E.g. - using a registration number in the application number entry window.



Provided the national application and registration number entered is active in the national office’s trademark registry, Madrid eFiling returns and displays the results.



The applicant clicks the ‘OK’ button to proceed. This will return them to the ‘Basic application/registration’ screen. An application can load a secondary trademark. However, the mark holder, type and name must all be identical. The initial trademark imported becomes the base for the international application.

Note: it is not possible to delete the base trademark details once starting the filing process. However, it is always possible to delete an ‘incomplete’ application and start again.

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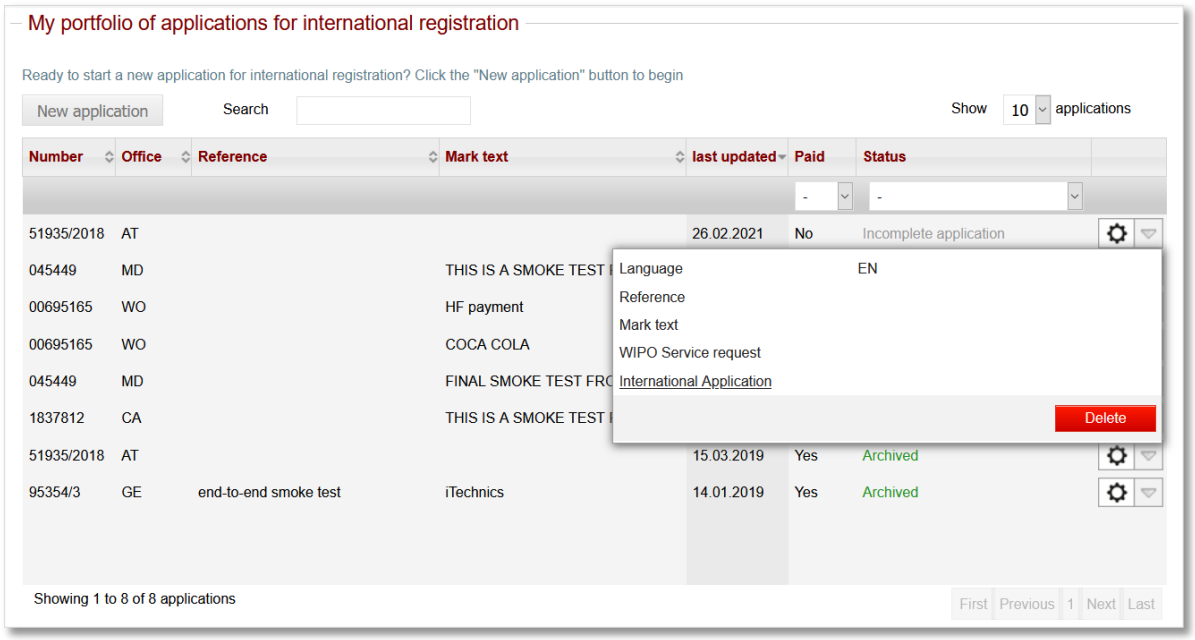
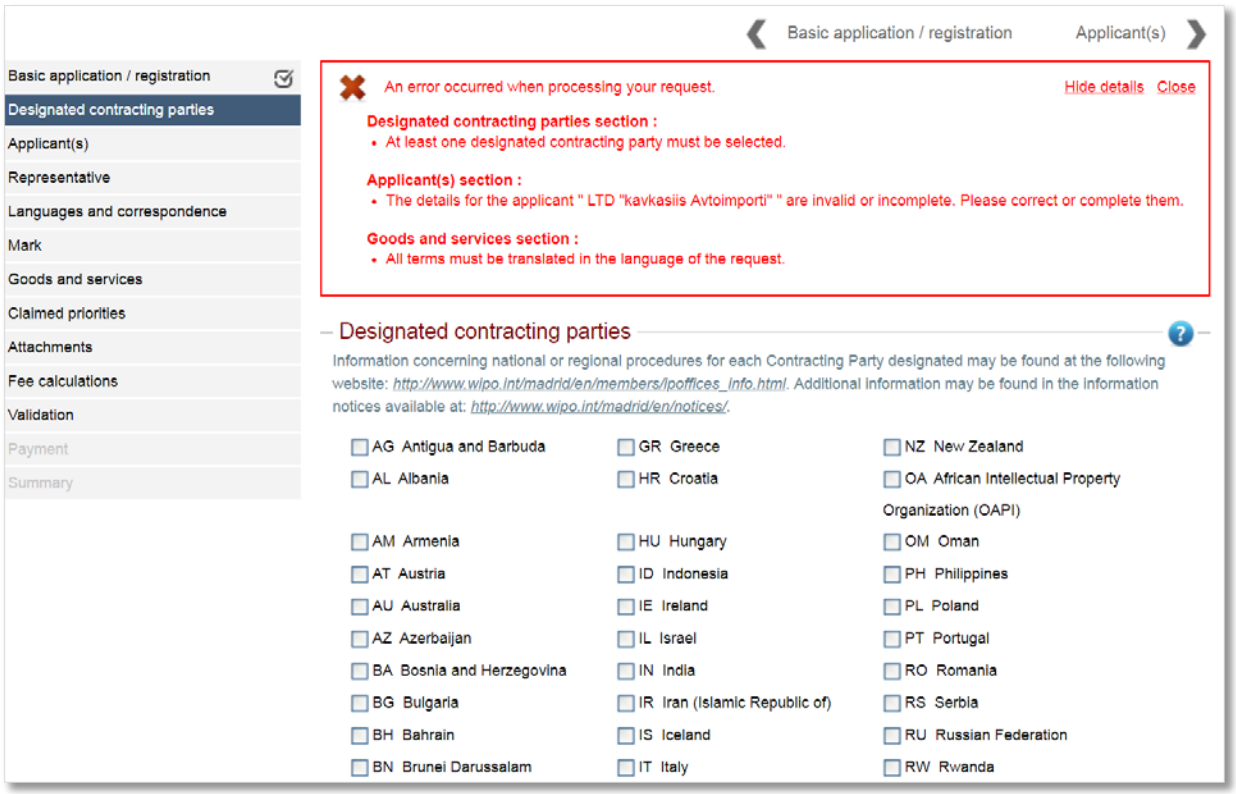


The application filing process proceeds in a linear manner. An applicant must complete a screen before proceeding to the next. It is not possible to jump forward past uncompleted screens. When a screen is complete, the applicant can use the top or left navigation to progress to the subsequent screen.



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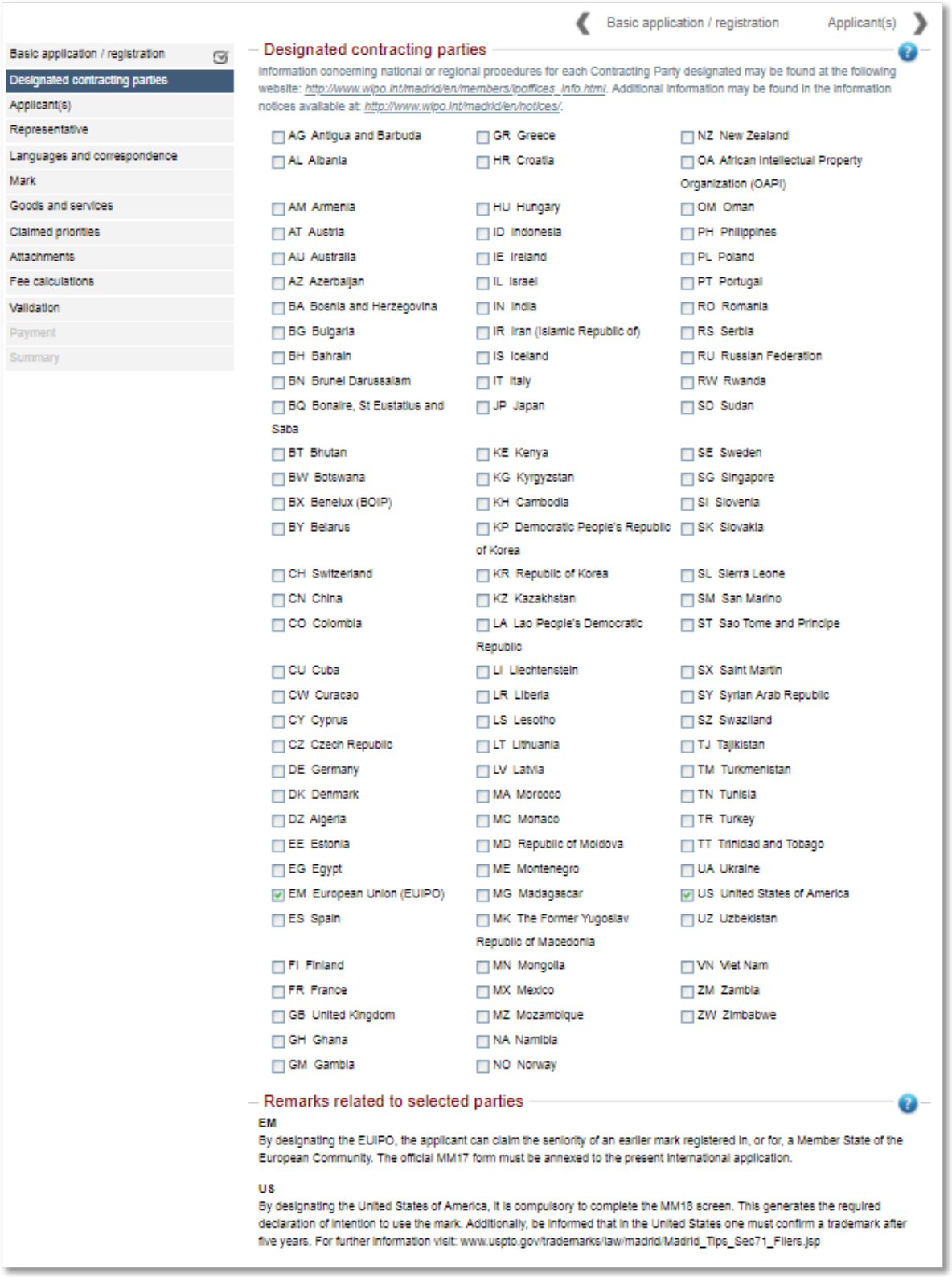
4.2 DESIGNATED CONTRACTING PARTIES

An applicant selects the countries in which they are seeking international trademark. When relevant, country-specific disclaimers display for informational purposes.



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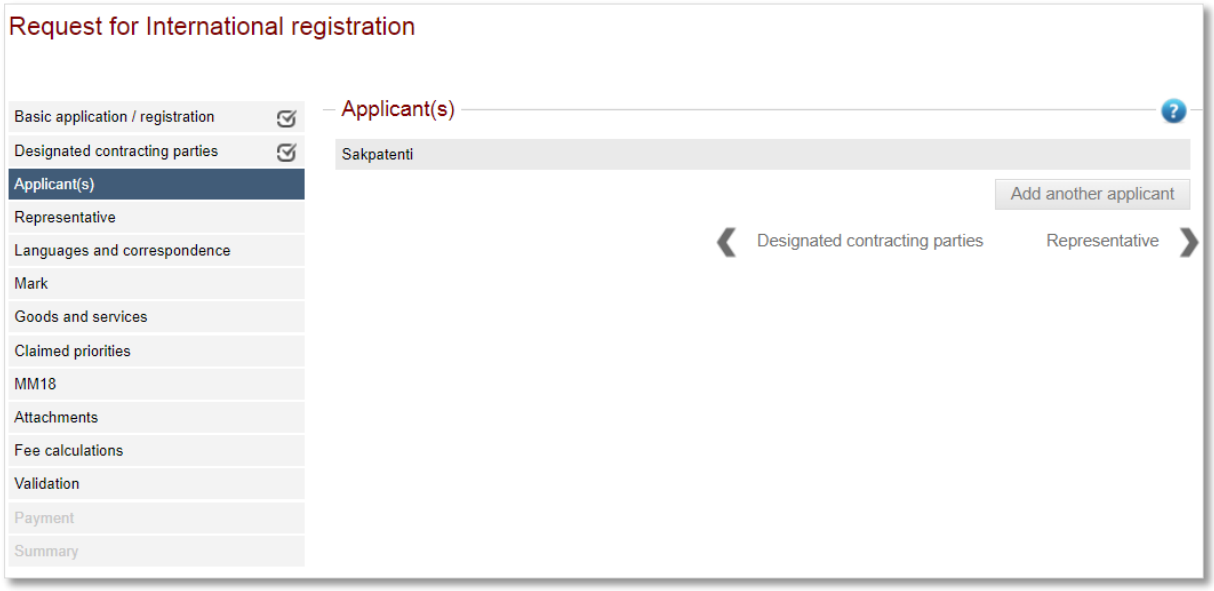
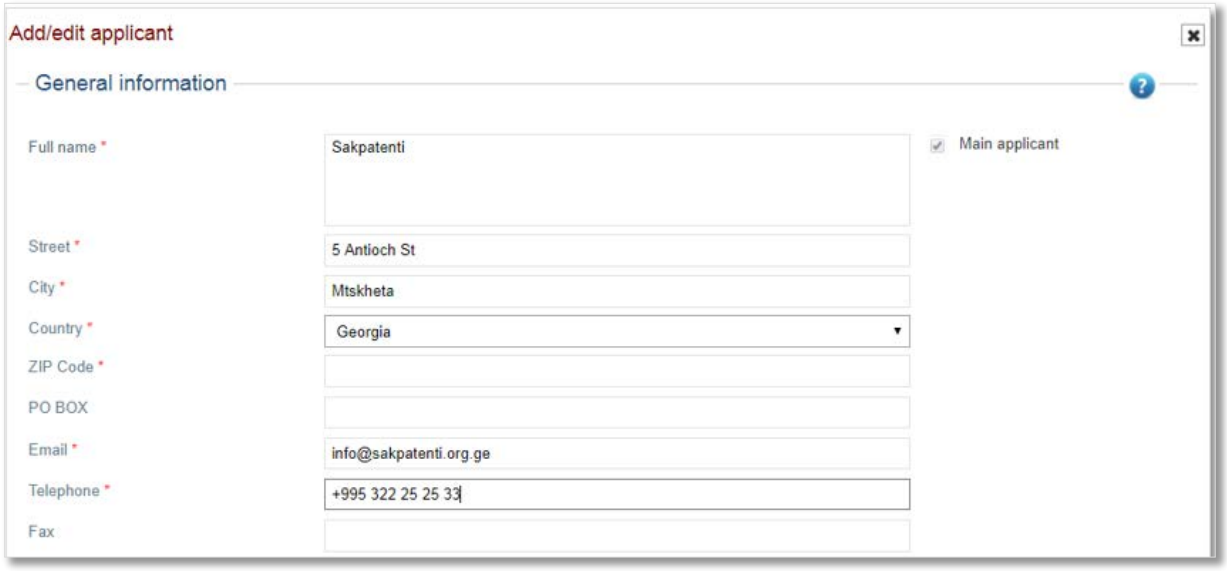
4.3 APPLICANT

An essential part of importing the basic trademark is retrieving and recycling existing information. This is apparent on the applicant screen.

