

**COMMON REGULATIONS UNDER THE MADRID AGREEMENT CONCERNING
THE INTERNATIONAL REGISTRATION OF MARKS AND THE PROTOCOL
RELATING TO THAT AGREEMENT**

(as in force on February 1, 2020)

REGULATIONS UNDER THE PROTOCOL RELATING TO THE MADRID AGREEMENT
CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS

[...]

CHAPTER 1
GENERAL PROVISIONS

Rule 1
Abbreviated Expressions

For the purposes of these Regulations,

[...]

(iii) “Contracting Party” means any State or intergovernmental organization party to the Protocol;

[...]

(vii) “international application” means an application for international registration filed under the Protocol;

(viii) [Deleted]

(ix) [Deleted]

(x) [Deleted]

[...]

(xv) “designation” means the request for extension of protection (“territorial extension”) under Article 3^{ter}(1) or (2) of the Protocol, it also means such extension as recorded in the International Register;

(xvi) “designated Contracting Party” means a Contracting Party for which the extension of protection (“territorial extension”) has been requested under Article 3^{ter}(1) or (2) of the Protocol, or in respect of which such extension has been recorded in the International Register;

(xvii) [Deleted]

(xviii) [Deleted]

(xix) “notification of provisional refusal” means a declaration by the Office of a designated Contracting Party, in accordance with Article 5(1) of the Protocol;

[...]

(xxiv) “International Register” means the official collection of data concerning international registrations maintained by the International Bureau, which data the Protocol or the Regulations require or permit to be recorded, irrespective of the medium in which such data are stored;

(xxv) “Office” means the Office of a Contracting Party in charge of the registration of marks, or the common Office referred to in Article 9^{quater} of the Protocol;

(xxvi) “Office of origin” means the Office of origin defined in Article 2(2) of the Protocol;

(xxvibis) “Contracting Party of the holder” means

- the Contracting Party whose Office is the Office of origin, or
- where a change of ownership has been recorded or in the case of State succession, the Contracting Party, or one of the Contracting Parties, in

respect of which the holder fulfills the conditions under Article 2 of the Protocol, to be the holder of an international registration;

[...]

Rule 1bis
[Deleted]

Rule 2
Communication With the International Bureau

[...]

Rule 3
Representation Before the International Bureau

[...]

(3) *[Irregular Appointment]*

[...]

(b) As long as the relevant requirements under paragraph (2) are not complied with, the International Bureau shall send all relevant communications to the applicant or holder but not to the purported representative.

[...]

Rule 5
Irregularities in Postal and Delivery Services
and in Communications Sent Electronically

[...]

(5) *[International Application and Subsequent Designation]* Where the International Bureau receives an international application or a subsequent designation beyond the two-month period referred to in Article 3(4) of the Protocol and in Rule 24(6)(b), and the Office concerned indicates that the late receipt resulted from circumstances referred to in paragraph (1), (2) or (3), paragraph (1), (2) or (3) and paragraph (4) shall apply.

[...]

Rule 7
Notification of Certain Special Requirements

[...]

(2) *[Intention to Use the Mark]* Where a Contracting Party requires, as a designated Contracting Party, a declaration of intention to use the mark, it shall notify that requirement to the Director General. Where that Contracting Party requires the declaration to be signed personally by the applicant and to be made on a separate official form annexed to the international application, the notification shall contain a statement to that effect and shall specify the exact wording of the

required declaration. Where the Contracting Party further requires the declaration to be in English, French or Spanish, the notification shall specify the required language.

[...]

CHAPTER 2 INTERNATIONAL APPLICATIONS

Rule 8 Several Applicants

(1) [Deleted]

(2) *[Two or More Applicants]* Two or more applicants may jointly file an international application if the basic application was jointly filed by them or the basic registration is jointly owned by them, and if each of them qualifies, in relation to the Contracting Party whose Office is the Office of origin, for filing an international application under Article 2(1) of the Protocol.

Rule 9 Requirements Concerning the International Application

[...]

