

General Information on International Registrations

What Is an International Registration?

An international registration is an administrative mechanism that enables a bundle of national applications to be obtained through one single registration. Each national application is examined at the national level and may stand or fall individually.

What Protection Does an International Registration Offer?

The international registration designates the countries in which protection is sought. In those countries, a trade mark registration will give protection in relation to the goods and services for which the mark is or will be used. There are 45 different possible classes of goods and services from which to choose protection for a mark.

Is There Any Pre-condition for Seeking an International Registration?

A mark must already have been registered, or the registration already applied for, in the country where the trade mark owner has its seat. If this base application/registration ceases (for whatever reason) within five years of the international registration having been obtained, the international registration will no longer be protected. After the expiry of five years the international registration becomes independent of the base registration.

Is Prior Use Necessary?

This will depend on the national laws of the designated countries.

What Is the Term of Protection?

This will depend on the national laws of each designated country. However, in most countries, trade marks are valid for a term of ten years from the filing date, renewable for consecutive terms of ten years.

What Is a Priority Claim?

An application may claim priority from an earlier national application provided the application is made within six months of the first national filing. This means that, if an application proceeds to registration, it will offer protection from the same date as the first national filing.

Who Can Oppose the Application?

The rights applied for cannot be the same as or similar to rights already granted to another trade mark owner. Owners of such earlier trade marks (whether registered or unregistered) and other interested third parties may oppose the applications on a national basis. There are various searching tools available, that can help identify prior rights.

INFORMATION AND DOCUMENTS REQUIRED FOR AN INTERNATIONAL APPLICATION

To prepare and file an application for an international registration, we need the following information:

- (a) A representation of the trade mark (identical to that in the base application/registration)
- (b) A clear description of the goods and services to which the mark relates
- (c) A statement as to the identity of the applicant, setting out its name, address and nationality
- (d) Where the applicant is a legal entity, the legal form of that entity, such as limited company or partnership, together with any trading names, and the name of the country (and state, where applicable) where the legal entity has been incorporated
- (e) Where a claim based on priority is to be made, the application number, country of filing and filing date of the priority mark

- (f) A copy of any priority application, certified by the trade mark office of the country of filing (which may be filed up to three months after the application)

ADVANTAGES OF AN INTERNATIONAL REGISTRATION

- The international registration mechanism provides a route for an applicant to obtain registrations in a large number of countries at lower cost and with less administration than if national applications were separately filed in each country.
- It is now also possible to designate the European Community in your international registration. This has the same effect as applying for a Community Trade Mark (CTM). For further information, please consult our “General Information on Community Trade Marks” supplement.
- Applicants file one application, in one language, instead of filing separately in different languages in the trademark offices of the various designated countries.
- There is no need to wait for the Office of each designated country to take a positive decision to register the mark; if an applicant is not notified of a refusal within the applicable time limit, the mark is protected in that country.
- Changes subsequent to registration, such as change of name, address, owner, or limitation of the list of goods and services, may be recorded with effect for the requisite designated countries through a single procedural step and the payment of a single fee.
- There is only one expiry date and only one registration to renew.

International Registrations

| | Professional Fees ¹ | | Official Fees ² |
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| | £ | € | |
| Initial trade mark strategy advice | 325 | 500 | Not applicable |
| Preparation and filing of application | Quote available on request (prices starting at 650) | Quote available on request (prices starting at 1000) | 653 Swiss Francs per application (includes up to three classes of goods or services) |
| Additional fees for more than three classes | Quote available on request | | 73 Swiss Francs per additional class |
| Country designation at time of filing international registration – either Standard or Individual | Quote available on request | | 73 Swiss Francs per standard designation Individual designation fees may be fixed by the country concerned |
| Country designation subsequent to international registration – either Standard or Individual | Quote available on request | | 300 Swiss Francs plus 73 Swiss Francs per standard designation Individual designation fees may be fixed by the country concerned |
| Filing/registration fee for each designated country | Not applicable | | These amounts vary for each country; we can provide specific amounts on request |
| Prosecution | Hourly rates apply | | Not applicable |

All official fees and professional fees are exclusive of VAT (if applicable). Standard service charges include charges for the completion of official forms. Preparation of any other document is charged at an hourly rate.