Clicking on the applicant name will open 'Applicant' information.



An applicant adds any missing mandatory information. A red asterisk (*) indicates the mandatory fields.



The applicant is required to indicate if entitlement is physical or legal.

Physical Entitlement: the applicant is a physical person, either as a national or domiciled.

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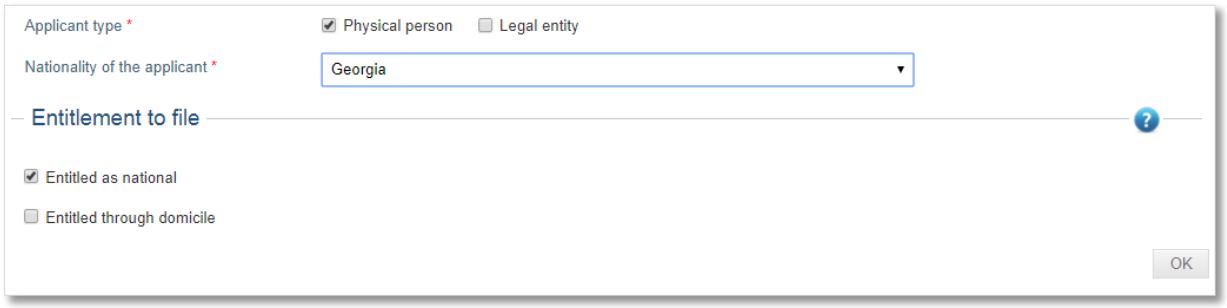
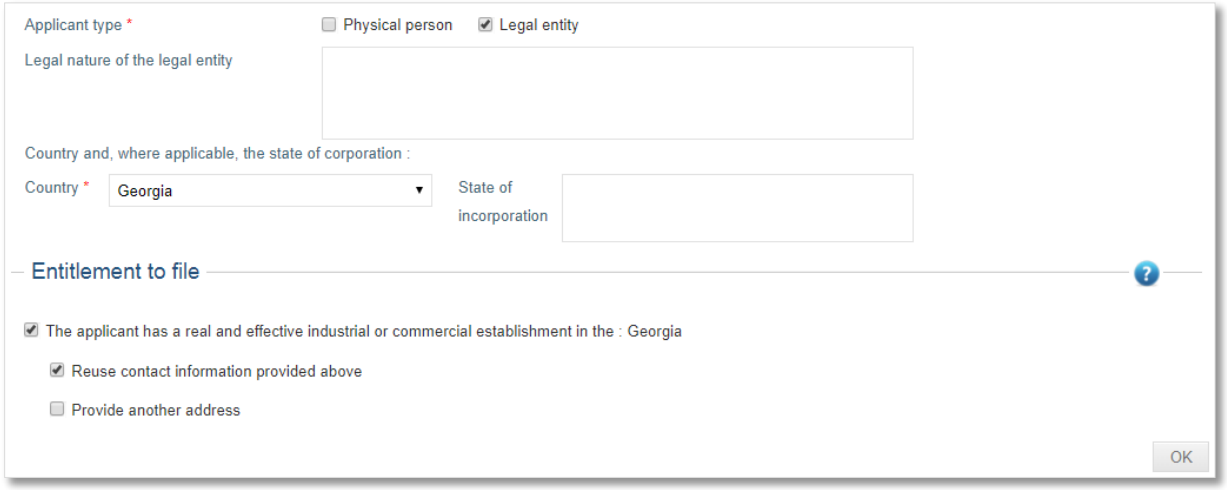
Note: if domiciled, you need to supply a street address. **A PO Box or c/o is not acceptable.**



Legal Entitlement: the applicant has a real and effective industrial or commercial establishment in the territory covered by the office of origin.

Note: a street address is required. **A PO Box or c/o is not acceptable.** If a PO Box or c/o has been provided as the applicant's address, the 'Provide another address' tick box should be selected and further fields will display where the street address can be entered.



Legal nature of the legal entity: e.g. Company Limited by Shares, Proprietary Limited, Corporation etc.

- this might be required by certain Designated Contracting Parties. For example, if the applicant designates the United States of America, it is necessary to include these indications. **Note:** it is in the applicant's best interest to provide details in order to avoid any application processing delays
- country of legal entity – mandatory
- state of Incorporation – state legal entity is registered in – optional

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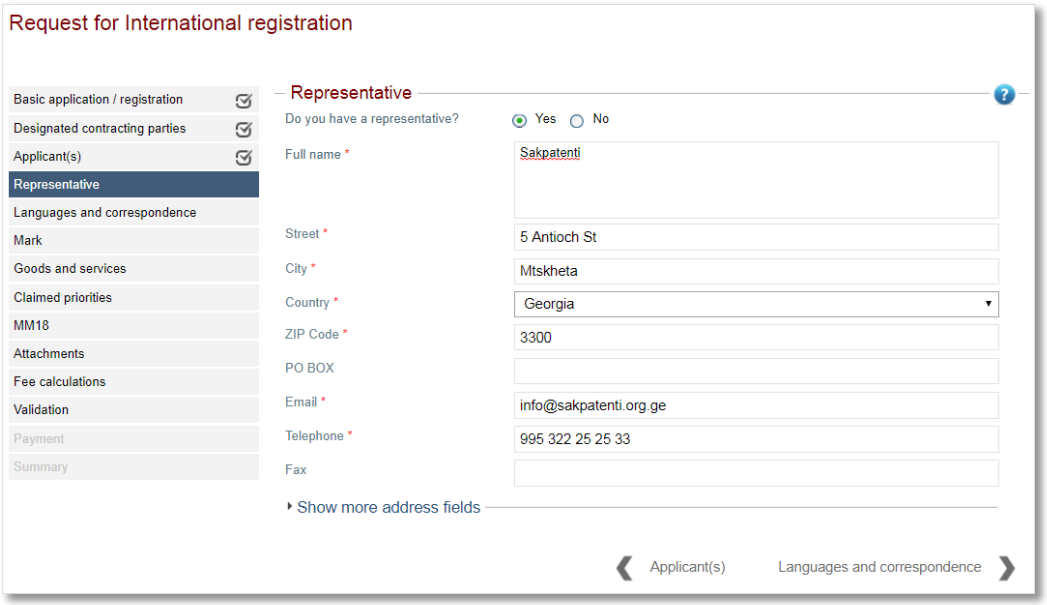
4.4 REPRESENTATIVE

Same as the 'Applicant' screen, the information in 'Representative' screen is retrieved and auto-populated.



Note: Designating a representative is optional. If a representative is not appointed then the email and phone number for the applicant are mandatory.

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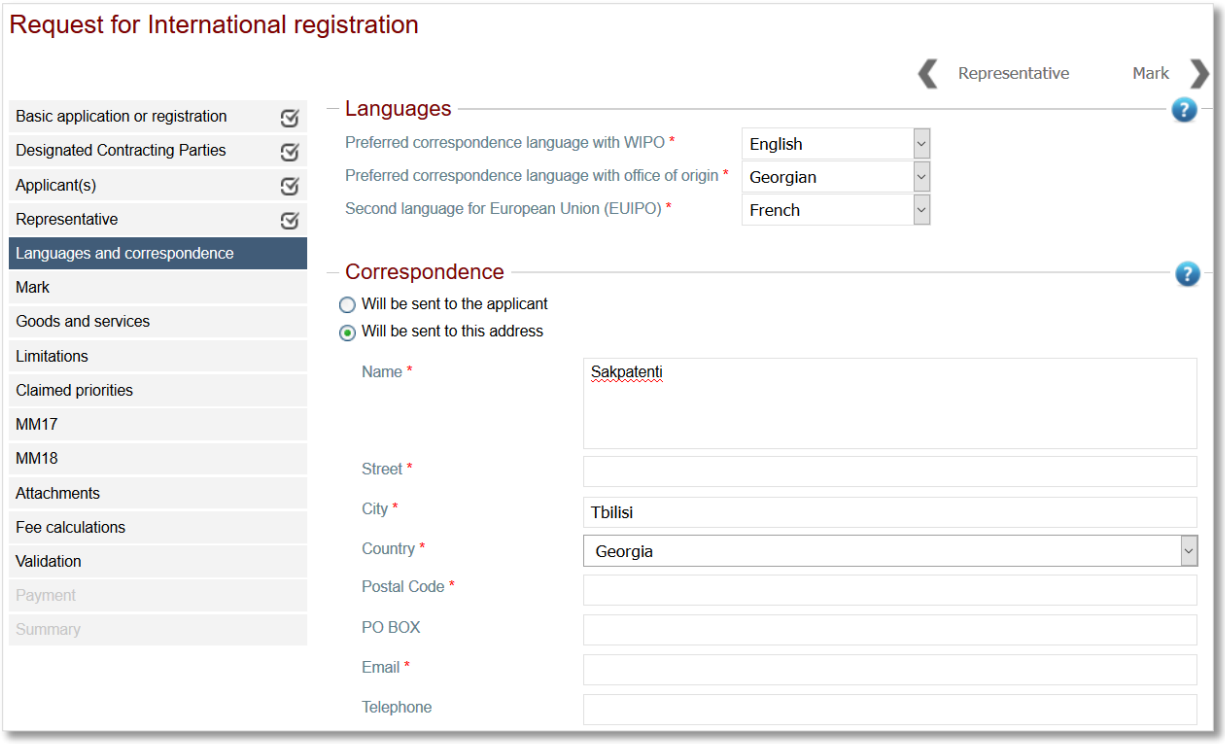
4.5 LANGUAGES AND CORRESPONDENCE

An applicant indicates the language they would like to communicate with WIPO and their office of origin. Additionally, a second language of communication is required for the EUIPO if designated.

The IB sends correspondence to the representative's address if an applicant has appointed one. If not, the IB sends the correspondence to the applicant's address. The option of providing an alternative address becomes available in absence of an appointed representative.



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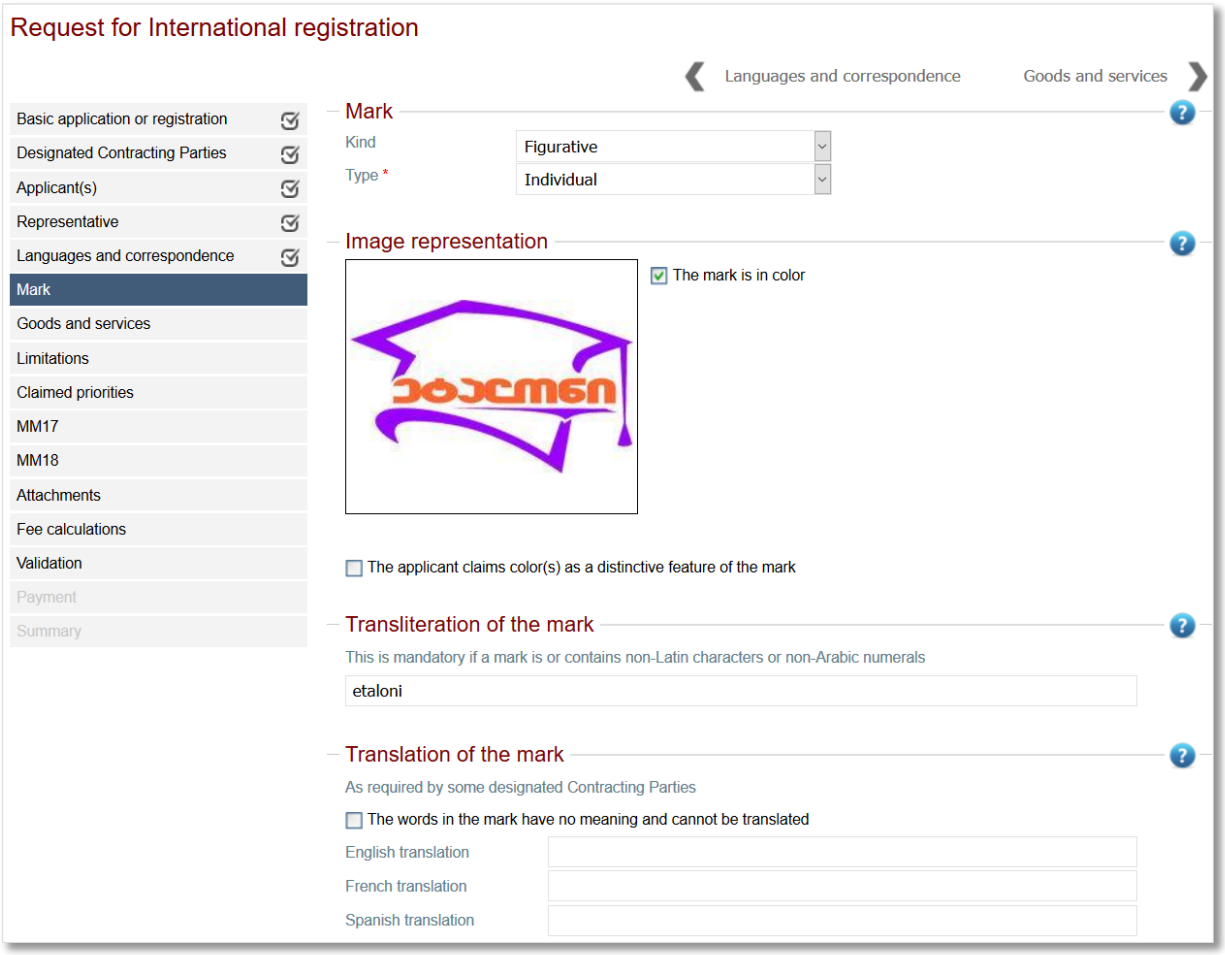
4.6 MARK

The applicant should review the accuracy of the imported information, making amendments where applicable and in compliance with the Protocol regulations.