(2) *[Form and Signature]*

(a) The international application shall be presented on the official form.

[...]

(5) *[Additional Contents of the International Application]*

(a) [Deleted]

(b) The international application shall contain the number and date of the basic application or basic registration and shall indicate one or more of the following:

[...]

(d) The international application shall contain a declaration by the Office of origin certifying
(i) the date on which the Office of origin received the request by the applicant to present the international application to the International Bureau,

[...]

(f) [...]

(i) be personally signed by the applicant and be made on a separate official form annexed to the international application, or

[...]

Rule 10
Fees Concerning the International Application

(1) [Deleted]

(2) *[Payable Fees]* The international application shall be subject to the payment of the basic fee, the complementary fee and/or the individual fee and, where applicable, the supplementary fee, specified or referred to in item 2 of the Schedule of Fees. Those fees shall be paid for ten years.

(3) [Deleted]

Rule 11
Irregularities Other Than Those Concerning
the Classification of Goods and Services
or Their Indication

(1) [Deleted]

[...]

(5) *[Reimbursement of Fees]* Where, in accordance with paragraphs (2)(b), (3) or (4)(b), the international application is considered abandoned, the International Bureau shall refund any fees paid in respect of that application, after deduction of an amount corresponding to one-half of the basic fee referred to in item 2.1.1 of the Schedule of Fees, to the party having paid those fees.

(6) *[Other Irregularity With Respect to the Designation of a Contracting Party]* (a) [...]

[...]

Rule 12
Irregularities With Respect to the
Classification of Goods and Services

[...]

(8) *[Reimbursement of Fees]* Where, in accordance with paragraph (7), the international application is considered abandoned, the International Bureau shall refund any fees paid in respect of that application, after deduction of an amount corresponding to one-half of the basic fee referred to in item 2.1.1 of the Schedule of Fees, to the party having paid those fees.

[...]

CHAPTER 3
INTERNATIONAL REGISTRATIONS

Rule 14
Registration of the Mark in the International Register

[...]

(2) *[Contents of the Registration]*

[...]

(v) [Deleted]

[...]

Rule 15

Date of the International Registration

(1) *[Irregularities Affecting the Date of the International Registration]* Where the international application received by the International Bureau does not contain all of the following elements:

- (i) indications allowing the identity of the applicant to be established and sufficient to contact the applicant or the representative, if any,

[...]

the international registration shall bear the date on which the last of the missing elements reached the International Bureau, provided that, where the last of the missing elements reaches the International Bureau within the two-month time limit referred to in Article 3(4) of the Protocol, the international registration shall bear the date on which the defective international application was received by the Office of origin.

(2) *[Date of the International Registration in Other Cases]* In any other case, the international registration shall bear the date determined in accordance with Article 3(4) of the Protocol.

CHAPTER 4

FACTS IN CONTRACTING PARTIES AFFECTING INTERNATIONAL REGISTRATIONS

[...]

Rule 18

Irregular Notifications of Provisional Refusal

(1) *[General]*

- (a) A notification of provisional refusal communicated by the Office of a designated Contracting Party shall not be regarded as such by the International Bureau

[...]

- (iii) if it is sent too late to the International Bureau, that is, if it is sent after the expiry of the time limit applicable under Article 5(2)(a) or, subject to Article 9*sexies*(1)(b) of the Protocol, under Article 5(2)(b) or (c)(ii) of the Protocol, from the date on which the recording of the international registration or the recording of the designation made subsequently to the international registration has been effected, it being understood that the said date is the same as the date of sending the notification of the international registration or of the designation made subsequently.

[...]

- (d) Where the notification does not comply with the requirements of Rule 17(2)(vii), the provisional refusal shall not be recorded in the International Register. If however a rectified notification is sent within the time limit referred to in subparagraph (c), it shall be regarded, for the purposes of Article 5 of the Protocol, as having been sent to the International Bureau

on the date on which the defective notification had been sent to it. If the notification is not so rectified, it shall not be regarded as a notification of provisional refusal. In the latter case, the International Bureau shall inform, at the same time, the holder and the Office that sent the notification that the notification of provisional refusal is not regarded as such by the International Bureau, and shall indicate the reasons therefor.

