

UNITED STATES  
PATENT AND TRADEMARK OFFICE



# Madrid Protocol: USPTO as Office of origin

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UNITED STATES  
PATENT AND TRADEMARK OFFICE ®

# Topics covered

- Overview of the Madrid system
- Filing and review of the international application
- How to avoid a denial of certification
- Petition to the director
- Notice of irregularity
- After the international registration issues

# Overview of the Madrid System

# Overview of Madrid Protocol

- Filing treaty only
- Cost-effective and efficient for obtaining protection in multiple countries:
  - One application with a single office; one language; **one** set of fees
  - No local agent is needed to file

# Overview of Madrid Protocol

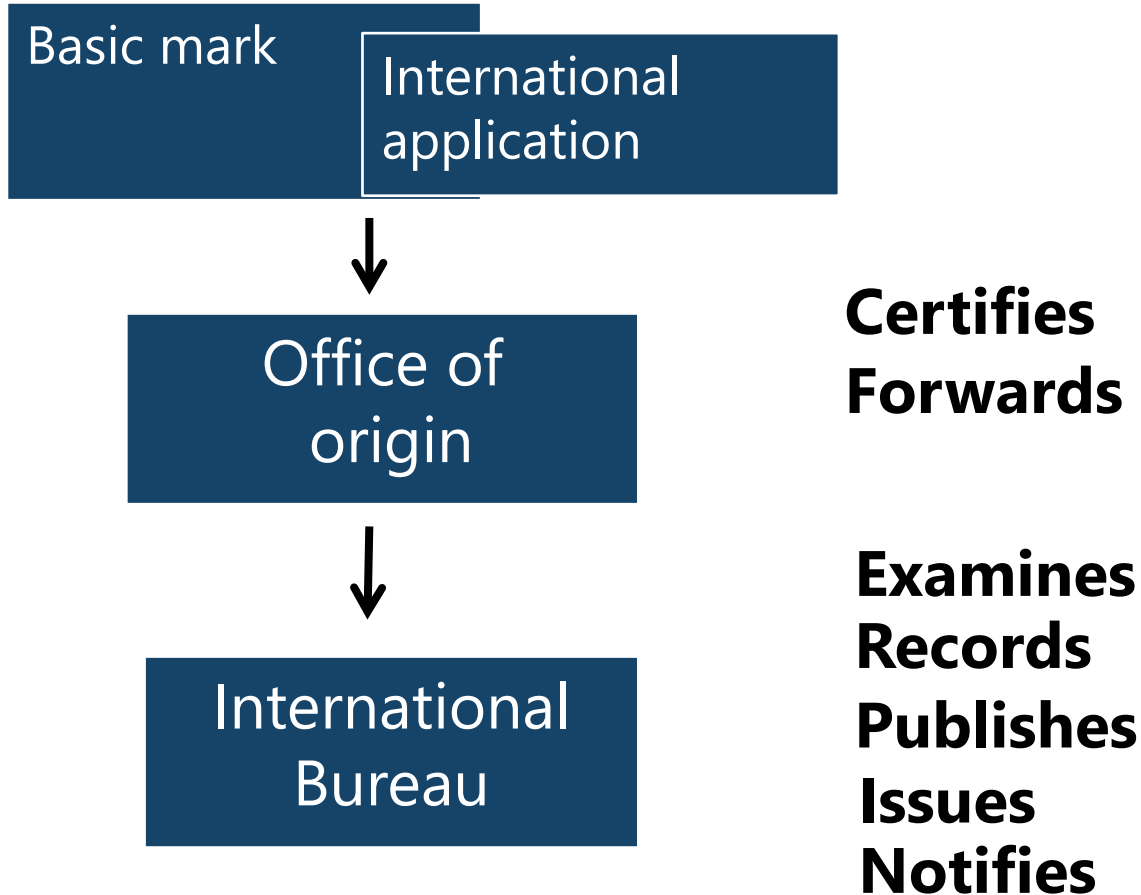
- When international registration issues:
  - Each Contracting Party designated for protection determines whether or not protection can be granted.
  - Once the trademark office in a designated country grants protection, the mark is protected in that country just as if that office had registered a directly filed application.