For example, marks with an image, Madrid eFiling indicates if it is in color or not. If the indication is not correct, the applicant should amend accordingly.



For word marks, an applicant can claim standard characters. For figurative or color marks, claiming a color as a distinctive feature is an option.

An applicant is required to provide a transliteration for a Mark containing non-Latin characters or non-Arabic numbers.

Description of the Mark (optional) - where the basic application or basic registration contains a description of the mark, the same description may, if the applicant wishes or if the office of origin requires, be included in this section. If a description is provided, it must be a description of the mark and not, for example, a statement concerning the use of the mark or its reputation.

Voluntary description of the mark (optional) – any description of the mark, including the description contained in the basic application or registration, if the applicant was not required to provide this description in the Description of the Mark field.

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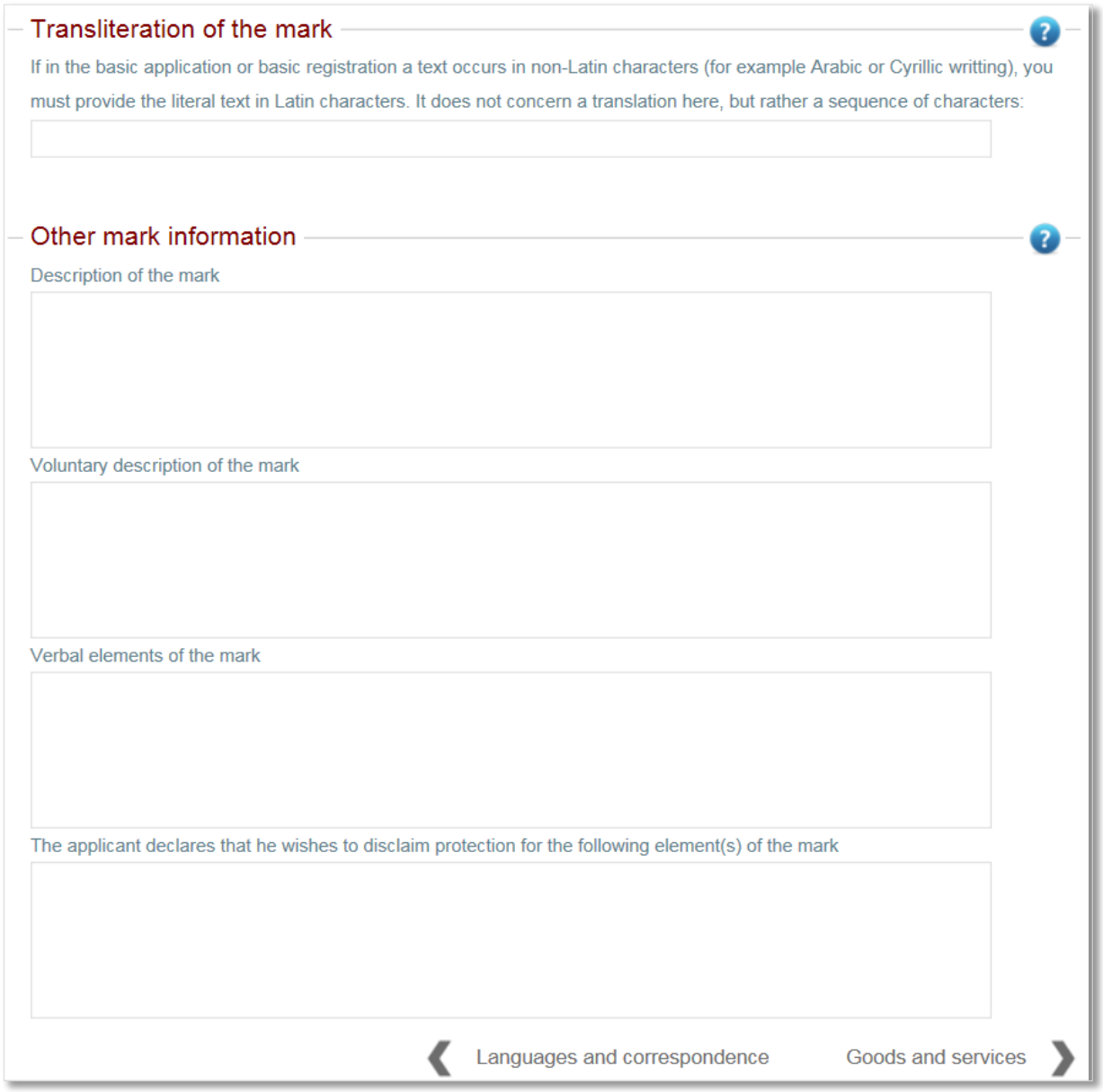
Verbal element details - an applicant should provide this if the mark type is “Combined” (picture and text logo) and were not imported from the national mark.



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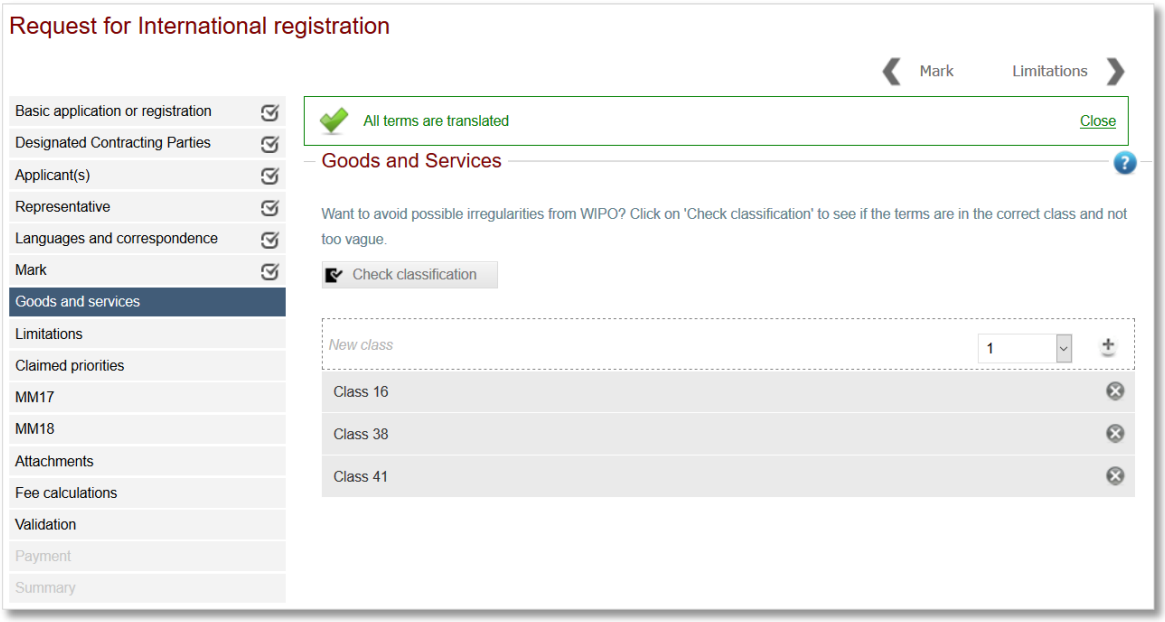
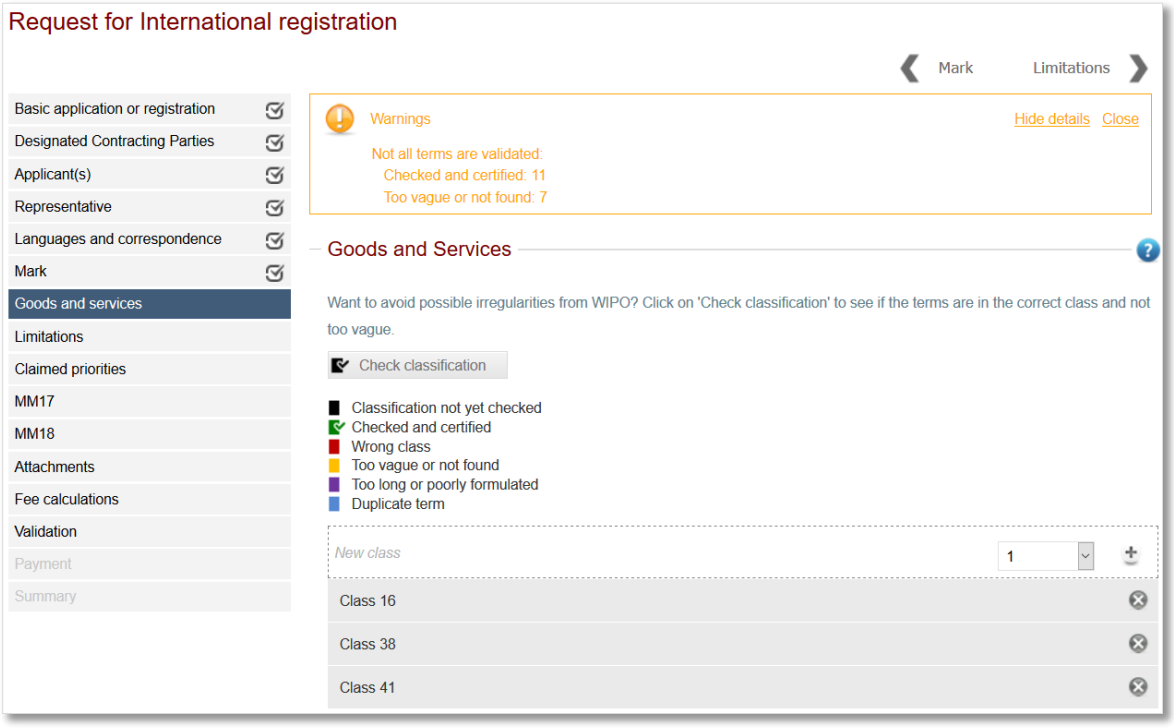
4.7 GOODS AND SERVICES

The Good and Services screen is designed to provide ease of translation (if necessary) and classification check for the list of goods and services.

Note: by default, Madrid eFiling automatically translates the imported list of goods and services when the applicant transitions from the Mark to the Goods and Services screen.



Clicking 'Check classification' allows the applicant to check the classification of their imported list against the Madrid Goods and Services Manager (MGS).



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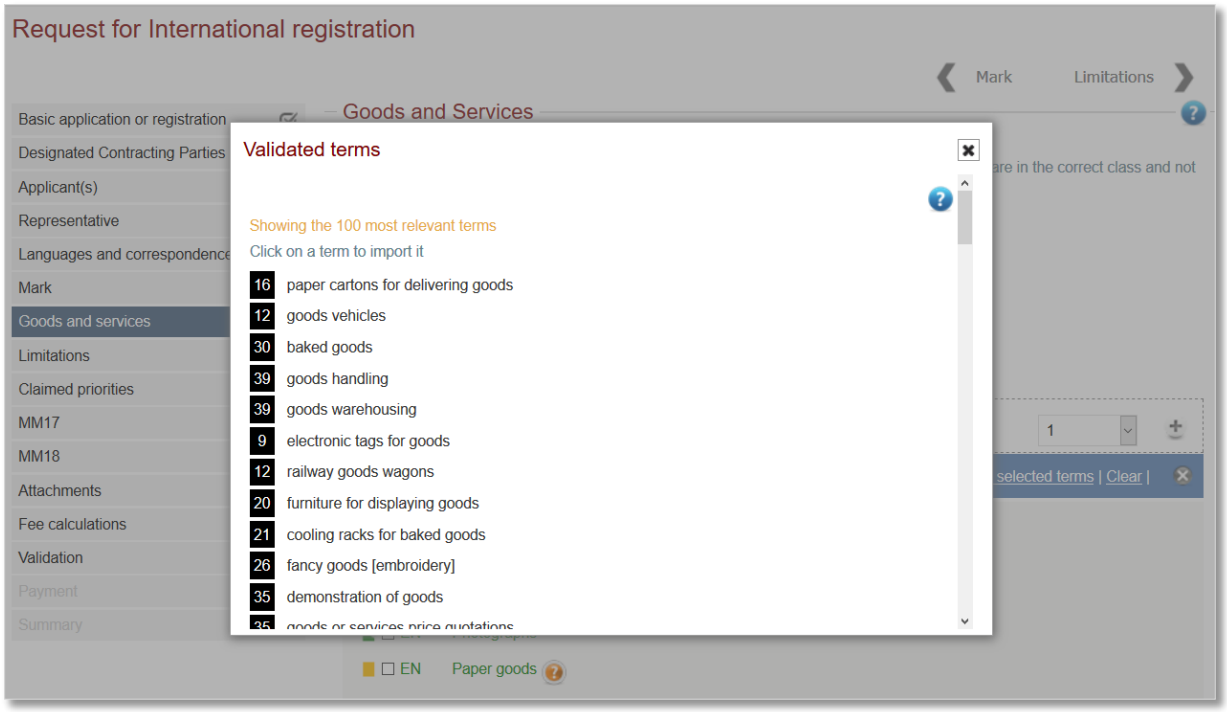
It is further possible for the applicant to expand a class and click on a non-classified term to determine if a more appropriate choice (one that neither expands nor diminishes scope) is available.

Note: a non-classified term does not imply a forthcoming irregularity notice from the IB. However, it is a very useful aid to avoid irregularity notices.