[...]

(2) *[Notification of Provisional Refusal Made Under Article 5(2)(c) of the Protocol]*
(a) [Deleted]

[...]

Rule 18bis
Interim Status of a Mark in a Designated Contracting Party

(1) *[Ex Officio Examination Completed but Opposition or Observations by Third Parties Still Possible]*

(a) An Office which has not communicated a notification of provisional refusal may, within the period applicable under Article 5(2)(a) or (b) of the Protocol, send to the International Bureau a statement to the effect that the *ex officio* examination has been completed and that the Office has found no grounds for refusal but that the protection of the mark is still subject to opposition or observations by third parties, with an indication of the date by which such oppositions or observations may be filed².

[...]

Rule 18ter
Final Disposition on Status of a Mark in a Designated Contracting Party

(1) *[Statement of Grant of Protection Where No Notification of Provisional Refusal Has Been Communicated]*³ When, before the expiry of the period applicable under Article 5(2)(a), (b) or (c) of the Protocol, all procedures before an Office have been completed and there is no ground for that Office to refuse protection, that Office shall, as soon as possible and before the expiry of that period, send to the International Bureau a statement to the effect that protection is granted to the mark that is the subject of the international registration in the Contracting Party concerned⁴.

[...]

(4) *[Further Decision]* Where a notification of provisional refusal has not been sent within the applicable time limit under Article 5(2) of the Protocol, or, where following the sending of a statement under paragraph (1), (2) or (3), a further decision, taken by the Office or other authority, affects the protection of the mark, the Office shall, to the extent that it is aware of that

² Interpretative statement endorsed by the Assembly of the Madrid Union:

“The references in Rule 18bis to observations by third parties apply only to those Contracting Parties whose legislation provides for such observations.”

³ In adopting this provision, the Assembly of the Madrid Union understood that a statement of grant of protection could concern several international registrations and take the form of a list, communicated electronically or on paper, that permits identification of these international registrations.

⁴ In adopting paragraphs (1) and (2) of this rule, the Assembly of the Madrid Union understood that where Rule 34(3) applies, the grant of protection will be subject to the payment of the second part of the fee.

decision, without prejudice to Rule 19, send to the International Bureau a further statement indicating the status of the mark and, where applicable, the goods and services for which the mark is protected in the Contracting Party concerned⁵.

[...]

Rule 19
Invalidations in Designated Contracting Parties

(1) [*Contents of the Notification of Invalidation*] Where the effects of an international registration are invalidated in a designated Contracting Party under Article 5(6) of the Protocol and the invalidation is no longer subject to appeal, the Office of the Contracting Party whose competent authority has pronounced the invalidation shall notify the International Bureau accordingly. The notification shall contain or indicate

[...]

Rule 20bis
Licenses

[...]

(6) [*Declaration That the Recording of Licenses in the International Register Has No Effect in a Contracting Party*]

[...]

(b) The Office of a Contracting Party the law of which provides for the recording of trademark licenses may, before the date on which this Rule comes into force or the date on which the said Contracting Party becomes bound by the Protocol, notify the Director General that the recording of licenses in the International Register has no effect in that Contracting Party. Such notification may be withdrawn at any time⁷.

Rule 21
*Replacement of a National or Regional Registration
by an International Registration*

(1) [*Notification*] Where, in accordance with Article 4bis(2) of the Protocol, the Office of a designated Contracting Party has taken note in its Register, following a request made direct by the holder with that Office, that a national or a regional registration has been replaced by an international registration, that Office shall notify the International Bureau accordingly. Such notification shall indicate

⁵ Interpretative statement endorsed by the Assembly of the Madrid Union:

“The reference in Rule 18ter(4) to a further decision that affects the protection of the mark includes also the case where that further decision is taken by the Office, for example in the case of *restitutio in integrum*, notwithstanding the fact that the Office has already stated that the procedures before the Office have been completed.”

