

Madrid Protocol International System of Trade Mark Registration Grows in 2010

1. New Members

1.1 Further to our previous PageStop¹ the number of member states of the Madrid Protocol continues to grow. This ongoing expansion will be to the benefit of brand owners.

1.2 It has now been confirmed that India has passed legislation to ratify the Madrid Protocol. Accordingly, brand owners will soon be able to designate India in newly filed international applications, or seek to extend the protection of existing registrations to India by way of a subsequent designation. The implementation of this relatively cost effective means for obtaining trade mark protection in India will be widely welcomed, given its status as one of the world's pre-eminent engines of economic growth.

1.3 In addition, Israel became a member of the Madrid Protocol from 1 September 2010. Furthermore, legislation paving the way for New Zealand to join the Madrid Protocol system has been passed and it is anticipated that the country will be officially signed up before the end of the year. The accession of New Zealand will be good for brand owners with operations in Australasia and will remove one of the anomalies of the system identified in our earlier article.

1.4 **Figure 1** on page 2 shows a map illustrating the existing member states of the Madrid Protocol and these three countries as prospective member states.

2. Likely additional members in 2011

2.1 At present, it is notable that no South American countries are members of the Madrid Protocol. However, the governments of Argentina, Brazil and Colombia are understood to be working on legislation to ratify it. It is hoped that they will become members during 2011 and that other South American countries will adopt similar legislation thereafter. Thus, in future the process of obtaining trade mark registrations in at least some South American countries may be quicker than it typically is at present.

¹ [January 2010 PageStop](#)

3. Practice Points

3.1 Brand owners may wish to review their trade mark portfolios to consider whether Indian, Israeli or New Zealand designations under the Madrid Protocol would serve their commercial interests. This may be especially beneficial in respect of India, given its growing importance in the global economy.

3.2 An up to date list of Madrid Protocol members is available [online](#). For further details about the Madrid Protocol system of registration and global management of your trade mark interests, please contact HLBBshaw.

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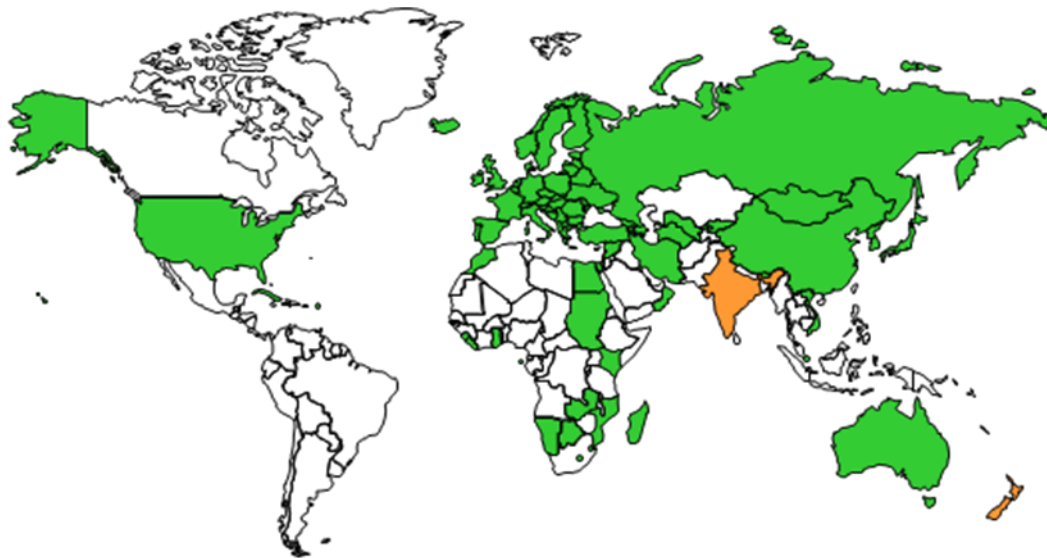
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Figure 1



- Contracting Parties – Madrid Protocol (August 2010)
- Countries about to become Contracting Parties – India, Israel and New Zealand