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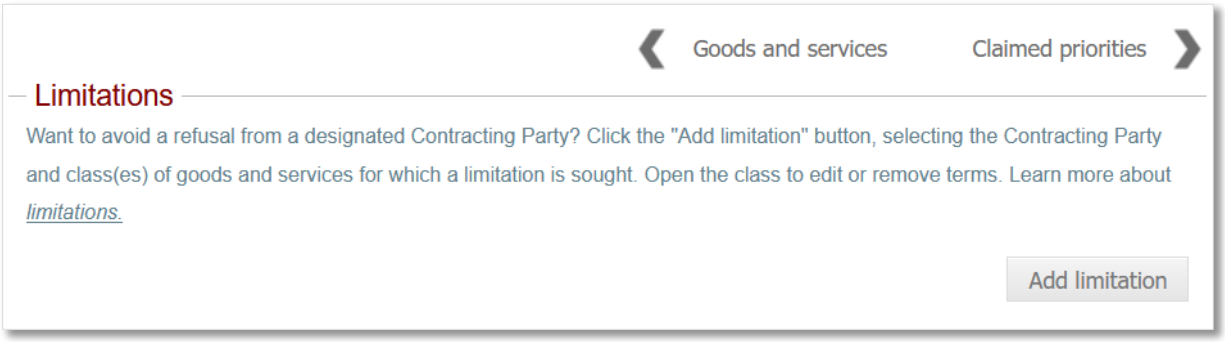
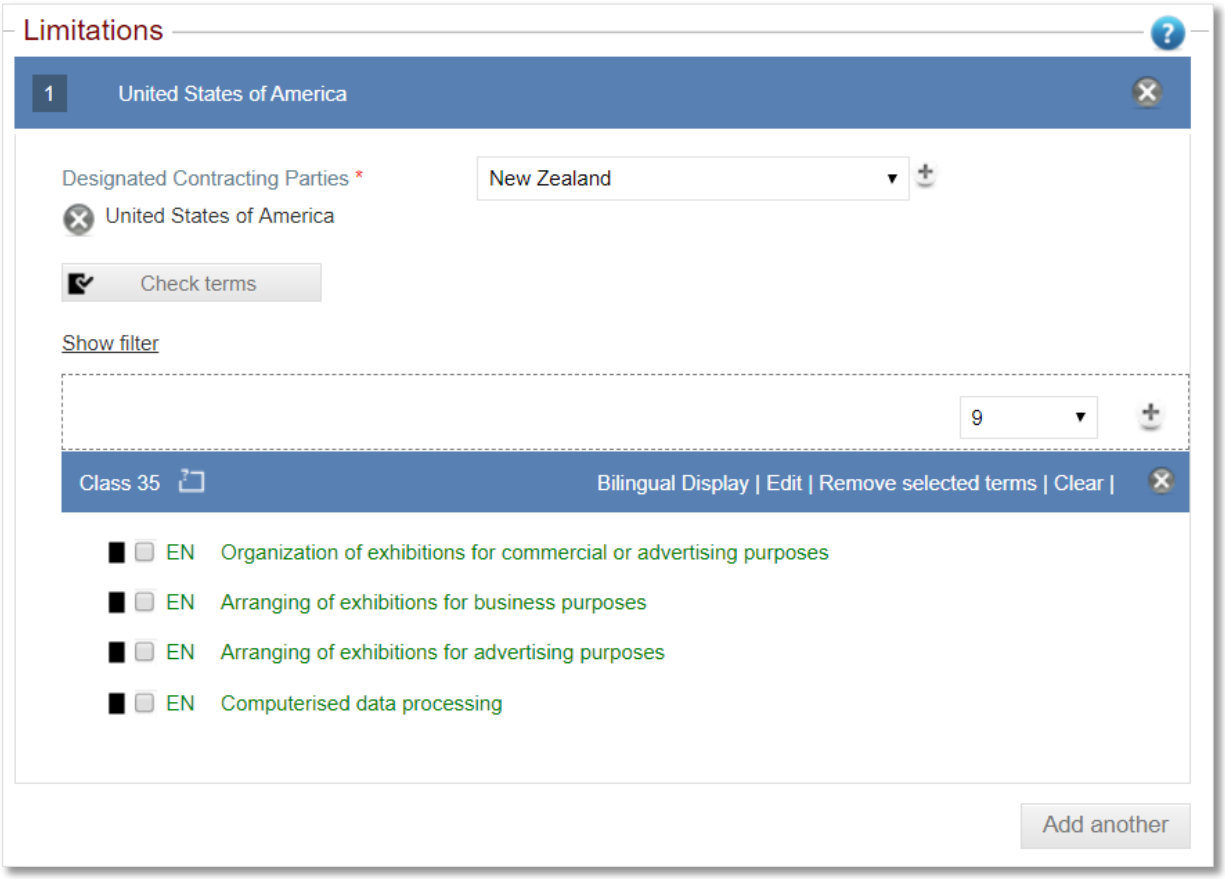
4.8 LIMITATION

On this screen, it is possible to create a limitation for a Designated Office.

To start, the applicant clicks the ‘add’ button



Select a national office and one or more class by clicking on the button



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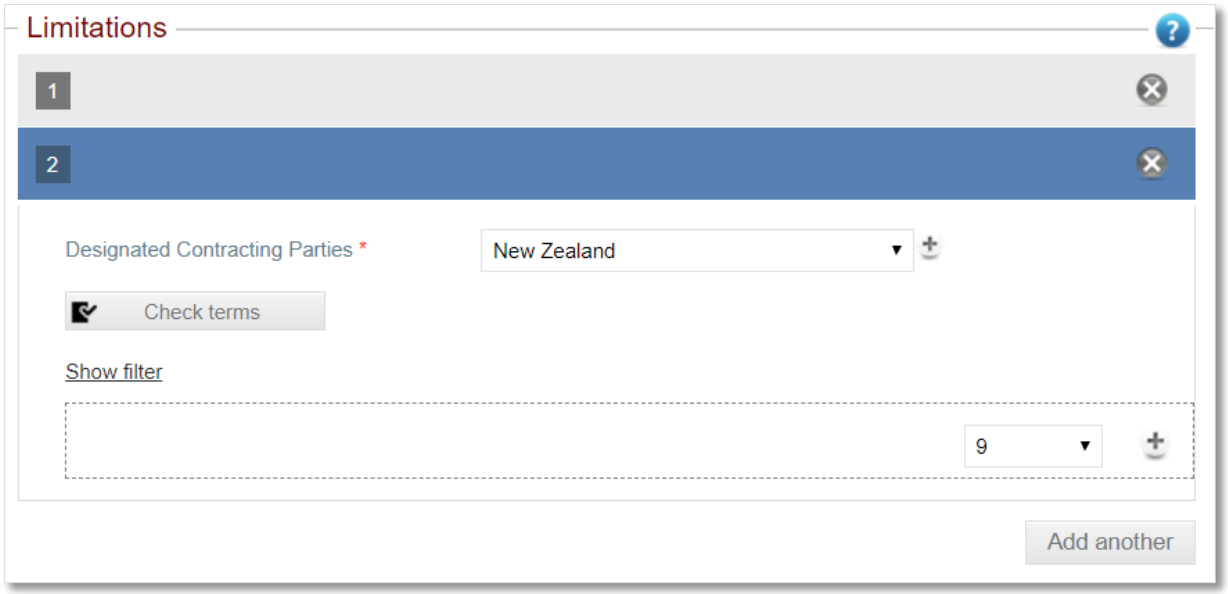
If the limitation is the same for another DCP, the applicant selects the country in the same manner as the first.

It is possible to create another limitation list by clicking on ‘add another’.



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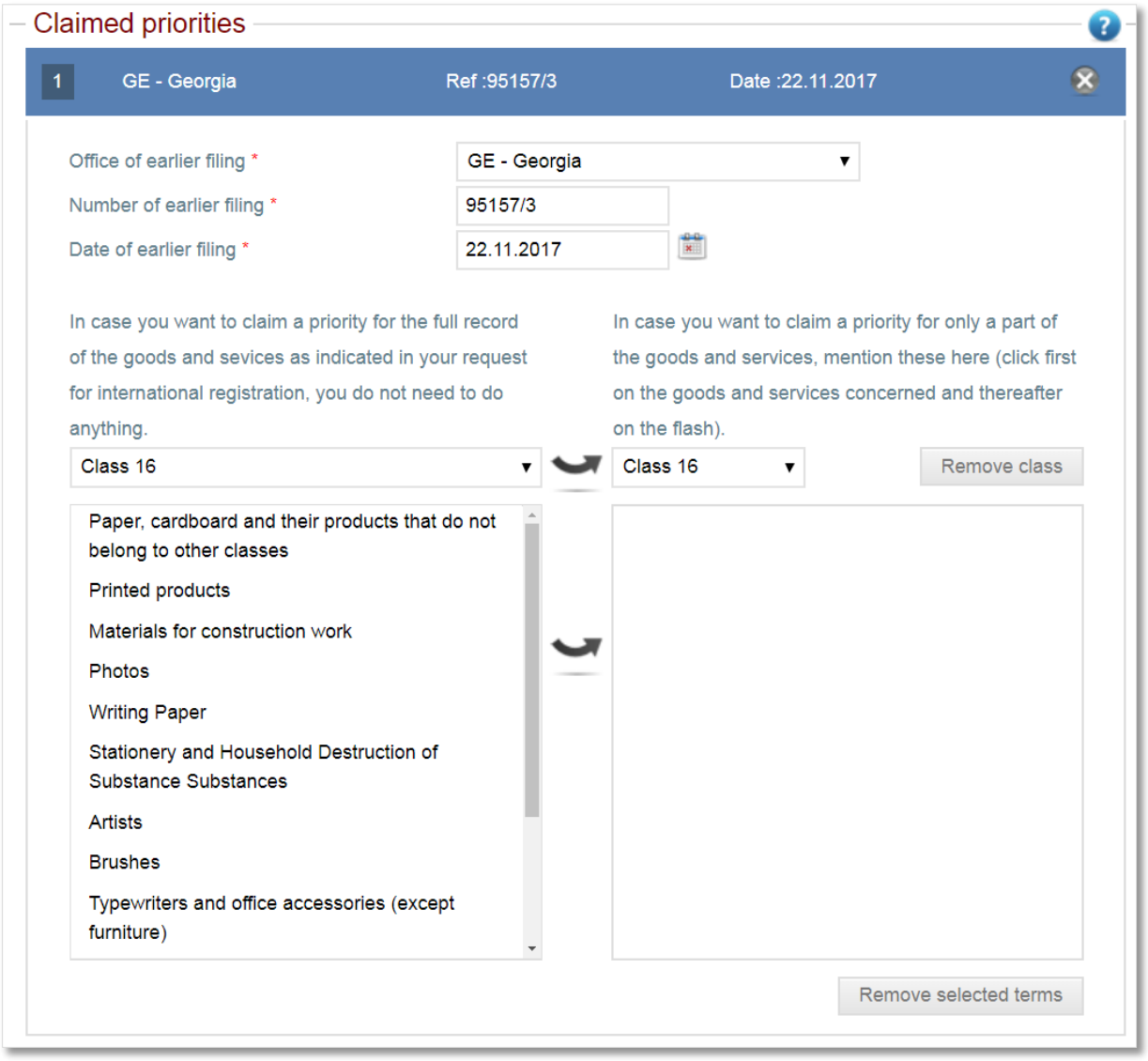
4.9 CLAIMED PRIORITIES

A claimed priority appears if the application date of the basic trademark is not older than six months of the creation date the international application.

Note: an applicant can delete the claimed priority by clicking on the icon located in the top left-hand corner of the screen.



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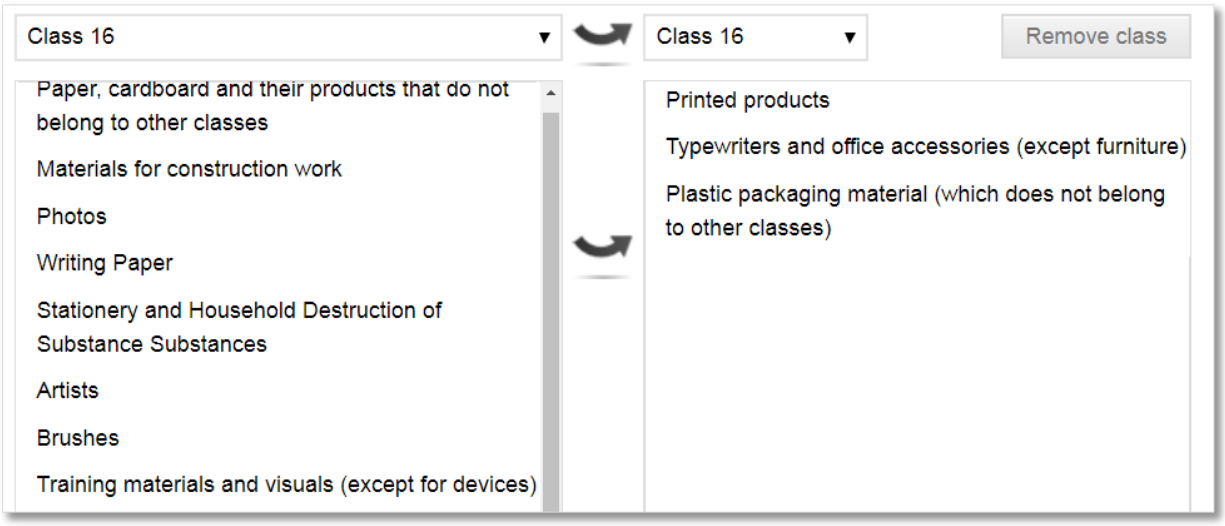
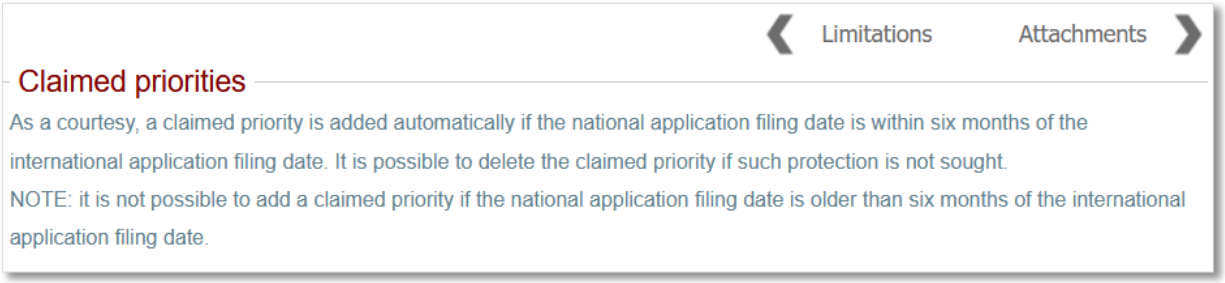
By default, the entire list of goods and services is included in the priority claimed. It is possible to create a restricted list of goods and services by adding specific classes or individual terms from a certain class.