⁷ Interpretative statement endorsed by the Assembly of the Madrid Union:

“Subparagraph (a) of Rule 20bis(6) deals with the case of a notification by a Contracting Party whose law does not provide for the recording of trademark licenses; such a notification may be made at any time; subparagraph (b) on the other hand deals with the case of a notification by a Contracting Party whose law does provide for the recording of trademark licenses but which is unable at present to give effect to the recording of a license in the International Register; this latter notification, which may be withdrawn at any time, may only be made before this Rule has come into force or before the Contracting Party has become bound by the Agreement or the Protocol.”

[...]

Rule 22
Ceasing of Effect of the Basic Application,
of the Registration Resulting Therefrom,
or of the Basic Registration

(1) *[Notification Relating to Ceasing of Effect of the Basic Application, of the Registration Resulting Therefrom, or of the Basic Registration]*

(a) Where Article 6(3) and (4) of the Protocol apply, the Office of origin shall notify the International Bureau accordingly and shall indicate

[...]

(b) Where a proceeding referred to in item (i), (ii) or (iii) of Article 6(3) of the Protocol began before the expiry of the five-year period but has not, before the expiry of that period, resulted in the final decision referred to in the second sentence of Article 6(3) of the Protocol or in the withdrawal or renunciation referred to in the third sentence of Article 6(3) of the Protocol, the Office of origin shall, where it is aware thereof and as soon as possible after the expiry of the said period, notify the International Bureau accordingly.

(c) Once the proceeding referred to in subparagraph (b) has resulted in the final decision referred to in the second sentence of Article 6(3) of the Protocol or in the withdrawal or renunciation referred to in the third sentence of Article 6(3) of the Protocol, the Office of origin shall, where it is aware thereof, promptly notify the International Bureau accordingly and shall give the indications referred to in subparagraph (a)(i) to (iv). Where the judicial action or proceedings referred to in subparagraph (b) has been completed and has not resulted in any of the aforesaid final decisions, withdrawal or renunciation, the Office of origin shall, where it is aware thereof or at the request of the holder, promptly notify the International Bureau accordingly.

[...]

Rule 23
Division or Merger of the Basic Applications,
of the Registrations Resulting Therefrom,
or of the Basic Registrations

[...]

(3) *[Division or Merger of Registrations Resulting From Basic Applications or of Basic Registrations]* Paragraphs (1) and (2) shall apply, *mutatis mutandis*, to the division of any registration or merger of any registrations which resulted from the basic application or applications during the five-year period referred to in Article 6(3) of the Protocol and to the division of the basic registration or merger of the basic registrations during the five-year period referred to in Article 6(3) of the Protocol.

Rule 23bis
Communications From the Offices of the
Designated Contracting Parties Sent Through
the International Bureau

(1) *[Communications Not Covered by These Regulations]* [...]

[...]

(3) *[Transmission to the Holder]* [...]

CHAPTER 5 SUBSEQUENT DESIGNATIONS; CHANGES

Rule 24

Designation Subsequent to the International Registration

(1) *[Entitlement]*

(a) A Contracting Party may be the subject of a designation made subsequent to the international registration (hereinafter referred to as “subsequent designation”) where, at the time of that designation, the holder fulfills the conditions under Article 2 of the Protocol to be the holder of an international registration.

(b) [Deleted]

(c) [Deleted]

(2) *[Presentation; Form and Signature]*

(a) [...]

(ii) [Deleted]

[...]

(b) The subsequent designation shall be presented on the official form. Where it is presented by the holder, it shall be signed by the holder. Where it is presented by an Office, it shall be signed by that Office and, where the Office so requires, also by the holder. Where it is presented by an Office and that Office, without requiring that the holder also sign it, allows that the holder also sign it, the holder may do so.

(3) *[Contents]*

[...]

(b) [...]

(i) be personally signed by the holder and be made on a separate official form annexed to the subsequent designation, or

[...]

(d) [Deleted]

[...]

(5) *[Irregularities]*

[...]