# Overview of Madrid Protocol

- Simplifies the subsequent management of the mark
  - Changes in ownership; name or address of the holder; renewal; adding designations
- Administered by the International Bureau (IB) in Geneva, Switzerland
- Current members: **114** (130 countries)

# General procedure of Madrid system

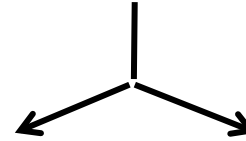




# General procedure of Madrid system

Office of  
designated  
Contracting  
Party

## Substantive examination



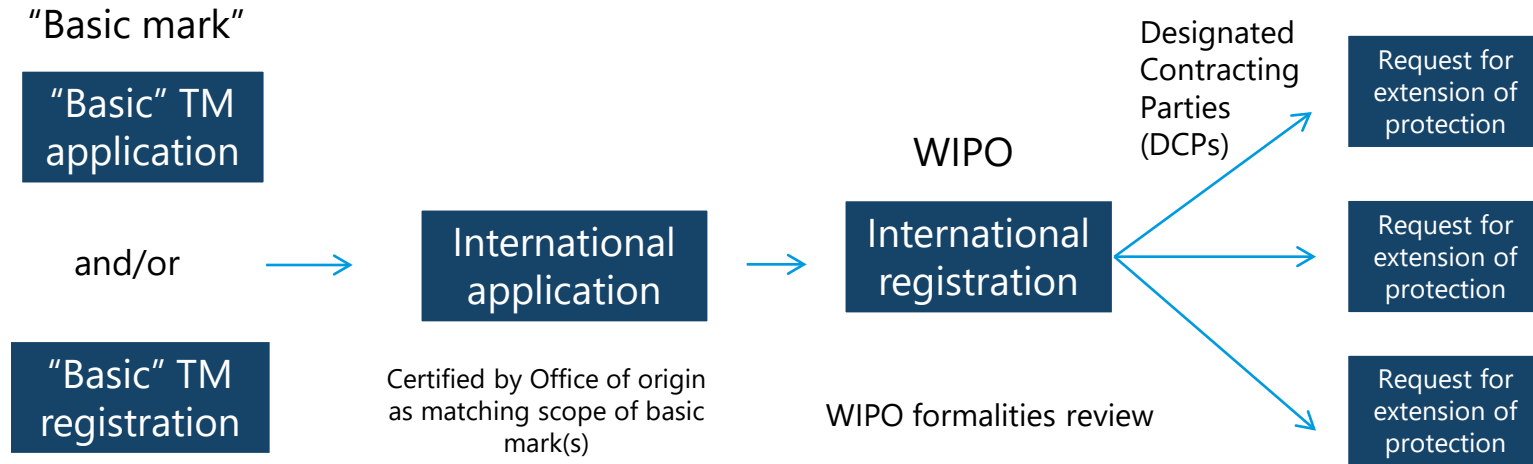
### **No refusal**

Same effect as  
a national or  
regional  
registration

### **Refusal**

national or  
regional procedure  
followed; final  
result reported to  
IB

# Filing overview



Scope of the international registration is dependent on the scope of the basic mark for five years. If basic mark is canceled or restricted, so is the international registration and the designations.

Renewal and maintenance of extensions of protection is centralized by maintaining international registration at WIPO.



# Noteworthy items of the Madrid system

- An International application may be based on one or more applications/registrations that cover the same mark
- Fees include
  - Basic fee (due to WIPO)
  - Designated contracting Party fees
- Scope of protection determined by designated Contracting Party
  - Right of refusal
  - Right of invalidation

# Noteworthy items of the Madrid system

- Period for refusal is limited in time
  - 12 months or 18 months
  - Beyond 18 months in cases of opposition
- Five-year period of dependency on basic mark
  - Transformation option
- Possibility of subsequent designation
  - Geographic expansion
  - Re-designation after initial refusal
  - Designation of goods/services not previously extended