A claimed priority does not appears if the application date of the basic trademark is older than six months of the creation date the international application.



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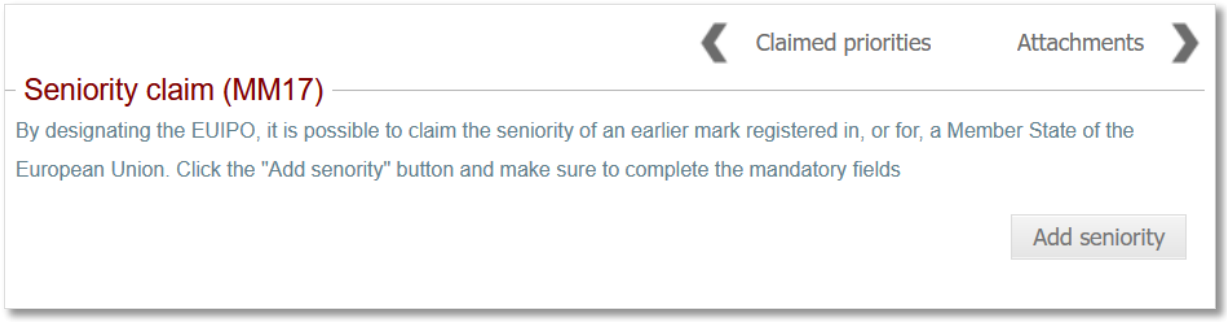
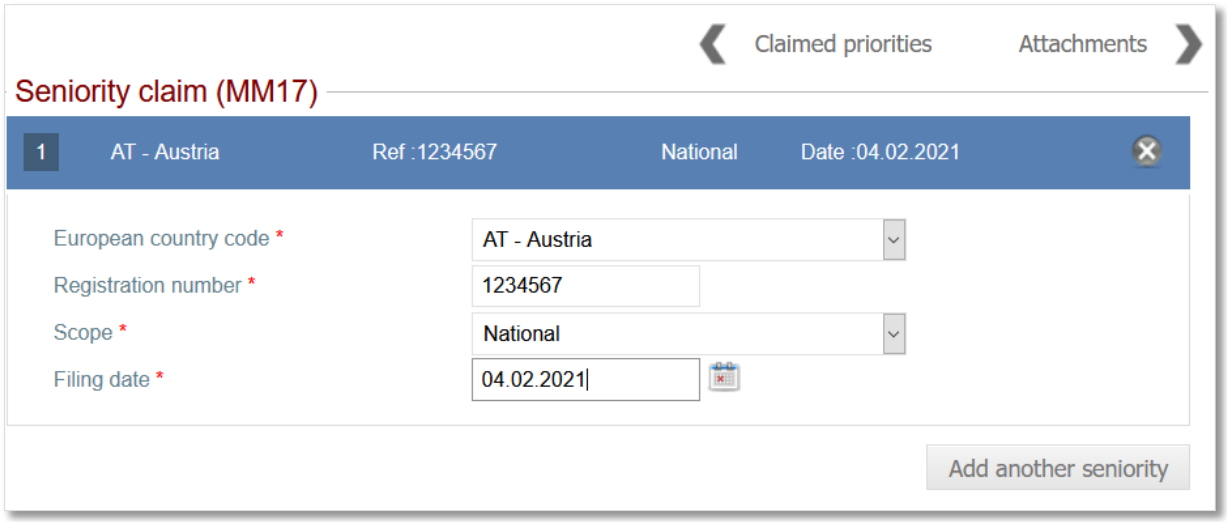
4.10 SENIORITY CLAIM (MM17)

This screen only appears if the applicant designates the EUIPO. The applicant can add a seniority.

To start, the applicant clicks the ‘add seniority’ button



The applicant must complete the mandatory elements, indicated by a red asterisks *, to add the seniority to their international application request.



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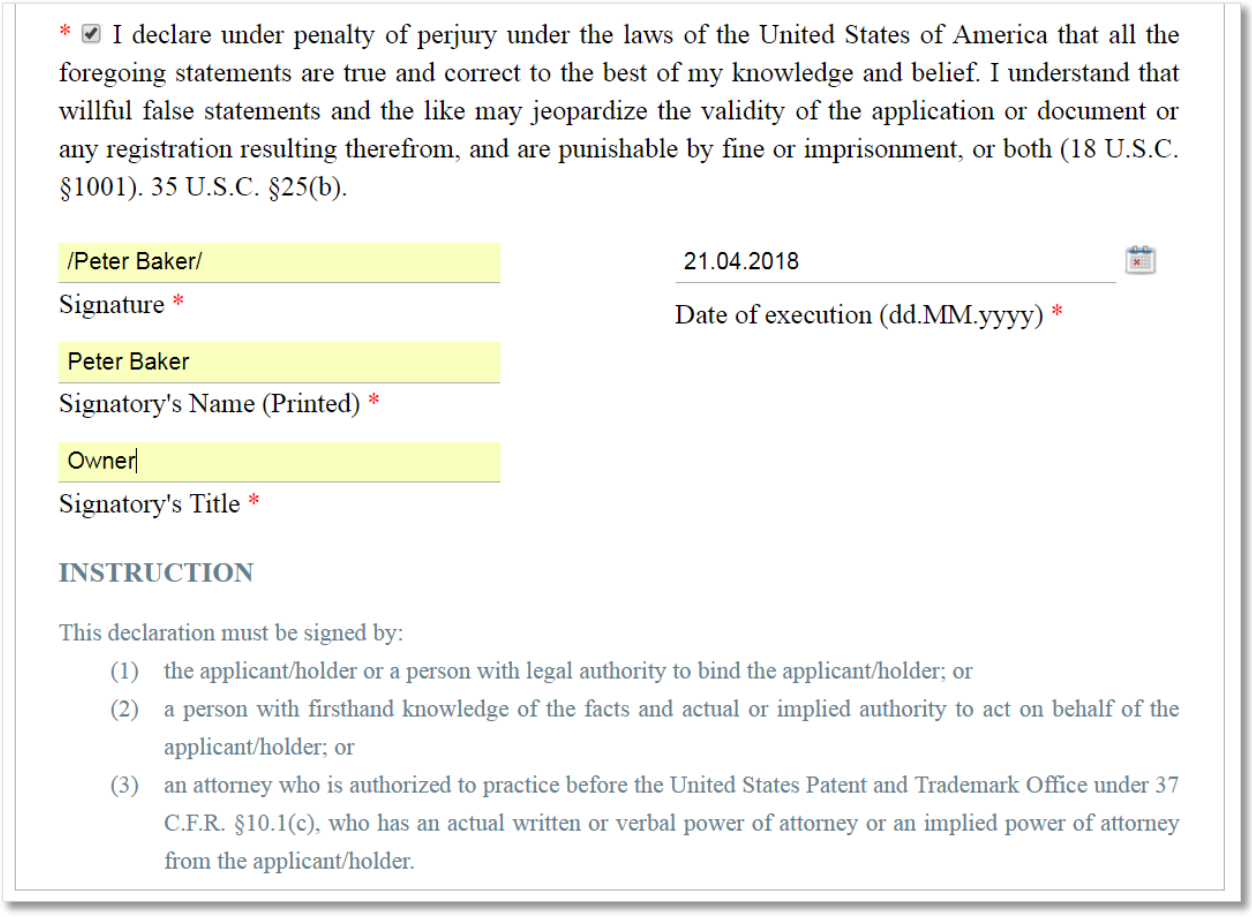
4.11 DECLARATION OF INTENTION TO USE (MM18)

This screen only appears if the applicant designates the United States of America. The applicant must complete the mandatory elements, indicated by a red asterisks *, in the MM18 form to progress to the next screen.

Note: as approved by the USTPO and consistent with their domestic trademark filing practice, a forward slash at the beginning and end of the applicant's name in the signature line considers the MM18 form as signed.



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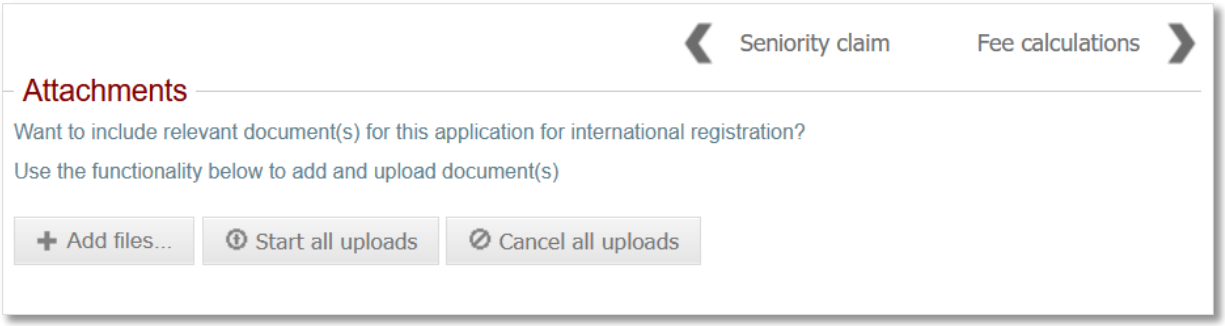
4.12 ATTACHMENTS

The applicant can upload any other files that might be relevant to the IA request.



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4.13 FEE CALCULATIONS

A summary of the required fees is available.

Print fees

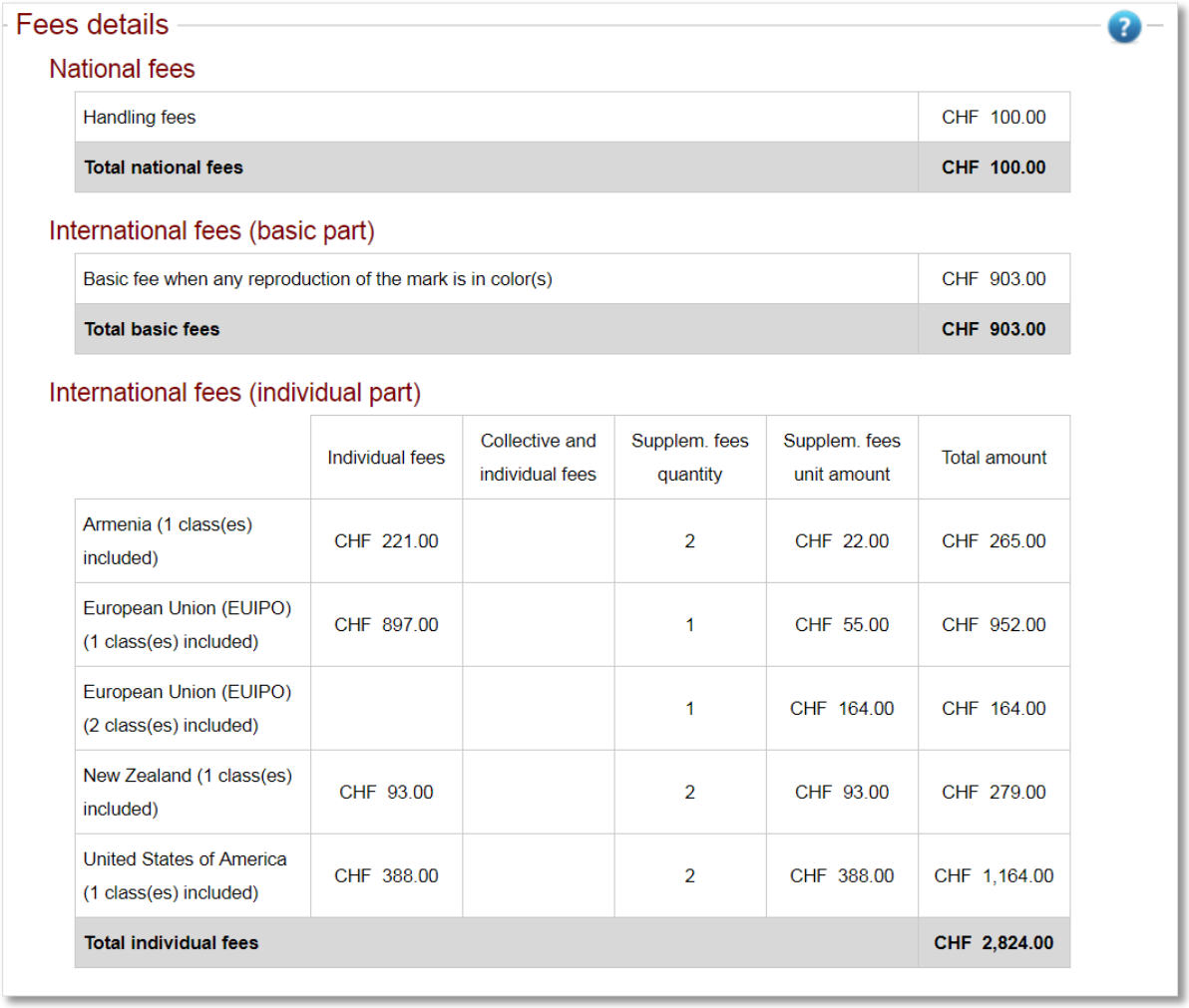
Fee calculations

National fees	CHF 100.00
International fees (basic part)	CHF 903.00
International fees (individual part)	CHF 2,824.00
Grand total	**CHF 3,827.00**

Show fees details

Attachments Validation

Clicking on 'Show fees details' will display the entire breakdown of the fees associated with the application.