- (c) Notwithstanding subparagraphs (a) and (b), where the requirements of paragraph (3)(b)(i) are not complied with in respect of one or more of the designated Contracting Parties, the subsequent designation shall be deemed not to contain the designation of those Contracting Parties, and any complementary or individual fees already paid in respect of those Contracting Parties shall be reimbursed. Where the requirements of paragraph (3)(b)(i) are complied with in respect of none of the designated Contracting Parties, subparagraph (b) shall apply.

[...]

(7) *[Subsequent Designation Resulting From Conversion]*

- (a) Where the designation of a Contracting Organization has been recorded in the International Register and to the extent that such designation has been withdrawn, refused or has ceased to have effect under the law of that Organization, the holder of the international registration concerned may request the conversion of the designation of the said Contracting Organization into the designation of any Member State of that Organization which is party to the Protocol.

[...]

Rule 25
Request for Recording

(1) *[Presentation of the Request]*

- (a) A request for recording shall be presented to the International Bureau on the relevant official form where the request relates to any of the following:

[...]

- (b) The request shall be presented by the holder or by the Office of the Contracting Party of the holder; however, the request for the recording of a change in ownership may be presented through the Office of the Contracting Party, or of one of the Contracting Parties, indicated in the said request in accordance with paragraph (2)(a)(iv).

- (c) [Deleted]

[...]

(2) *[Contents of the Request]*

- (a) [...]

[...]

- (iv) in the case of a change in the ownership of the international registration, the Contracting Party or Parties in respect of which the transferee fulfills the conditions under Article 2 of the Protocol to be the holder of an international registration,

- (v) in the case of a change in the ownership of the international registration, where the address of the transferee given in accordance with item (iii) is not in the territory of the Contracting Party, or of one of the Contracting Parties, given in accordance with item (iv), and unless the transferee has indicated to be a national of a Contracting State or of a State member of a Contracting Organization, the address of the establishment, or the domicile, of the transferee in the Contracting Party, or in one of the Contracting Parties, in respect of which the transferee fulfills the conditions to be the holder of an international registration,

[...]

(3) [Deleted]
[...]

Rule 26
Irregularities in Requests for Recording Under Rule 25

[...]

(3) *[Requests Not Considered as Such]* If the requirements of Rule 25(1)(b) are not complied with, the request shall not be considered as such and the International Bureau shall inform the sender accordingly.

Rule 27
Recording and Notification With Respect to Rule 25;
Declaration That a Change in Ownership or a Limitation Has No Effect

- (1) *[Recording and Notification]*
- (a) The International Bureau shall, provided that the request referred to in Rule 25(1)(a) is in order, promptly record the indications, the change or the cancellation in the International Register, shall notify accordingly the Offices of the designated Contracting Parties in which the recording has effect or, in the case of a cancellation, the Offices of all the designated Contracting Parties, and shall inform at the same time the holder and, if the request was presented by an Office, that Office. Where the recording relates to a change in ownership, the International Bureau shall also inform the former holder in the case of a total change in ownership and the holder of the part of the international registration which has been assigned or otherwise transferred in the case of a partial change in ownership. Where the request for the recording of a cancellation was presented by the holder or by an Office other than the Office of origin during the five-year period referred to in Article 6(3) of the Protocol, the International Bureau shall also inform the Office of origin.

[...]

Rule 27bis
Division of an International Registration

[...]

(6) *[Declaration That a Contracting Party Will Not Present Requests for Division]* A Contracting Party, the law of which does not provide for division of applications for the registration of a mark or registrations of a mark, may notify the Director General, before the date this Rule comes into force or the date on which the said Contracting Party becomes bound by the Protocol, that it will not present to the International Bureau the request referred to in paragraph (1). This declaration may be withdrawn at any time.

Rule 27ter
Merger of International Registrations

[...]

(2) *[Merger of International Registrations Resulting From the Recording of the Division of an International Registration]*

[...]