# Madrid system reminders

- Rights in the international registration may not exceed those present in the basic mark.
  - Representation and description of mark
  - Listing of goods and/or services
  - Type of mark (three dimensional, certification, collective, sound)
  - Color claims
  - Standard characters

# Madrid system administered at WIPO

- Operations of the IB:
  - Four teams
    - Centralized knowledge and service according to member states
    - Streamlined communication
    - Processing applications, decisions from national offices, requests regarding maintenance of rights, corrections, restrictions, etc.
  - Customer service to users for information and guidance
  - Outreach



# Madrid Protocol implementation in U.S.

- Madrid Protocol was made effective in U.S. as of November 2, 2003.
- Madrid Protocol Implementation Act of 2002 amended the U.S. Trademark Act to provide:
  - Owner of a U.S. national application and/or registration may seek protection of its mark in any of the countries or intergovernmental organizations party to the Madrid Protocol by submitting a single international application to the International Bureau of WIPO through the USPTO; and
  - Holder of an international registration may request an extension of protection of the international registration to the U.S.

# Madrid Protocol implementation in U.S.

- A notice of final rulemaking amending the USPTO Trademark Rules of Practice was published at 68 Fed. Reg. 55748 (September 26, 2003).
- The U.S. is a big user of the Madrid system.
  - Top-three user as Office of origin and as a designated Contracting Party
  - 8-10% of applications as designated Contracting Party







# USPTO implementation

- 18-month refusal period
  - If IB not notified of a refusal — automatic grant of protection
- Declaration of Intent to Use requirement
  - MM18
- Individual fee
- Incorporated the designations into U.S. trademark national filing system
- Established a separate unit to process Madrid transactions
  - Madrid Processing Unit (MPU)



# Madrid system is a two-way process

- **Outgoing — international applications**
  - U.S. applicants seeking protection in other countries (USPTO is Office of origin)
  - TMEP §§1900-1903 applies to outgoing international applications
- **Incoming — requests for extension of protection**
  - Foreign applicants seeking protection in U.S. (USPTO is a designated Contracting Party)
  - TMEP §§1904–1904.15 applies to incoming §66(a) applications, i.e., requests for extension of protection to the U.S.





# Madrid Processing Unit

- Madrid Processing Unit (MPU)
  - One supervisor
  - One administrative assistant
  - One lead specialist
  - Six specialists
- MPU specialists (Office of origin):
  - Examine international applications
  - Review responses to irregularity notices
  - Send ceasing of effect notices to the IB

# USPTO webpage for Madrid



The screenshot shows the USPTO website interface. At the top, the USPTO logo and name are visible, along with navigation links for 'About Us', 'Jobs', 'Contact Us', and 'MyUSPTO'. A search bar is present with the text 'Search uspto.gov'. Below this is a main navigation bar with 'Patents', 'Trademarks', 'IP Policy', and 'Learning and Resources'. A 'Find It Fast' button is also visible. The breadcrumb trail reads: 'Home > IP Policy > International Protection > Madrid Protocol for international trademark registration'. The page title is 'Madrid Protocol for international trademark registration'. The main content area includes a sidebar with a list of links: 'Outbound applicants', 'Outbound application process', 'Outbound post registration', 'Outbound fee payment options', 'Outbound filing tips', 'Outbound fixing mistakes', 'Outbound response to notice of irregularity', 'Outbound filing during an outage', 'Inbound applicants', 'Inbound application process', and 'Inbound post registration'. The main text explains that the Madrid Protocol is a convenient way for trademark owners to file one application to register their trademark in more than 120 countries. It highlights two categories: 'Outbound applicants' (U.S. trademark holders) and 'Inbound applicants' (foreign trademark holders). A link to the 'benefits of the Madrid System' from WIPO is provided.