Fees details

National fees

Handling fees	CHF 100.00
Total national fees	**CHF 100.00**

International fees (basic part)

Basic fee when any reproduction of the mark is in color(s)	CHF 903.00
Total basic fees	**CHF 903.00**

International fees (individual part)

	Individual fees	Collective and individual fees	Supplem. fees quantity	Supplem. fees unit amount	Total amount
Armenia (1 class(es) included)	CHF 221.00		2	CHF 22.00	CHF 265.00
European Union (EUIPO) (1 class(es) included)	CHF 897.00		1	CHF 55.00	CHF 952.00
European Union (EUIPO) (2 class(es) included)			1	CHF 164.00	CHF 164.00
New Zealand (1 class(es) included)	CHF 93.00		2	CHF 93.00	CHF 279.00
United States of America (1 class(es) included)	CHF 388.00		2	CHF 388.00	CHF 1,164.00
Total individual fees					**CHF 2,824.00**

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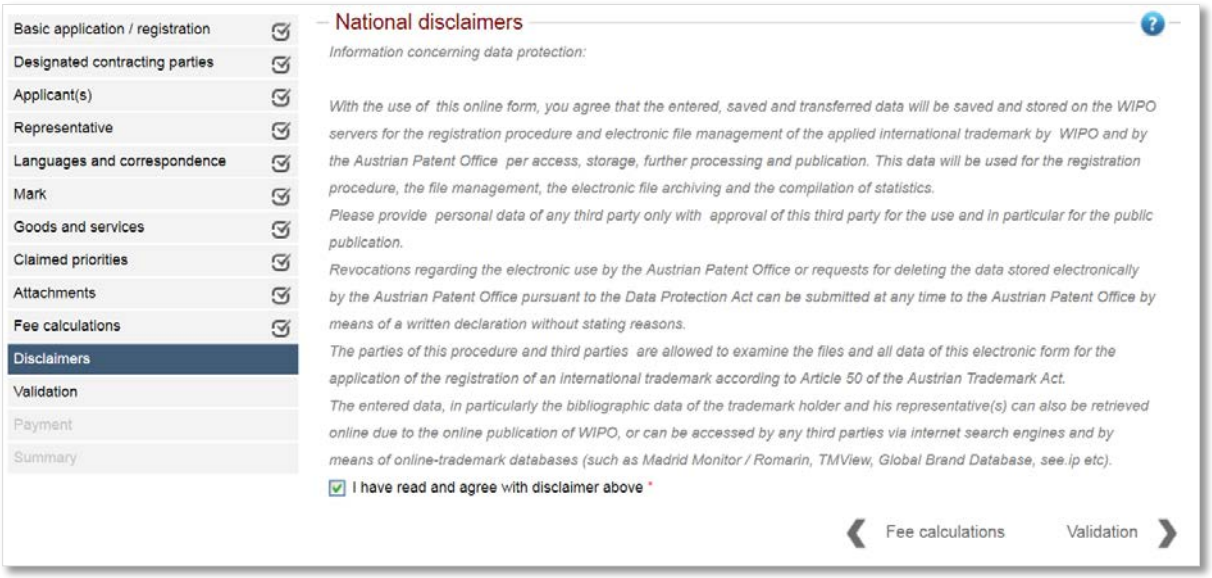
4.14 DISCLAIMERS

An Office of Origin can add a disclaimer that the applicant must validate as having read and agreed.



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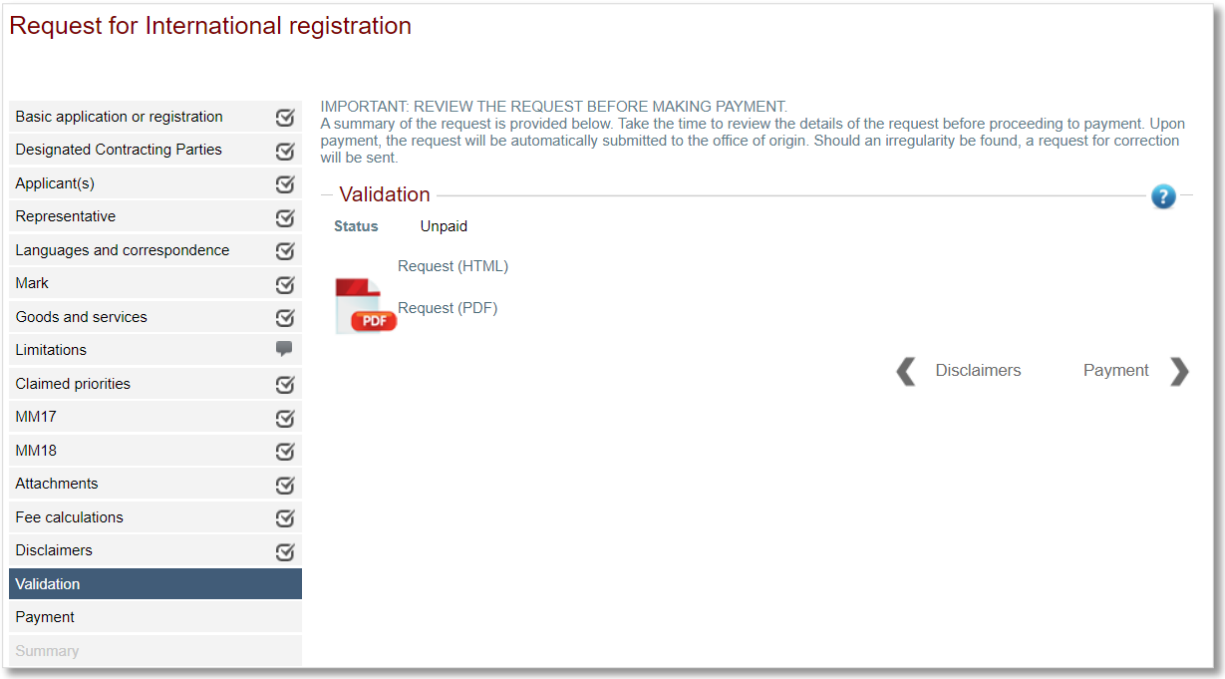
4.15 VALIDATION

The applicant has completed filing in the international application form. It is possible to download a copy of the IA request in PDF format or view it in HTML format.

Note: it is possible to make modifications to any of the completed screens. E.g., an applicant can add or remove DCPs. Once the applicant pays and submits the application to the Office of Origin, further modifications are not possible.



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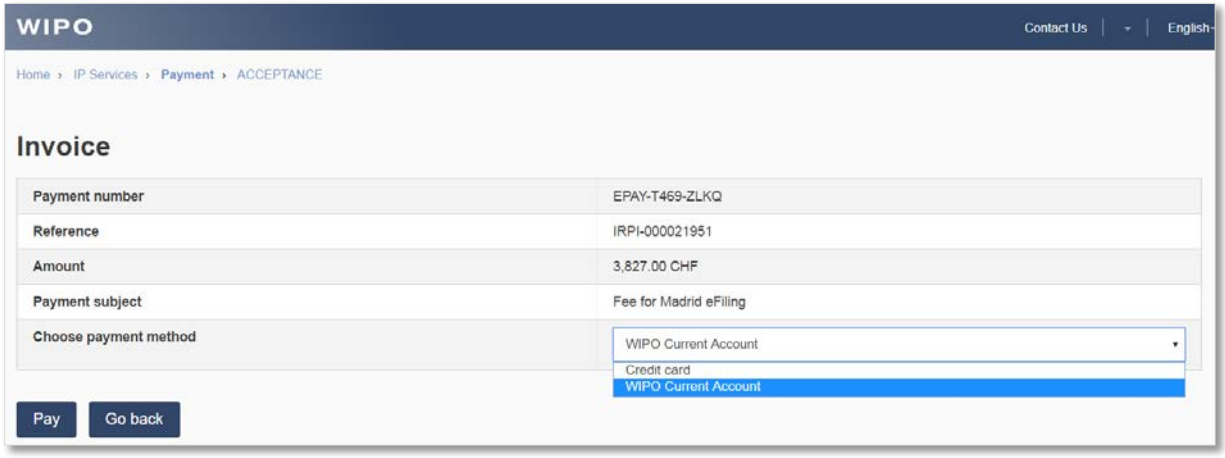
4.16 PAYMENT

To finalize the international application, the applicant progresses to the ‘Payment’ screen, selects one of the payment options displayed and progress through the subsequent payment steps.



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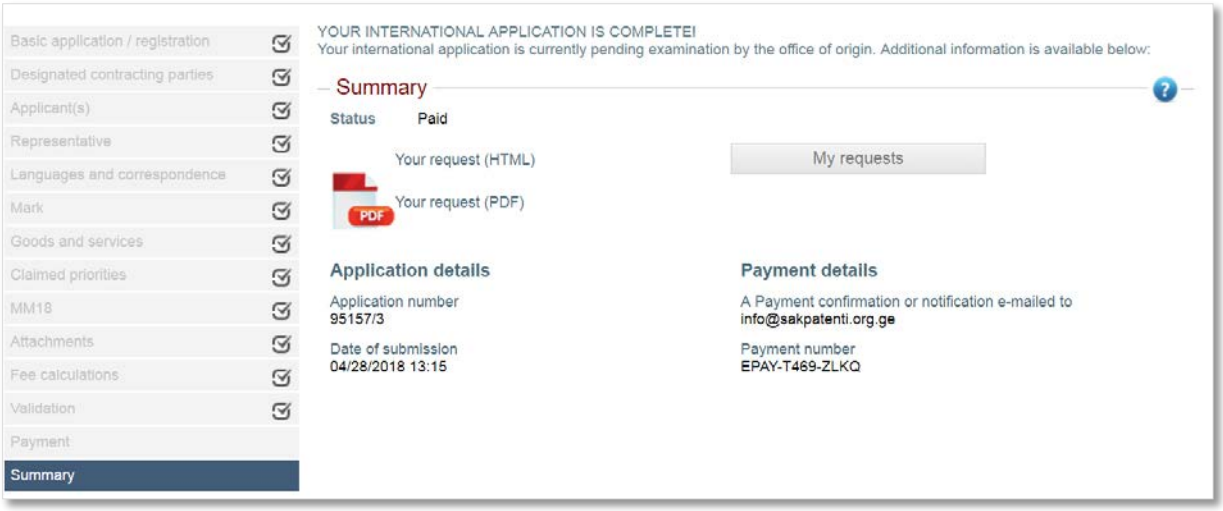
4.17 SUMMARY

Upon completion of the payment process, the 'Summary' screen displays. The Madrid eFiling services submits the international application to the office of origin.

The applicant receives a payment confirmation and submission email. Both emails include the relevant payment and application request details. The applicant can download a PDF copy of the international application.



Clicking the 'My requests' button returns the applicant to the request list screen. The status of the completed request has changed to 'Submitted to Office'.

Note: it is always possible to download a PDF copy of any filed IA request by clicking on the cog icon followed by clicking on 'Display request**'.**

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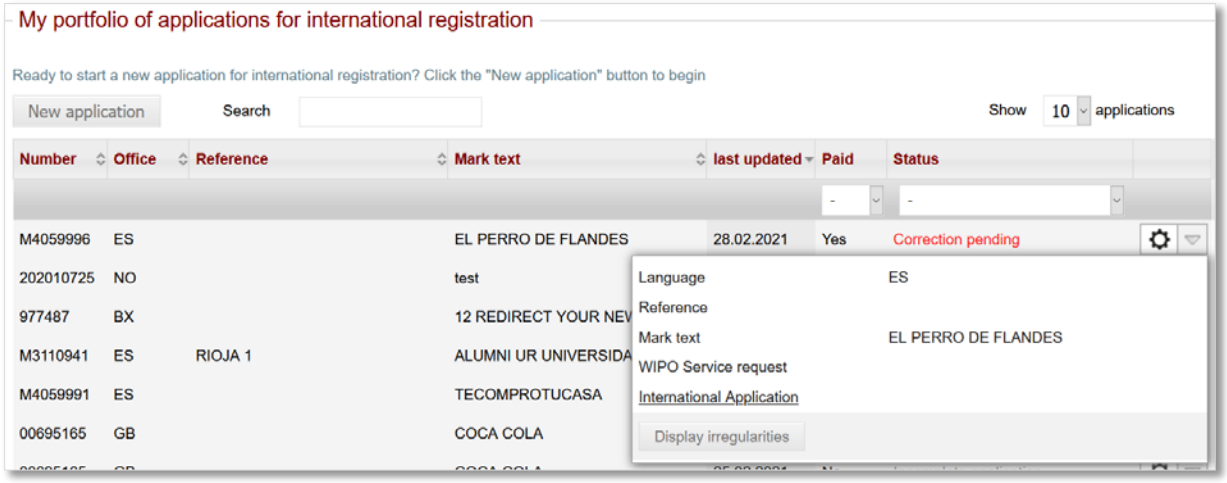
5. Irregularities

5.1 RESPONDING TO AN OFFICE CORRECTION

The applicant receives an email notification when the certifying office issues a pre-certification correction request. Using this email as a prompt, the applicant logs back into Madrid eFiling to review the IA request in question. To get started, the applicant filters the application status to 'Correction pending', clicks on the cog icon ⚙ to display the application details and clicks on the 'Display irregularities' button.



By default, the 'Validation' screen opens, where a summary of all raised irregularities are displayed.