- (b) The Office of a Contracting Party, the law of which does not provide for the merger of registrations of a mark, may notify the Director General, before the date this Rule comes into force or the date on which the said Contracting Party becomes bound by the Protocol, that it will not present to the International Bureau the request referred to in subparagraph (a). This declaration may be withdrawn at any time.

Rule 28

Corrections in the International Register

[...]

(3) *[Refusal Following a Correction]* Any Office referred to in paragraph (2) shall have the right to declare in a notification of provisional refusal addressed to the International Bureau that it considers that protection cannot, or can no longer, be granted to the international registration as corrected. Article 5 of the Protocol and Rules 16 to 18^{ter} shall apply *mutatis mutandis*, it being understood that the period allowed for sending the said notification shall be counted from the date of sending the notification of the correction to the Office concerned.

[...]

CHAPTER 6
RENEWALS

Rule 29

Unofficial Notice of Expiry

The fact that the unofficial notice referred to in Article 7(3) of the Protocol is not received shall not constitute an excuse for failure to comply with any time limit under Rule 30.

Rule 30

Details Concerning Renewal

[...]

(2) *[Further Details]*

[...]

(e) The fact that the international registration is not renewed under subparagraph (d) in respect of all the goods and services concerned, shall not be considered to constitute a change for the purposes of Article 7(2) of the Protocol. The fact that the international registration is not renewed in respect of all of the designated Contracting Parties shall not be considered to constitute a change for the purposes of Article 7(2) of the Protocol.

[...]

(4) *[Period for Which Renewal Fees Are Paid]* The fees required for each renewal shall be paid for ten years.

Rule 31

Recording of the Renewal; Notification and Certificate

(1) *[Recording and Effective Date of the Renewal]* Renewal shall be recorded in the International Register with the date on which renewal was due, even if the fees required for renewal are paid within the period of grace referred to in Article 7(4) of the Protocol.

[...]

CHAPTER 7 GAZETTE AND DATA BASE

Rule 32 Gazette

(1) *[Information Concerning International Registrations]*

(a) [...]

[...]

(xi) information recorded under Rules 20, 20*bis*, 21, 21*bis*, 22(2)(a), 23 and 27(4);

[...]

(3) *[Publications on the Website]* The International Bureau shall effect the publications under paragraphs (1) and (2) on the website of the World Intellectual Property Organization.

[...]

CHAPTER 8 FEES

Rule 34 Amounts and Payment of Fees

(1) *[Amounts of Fees]* The amounts of fees due under the Protocol or these Regulations, other than individual fees, are specified in the Schedule of Fees that is annexed to these Regulations and forms an integral part thereof.

[...]

(3) *[Individual Fee Payable in Two Parts]*

[...]

(b) Where subparagraph (a) applies, the references in items 2 and 5 of the Schedule of Fees to an individual fee shall be construed as references to the first part of the individual fee.

[...]

(7) *[Change in the Amount of the Fees]*

(a) Where the amount of the fees payable in respect of the filing of an international application is changed between, on the one hand, the date on which the request to present the international application to the International Bureau is received by the Office of origin and, on the other hand, the date of the receipt of the international application by the International Bureau, the fee that was valid on the first date shall be applicable.

[...]

Rule 36
Exemption From Fees

Recording of the following shall be exempt from fees:

[...]

(vi) any request by an Office under Article 6(4), first sentence, of the Protocol,

[...]

Rule 37
Distribution of Supplementary Fees
and Complementary Fees

(1) The coefficient referred to in Article 8(5) and (6) of the Protocol shall be as follows:

[...]

CHAPTER 9
MISCELLANEOUS

Rule 39
Continuation of Effects of International Registrations
in Certain Successor States

(1) Where any State (“the successor State”) whose territory was, before the independence of that State, part of the territory of a Contracting Party (“the predecessor Contracting Party”) has deposited with the Director General a declaration of continuation the effect of which is that the Protocol is applied by the successor State, the effects in the successor State of any international registration with a territorial extension to the predecessor Contracting Party which is effective from a date prior to the date fixed under paragraph (2) shall be subject to

[...]