<https://www.uspto.gov/ip-policy/international-protection/madrid-protocol>

# WIPO website

The screenshot displays the WIPO website's Madrid System page. At the top, the WIPO logo is on the left, and language selection (English) and a search icon are on the right. A navigation menu includes 'Understand & Learn', 'Find & Explore', 'Protect & Manage', 'Partner & Collaborate', and 'About WIPO'. The breadcrumb trail shows 'Home > Madrid System'. The main heading is 'WIPO | MADRID Madrid System – The International Trademark System'. A featured article link reads 'Statement of provisions potentially applicable to WIPO global IP services regarding Ukraine and the Russian Federation'. The section 'What is the Madrid System?' explains it as a convenient, cost-effective solution for registering and managing trademarks worldwide, allowing for protection in up to 130 countries. Below this are two bullet points: 'Who can use the Madrid System?' and 'How much does an international trademark registration cost?'. A 'FEATURED' section includes an image of a hand holding a white egg with a lowercase 'h' on it, next to a box of 'h' brand products. The caption for this image is 'Madrid System Success Story: Birth of a New International Brand During Times of Crisis'. At the bottom, the 'eMadrid' section is highlighted with a blue background, stating it is 'your digital gateway to international trademark protection' and allows users to file and manage their trademark portfolio online in over 125 countries.

# **Filing and review of the international application**

# Filing options

- Electronic filing required except in limited circumstances
- Filing language is English only
- Certification fees:
  - US\$100 per class if based on one basic application or registration
  - US\$150 per class if based on more than one basic application or registration



# International fees

- Basic fee for international application:
  - CHF 653 if mark is black and white
  - CHF 903 if mark in color
- The basic fee for a subsequent designation
  - CHF 300
- Filing fees for each designated Party.
- See WIPO's Madrid fee calculator.

<https://madrid.wipo.int/feecalapp/>



# Filing options

- Official WIPO and country fees can be paid through the USPTO or to WIPO directly via credit card or a WIPO account.
- Credit card payments through the USPTO must be less than \$25,000 per day.
- The USPTO sends transactions to the IB every day in a batch file (not individually).
  - The USPTO sends fees to the IB once a week.



# USPTO TEASi forms

- The USPTO accepts two types of filings:
  - Electronic applications:
    - Pre-populated form - only one basic mark
    - No modifications – no review
    - Free-text form - more than one basic mark



# USPTO TEASi forms

- The USPTO accepts two types of filings:
  - Paper applications:
    - Must be submitted to the USPTO on IB's MM2 form, available from WIPO, via petition as appropriate
      - Mandatory electronic filing rules apply
      - U.S. counsel rules apply

# Electronic filing options

- Electronic applications filed via TEASi
  - TEASi forms on the USPTO website allow filing an international application in two ways:

## 1. Pre-populated form

## 2. Free-text form



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### Trademark Electronic Application System (TEASi)

PTO2311  
Approved for use through 04/30/2022. (MIB) 0031-0031  
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

#### Application for International Registration

#### SELECTION OF FORM TYPE FOR APPLICATION FOR INTERNATIONAL REGISTRATION

What type of form do you wish to use?

**PRE-POPULATED FORM**  
(Use for **one** U.S. basic application serial/registration number; *narrowing* of goods/services and/or substitute color drawing are permissible data change within this form.)  
Enter the **one** U.S. basic application serial number or registration number as the basis of this international application.

Enter the number with NO punctuation or other symbols included.  
**WARNING: You CANNOT use the pre-populated form if the basic registration is classified using the old US Classification system. You must use the free-text form instead.**

**OR**

**FREE-TEXT FORM**  
(Use for multiple U.S. basic application serial/registration numbers and/or for cases that do not yet appear in TSDR and/or if changing data *other* than only *narrowing* goods/services and/or substituting color drawing.)  
Enter the U.S. basic application serial number(s) or registration number(s) as the basis of this international application. Separate multiple numbers with a comma.

Enter the number with NO punctuation or other symbols included.





# TEASi pre-populated form advantages

- Only one U.S. basic application or registration is used as the basis for filing an international application.
  - The form automatically displays the exact information from the USPTO database for one U.S. basic application serial number or registration number.
  - If no changes are made, the USPTO automatically certifies the international application and transmits it directly to the IB, without independent review of this data. There is no specialist review of the data.
  - If any changes are made to the data fields, independent review will occur by MPU before the application will be certified and forwarded to IB.