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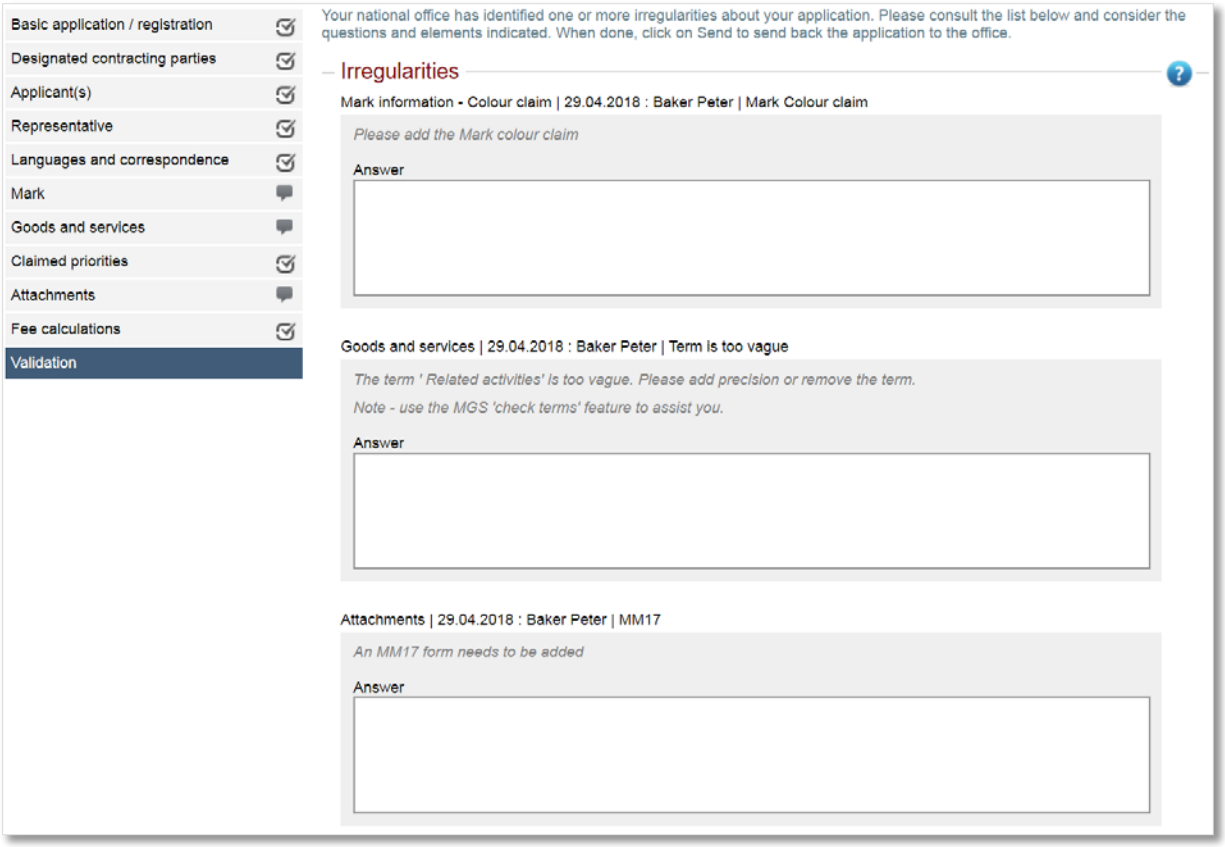

Navigating to each screen containing an irregularity (indicated by the) an applicant responds to each one accordingly. For example, the irregularity on the 'Mark' screen requires the applicant to add a color claim.

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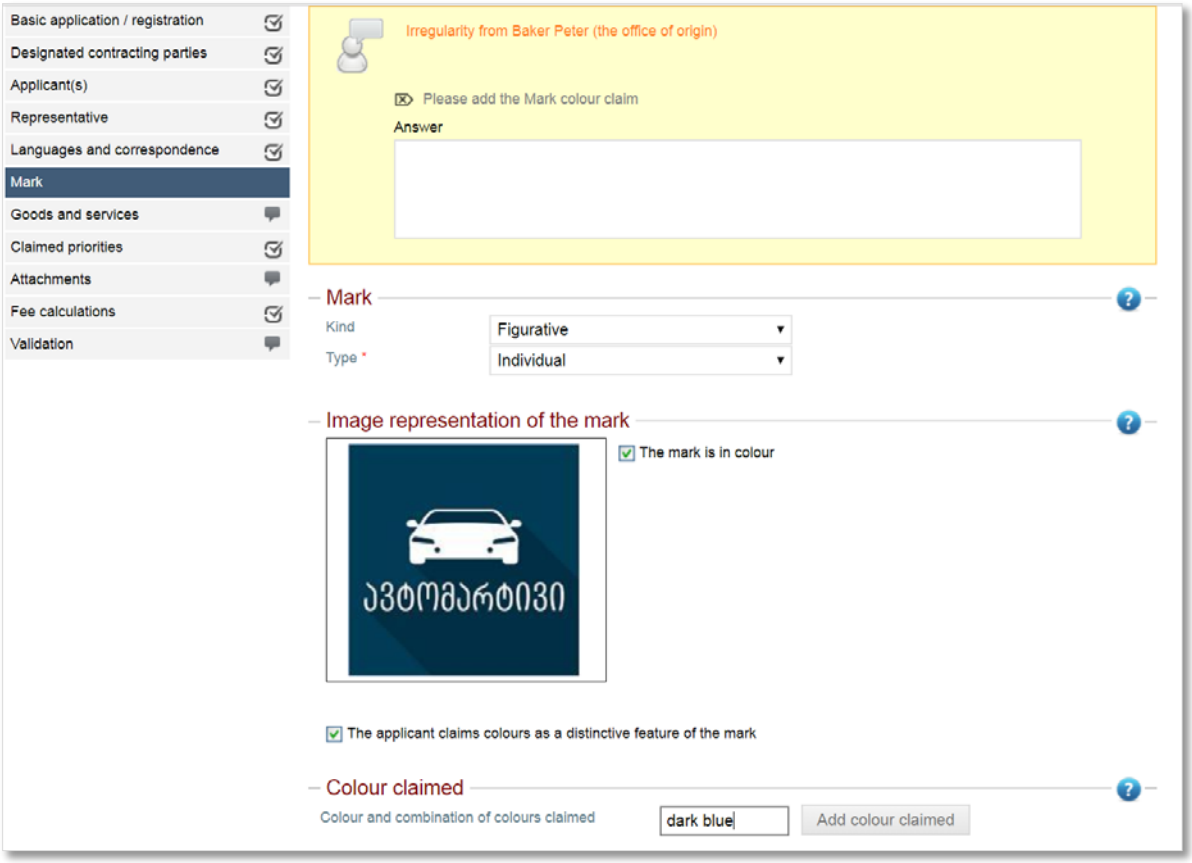

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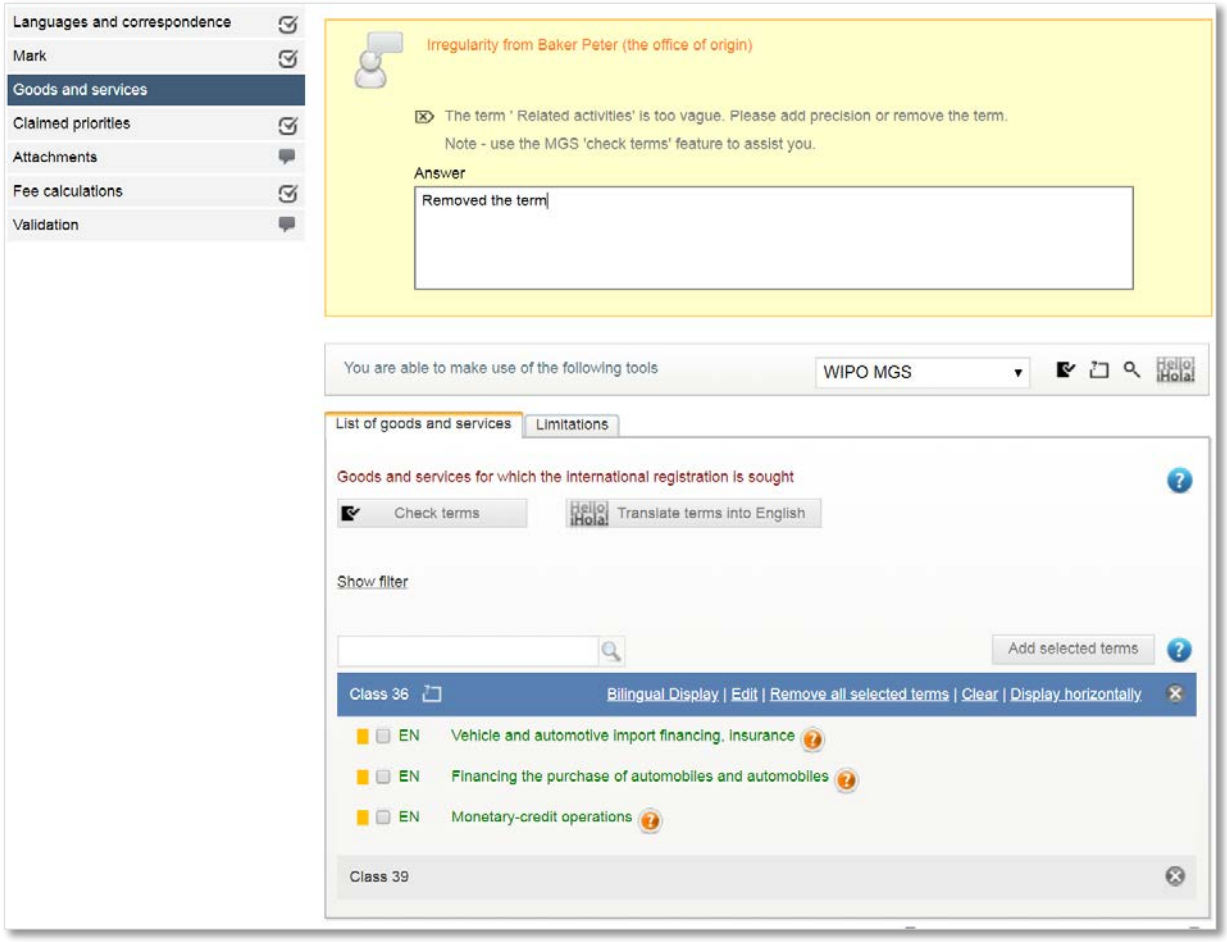
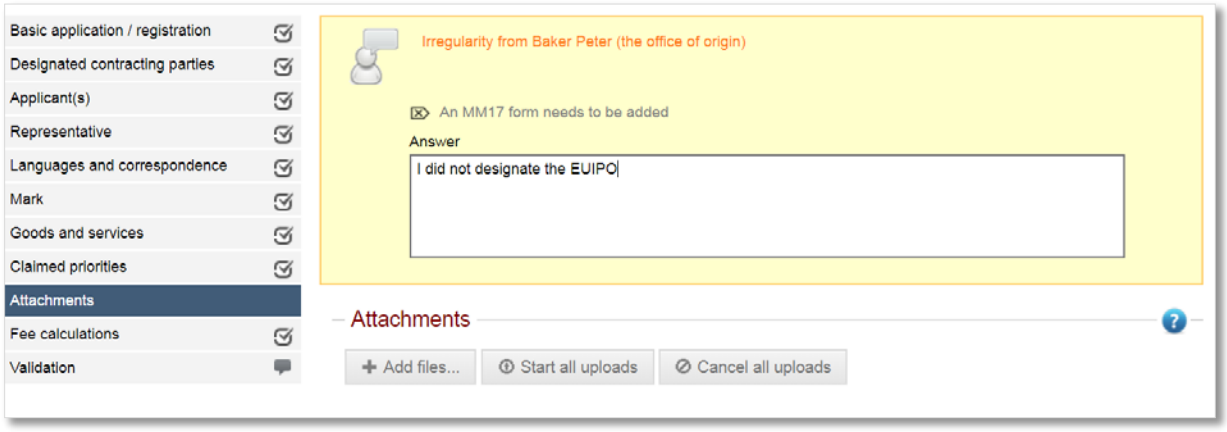
The irregularity on the ‘Goods and services’ screen requires a term in Class 36 to be adjusted.



The irregularity on the ‘Mark’ screen requires an answer from the applicant.



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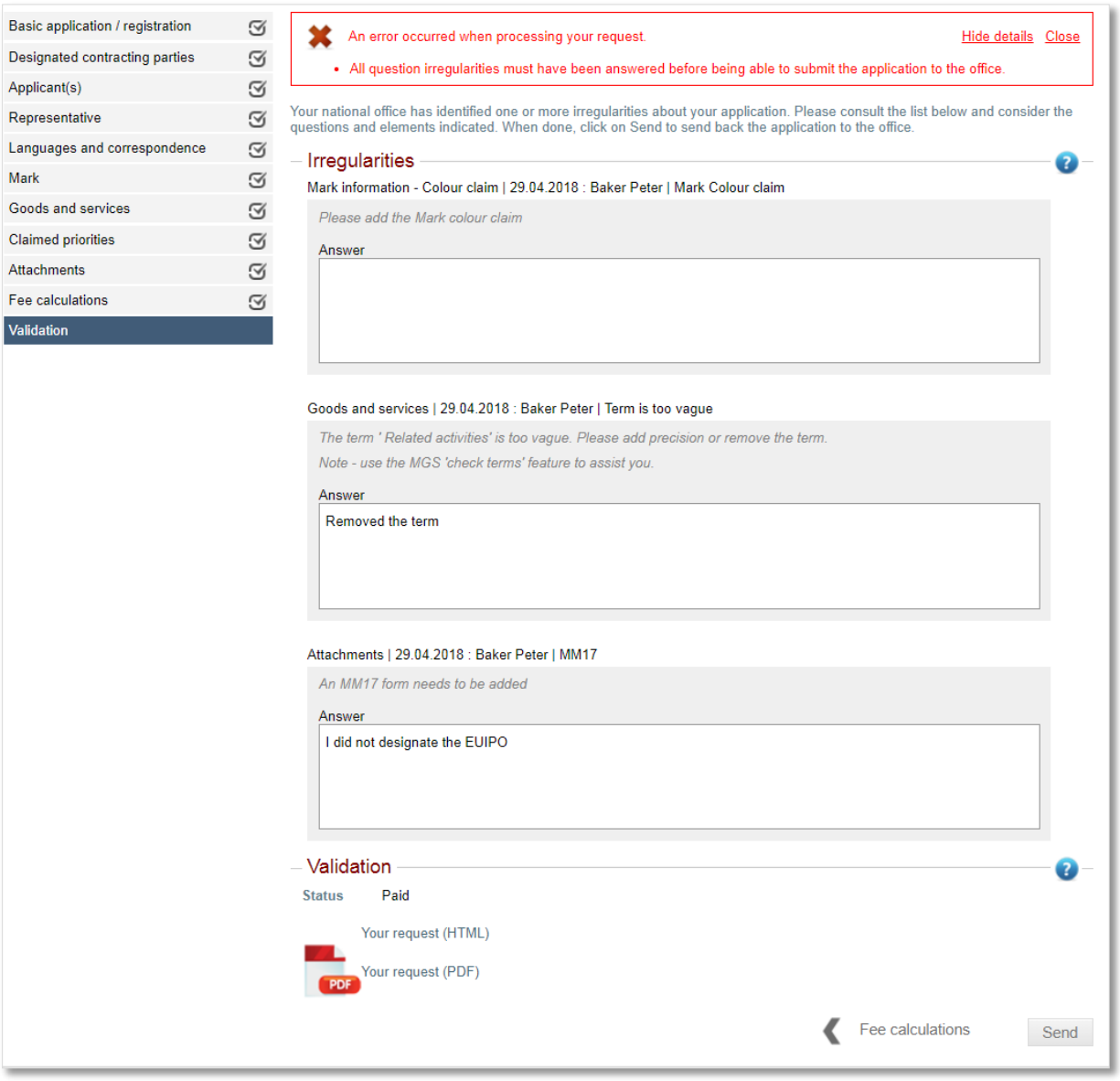
An applicant must respond to all the raised questions before returning it to the certifying office. Once complete, the applicant clicks the ‘Send’ button located in the bottom right-hand corner of the screen.