(4) With respect to any international registration concerning which the Office of the successor State has received a notification under paragraph (3), that Office may only refuse protection if the applicable time limit referred to in Article 5(2)(a), (b) or (c) of the Protocol has not expired with respect to the territorial extension to the predecessor Contracting Party and if the notification of refusal is received by the International Bureau within that time limit.

[...]

Rule 40
Entry into Force; Transitional Provisions

(1) *[Entry into Force]* These Regulations shall enter into force on February 1, 2020, and shall, as of that date, replace the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement as in force on January 31, 2020 (hereinafter referred to as “the Common Regulations”).

(2) *[General Transitional Provisions]*

(a) Notwithstanding paragraph (1),

- (i) an international application the request for presentation to the International Bureau of which was received by the Office of origin before February 1, 2020, shall, to the extent that it conforms to the requirements of the Common Regulations, be deemed to conform to the applicable requirements for the purposes of Rule 14;
 - (ii) a subsequent designation or a request for recording presented to the International Bureau before February 1, 2020, shall, to the extent that it conforms to the requirements of the Common Regulations, be deemed to conform to the applicable requirements for the purposes of Rules *5bis*, *20bis*(3), 24(8), 27, *27bis* or *27ter*;
 - (iii) an international application, a subsequent designation or a request for recording that, before February 1, 2020, has been the subject of any action by the International Bureau under Rules 11, 12, 13, *20bis*(2), 24(5), 26 or *27bis*(3)(a) of the Common Regulations, shall continue to be processed by the International Bureau under the said Rules; the date of the resulting international registration or recording in the International Register shall be governed by Rules 15, *20bis*(3)(b), 24(6), 27(1)(b) and (c) or *27bis*(4)(b) of the Common Regulations;
 - (iv) a notification under Articles *4bis*(2), 5(1) and (2), 5(6) or 6(4) of the Protocol or under Rules *21bis*, 23 or 34(3)(c) of the Common Regulations sent to the International Bureau before February 1, 2020, shall, to the extent that it conforms to the requirements of the Common Regulations, be deemed to conform to the applicable requirements for the purposes of Rules 17(4), 19(2), 21(2), *21bis*(4), 22(2), 23(2) or 34(3)(d);
 - (v) a communication, a statement, declaration or final decision under Rules 16, *18bis*, *18ter*, 20, *20bis*(5), *23bis* or 27(4) or (5) of the Common Regulations sent to the International Bureau before February 1, 2020, shall, to the extent that it conforms to the requirements of the Common Regulations, be deemed to conform to the applicable requirements for the purposes of Rules 16(2), *18bis*(2), *18ter*(5), 20(3), *20bis*(5)(d), *23bis*(3), 27(4)(d) and (e) or (5)(d) and (e).
- (b) For the purposes of Rule 34(7), the fees valid at any date before February 1, 2020, shall be the fees prescribed by Rule 34(1) of the Common Regulations.
- (c) A notification under Rules 6(2)(iii), 7(2), 17(5)(d), *20bis*(6), *27bis*(6), *27ter*(2)(b), 34(3)(a) or 40(6) of the Common Regulations sent by the Office of a Contracting Party to the International Bureau before February 1, 2020, shall continue to have effects in accordance with Rules 6(2)(iii), 7(2), 17(5)(d), *20bis*(6), *27bis*(6), *27ter*(2)(b), 34(3)(a) or 40(6).
- (d) [Deleted]
- (3) [Deleted]
- (4) [*Transitional Provisions Concerning Languages*]
- (a) Rule 6 of the Common Regulations as in force before April 1, 2004, shall continue to apply to any international application filed before that date and to any international application governed exclusively by the Agreement filed between that date and August 31, 2008, inclusively, as defined in Rule 1(viii) of the Common Regulations, to any communication relating thereto and to any communication, recording in the International Register or publication in the Gazette relating to the international registration resulting therefrom, unless
- (i) the international registration has been the subject of a subsequent designation under the Protocol in accordance with Rule 24(1)(c) of the Common Regulations between April 1, 2004, and August 31, 2008; or
 - (ii) the international registration is the subject of a subsequent designation on or after September 1, 2008; and

(iii) the subsequent designation is recorded in the International Register.

(b) For the purposes of this paragraph, an international application is deemed to be filed on the date on which the request to present the international application to the International Bureau is received, or deemed to have been received under Rule 11(1)(a) or (c) of the Common Regulations, by the Office of origin, and an international registration is deemed to be the subject of a subsequent designation on the date on which the subsequent designation is presented to the International Bureau, if it is presented directly by the holder, or on the date on which the request for presentation of the subsequent designation is filed with the Office of the Contracting Party of the holder if it is presented through the latter.

[...]

(6) *[Incompatibility With National Laws]* If, on the date this Rule comes into force or the date on which a Contracting Party becomes bound by the Protocol, paragraph (1) of Rule 27*bis* or paragraph (2)(a) of Rule 27*ter* are not compatible with the national law of that Contracting Party, the paragraph or paragraphs concerned, as the case may be, shall not apply in respect of this Contracting Party, for as long as it or they continue not to be compatible with that law, provided that the said Contracting Party notifies the International Bureau accordingly before the date this Rule comes into force or the date on which the said Contracting Party becomes bound by the Protocol. This notification may be withdrawn at any time.

Rule 41
Administrative Instructions

[...]

(4) *[Conflict With the Protocol or These Regulations]* In the case of conflict between, on the one hand, any provision of the Administrative Instructions and, on the other hand any provision of the Protocol or these Regulations, the latter shall prevail.

SCHEDULE OF FEES
(in force on February 1, 2020)

Swiss francs

1. [Deleted]

2. *International application*

[...]

2.2 Supplementary fee for each class of goods and services beyond three classes, except if only Contracting Parties in respect of which individual fees (see 2.4, below) are payable are designated (Article 8(2)(ii) and (7)(a)(i) of the Protocol) 100

2.3 Complementary fee for each designated Contracting Party, except if the designated Contracting Party is a Contracting Party in respect of which an individual fee (see 2.4 below) is payable (Article 8(2)(iii) and (7)(a)(ii) of the Protocol) 100

2.4 Individual fee for each designated Contracting Party in respect of which an individual fee (rather than a complementary fee) is payable, except where the designated Contracting Party and the Contracting Party of the Office of origin are both States bound also by the Agreement, in which case, a complementary fee is payable in respect of such a designated Contracting Party (Articles 8(7)(a) and 9*sexies*(1)(b) of the Protocol): the amount of the individual fee is fixed by each Contracting Party concerned

3. [Deleted]

[...]

5. *Designation subsequent to international registration*

The following fees shall be payable and shall cover the period between the effective date of the designation and the expiry of the then current term of the international registration (Article 3*ter*(2) of the Protocol):

[...]

5.3 Individual fee for each designated Contracting Party in respect of which an individual fee (rather than a complementary fee) is payable, except where the designated Contracting Party and the Contracting Party of the holder are both States bound also by the Agreement, in which case, a complementary fee is payable in respect of such a designated Contracting Party (Articles 8(7)(a) and 9*sexies*(1)(b) of the Protocol): the amount of the individual fee is fixed by each Contracting Party concerned

[...]

6. *Renewal*

The following fees shall be payable and shall cover 10 years (Article 7(1) of the Protocol):

[...]

6.4 Individual fee for each designated Contracting Party in respect of which an individual fee (rather than a complementary fee) is payable, except where the designated Contracting Party and the Contracting Party of the holder are both States bound also by the Agreement, in which case, a complementary fee is payable in respect of such a Contracting Party (Articles 8(7)(a) and 9*sexies*(1)(b) of the Protocol): the amount of the individual fee is fixed by each Contracting Party concerned

6.5 Surcharge for the use of the period of grace
(Article 7(4) of the Protocol)

50 % of the amount
of the fee payable
under item 6.1

7. *Miscellaneous recordings (Article 9ter of the Protocol)*

[...]

8. *Information concerning international registrations (Article 5ter of the Protocol)*

[...]