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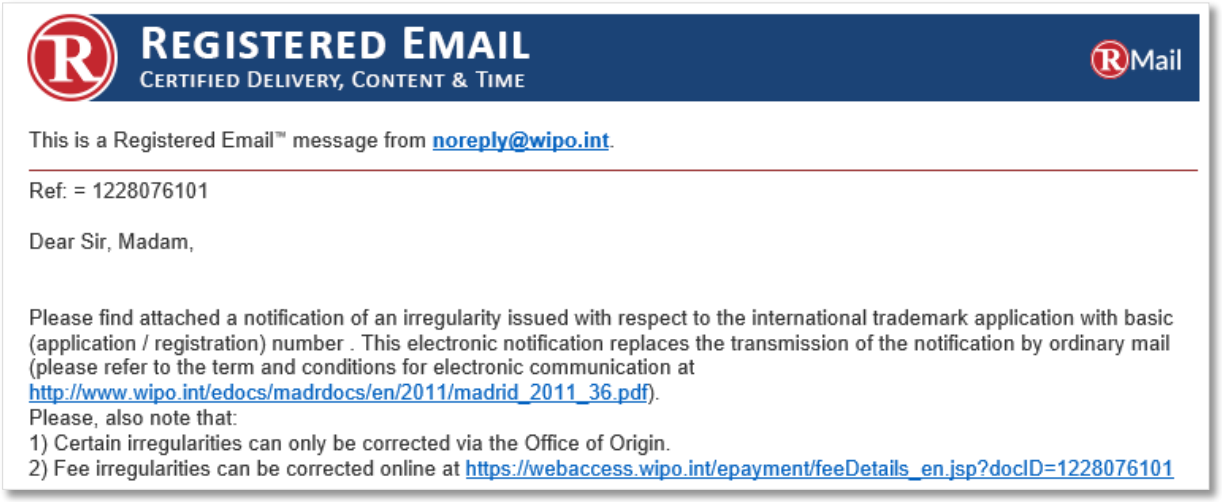
5.2 RESPONDING TO A WIPO IRREGULARITY

After a WIPO examiner raises and issues an irregularity, the applicant receives a copy of the irregularity via Registered Email. WIPO sends the registered email to the email address that the applicant entered when filing the international application request.



REGISTERED EMAIL
CERTIFIED DELIVERY, CONTENT & TIME
RMail

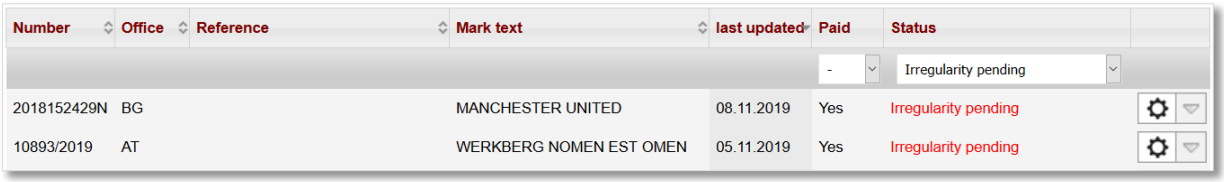
This is a Registered Email™ message from noreply@wipo.int.

Ref: = 1228076101

Dear Sir, Madam,

Please find attached a notification of an irregularity issued with respect to the international trademark application with basic (application / registration) number . This electronic notification replaces the transmission of the notification by ordinary mail (please refer to the term and conditions for electronic communication at http://www.wipo.int/edocs/madrdocs/en/2011/madrid_2011_36.pdf).
Please, also note that:
1) Certain irregularities can only be corrected via the Office of Origin.
2) Fee irregularities can be corrected online at https://webaccess.wipo.int/epayment/feeDetails_en.jsp?docID=1228076101

Concurrently, the status in Madrid eFiling changes from ‘WIPO Processing’ to ‘Irregularity Pending.’ It is the applicant, not the office, who first must review and respond to the WIPO irregularities by clicking on the application number.



Number	Office	Reference	Mark text	last updated	Paid	Status
					-	Irregularity pending
2018152429N	BG		MANCHESTER UNITED	08.11.2019	Yes	Irregularity pending
10893/2019	AT		WERKBERG NOMEN EST OMEN	05.11.2019	Yes	Irregularity pending

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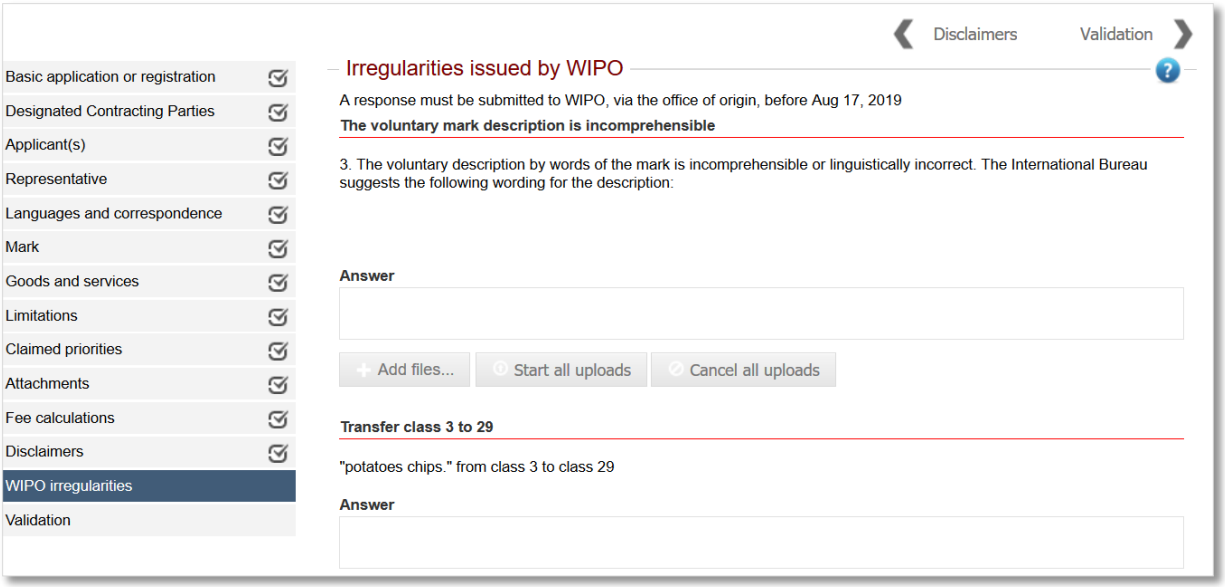
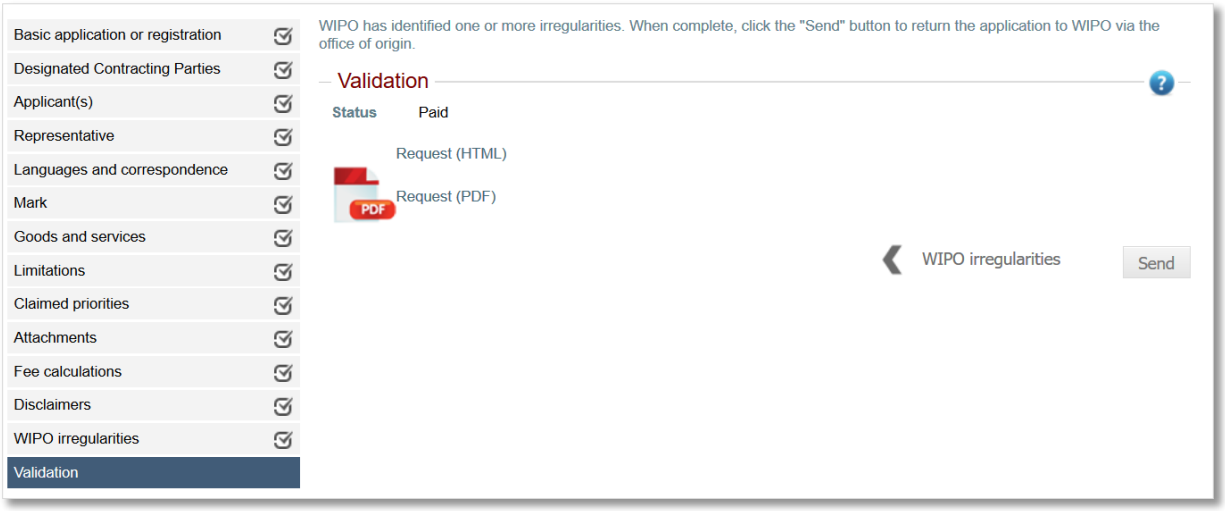
By clicking on the application number, the applicants is taken directly to the ‘WIPO irregularities’ screen. The applicant can respond to the irregularities by typing a response or uploading an attachment.



Once complete, the applicant navigates to the ‘Validation’ screen and submits the irregularity response to the certifying office.



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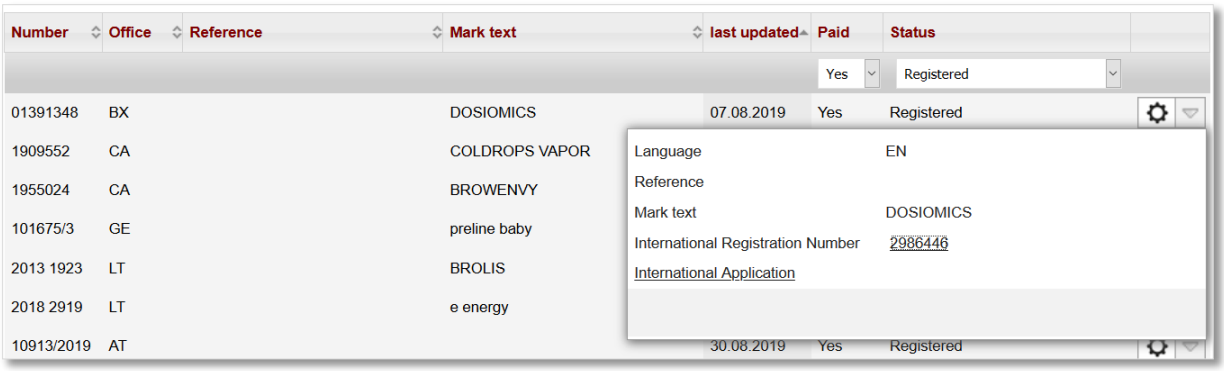
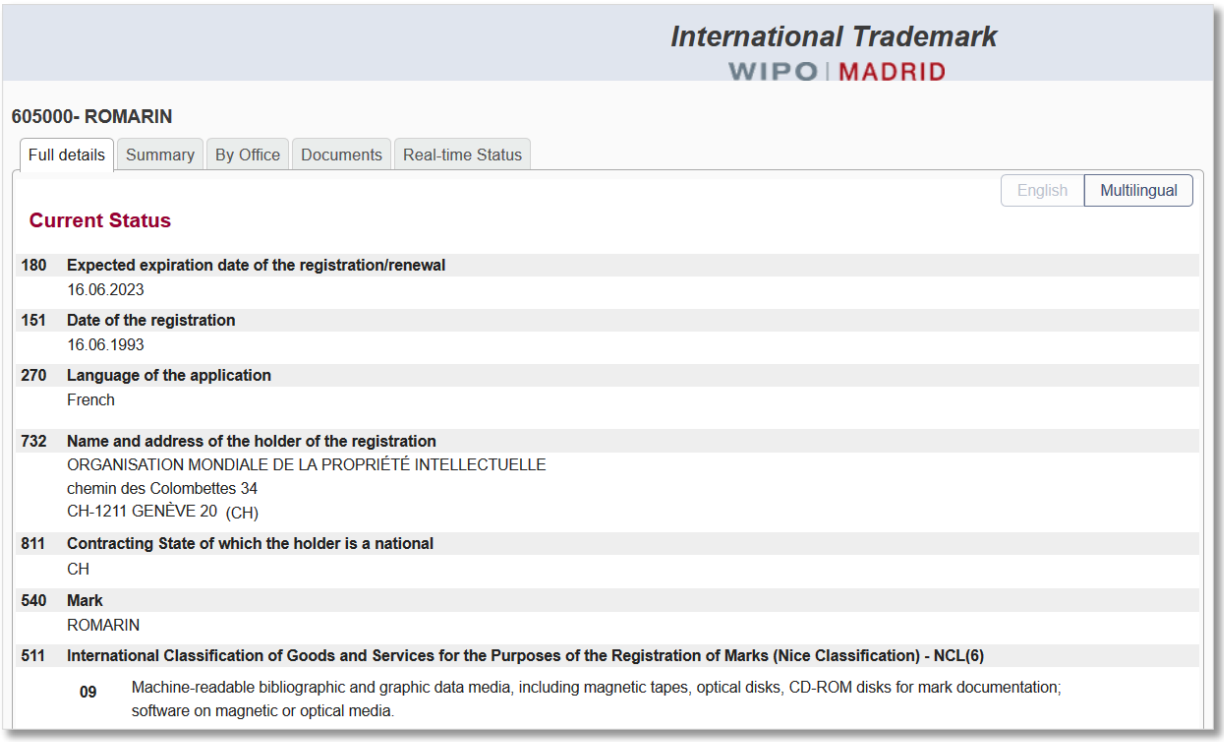
6. Registration

When the international application is registered, the status in Madrid eFiling changes from 'WIPO Processing' to 'Registered.' By clicking on the action wheel, the applicant finds the International Registration Number (IRN). Clicking on the IRN opens the Madrid Monitor in a new screen.





- End of document -

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