# TEASi pre-populated form disadvantages

- Mistakes in basic → mistakes in international application and international registration
- These **cannot** be corrected.
  - Examples: hyphens, punctuation, and wrong type of mark.
  - This may affect protection in designated countries.
  - A color image but no color claim in the U.S. will generate a black and white mark image.
  - Assignment of change of ownership did not automatically upload.
    - Check assignment record

# Examination for certification

- MPU examines international application and compares information with each basic application/registration.
- MPU certifies or denies the international application:
  - MPU certifies and forwards the international application to the IB for further examination either electronically or via upload to Madrid Office Portal (MOP). 
  - MPU denies certification of the international application if filing requirements are not met and sends the applicant a letter setting forth the reasons for the denial. 
  - Refund of international fee if paid to the USPTO at filing.

# Key elements of review for certification

- Ownership
  - Owner must be **identical** in the international application and in **all** basic applications/registrations.
- Reproduction of mark
  - Must be the **same** as in basic application/registration.
- Standard character claim
  - Standard character claim required in **all** basic applications and registrations.
- Description of the mark
  - Must be the **same** as the description of the mark in the basic application/registration.





# Key elements of review for certification

- Special type/category of marks
  - If basic mark is one of the following, international application must indicate the same by checking the appropriate box:
    - Three-dimensional mark
      - Checking this box indicates the mark is trade dress (i.e., product design, product packaging, interior/exterior of buildings).
  - Sound mark
  - Collective mark or certification mark



# Key elements of review for certification

- Identification of goods/services
  - It must be same as or less than the goods and services in the U.S. basic application/registration.
  - International application goods/services must be within scope of the basic application/registration on the day it is reviewed.

# Key elements of review for certification

- Identification of goods/services
  - Caution:
    - If identification is amended in the basic application/registration before review of the international application, the international application may be denied.

# Key elements of review for certification

- Identification of goods/services
  - May include a limitation:
    - List the specific goods and services that apply to each designated Contracting Party.
    - Limited goods and services must be within scope of goods and services in the basic application or registration.



# Not a certification requirement: classifications of goods/services

- Classification
  - MPU does not certify international application classification.
    - See, TMEP §1902.02(g).
  - IB determines proper classification based on Nice Agreement.
  - Current edition of Nice Agreement in effect as of filing date of international application.

# International registration date

- If IB receives international application within **two months** of the date of receipt by the USPTO, the international registration date is the date of receipt at the USPTO.
- If **priority** is claimed in an international application and the international application is certified within two months, the IB will honor the priority claim.





# International registration date

- Example:
  - If the international application is filed with the USPTO on the last day of the priority period, the USPTO will have two months to forward the international application to the IB.

# **How to avoid a denial of certification**



# Before filing international application

- Review information in **each** basic application or registration to ensure it is correct.
- Mistakes and inaccuracies should be fixed **before** international application is filed.
- When filling out international application, use basic record data shown in the Trademark Status and Document Retrieval (TSDR) system, not the trademark search system.

# Before filing international application

- Fixing inconsistencies:
  - Amend basic application.
    - If assigned to examining attorney → contact examining attorney to request necessary amendment(s).
    - If not assigned to examining attorney → may file voluntary amendment.
  - Amend basic registration.
    - File §7 amendment with the USPTO's Post Registration Unit. See 37 C.F.R. §2.173; TMEP §1609.01.



# Before filing international application

- Fixing inconsistencies:
  - Filing assignment in basic application/registration
    - May file assignment with the USPTO's Assignment Recordation Branch using the USPTO Electronic Trademark Assignment System (ETAS).  
See TMEP Chapter 500.

# Before filing international application

- Owner name, entity, and citizenship
  - Must be same in international application and in each basic record.
  - Fixing ownership issues in basic application/registration:
    - Amend record for basic or file assignment.
    - If assignment filed within days of filing international application → wait until Assignment Recordation Branch has recorded it and correct owner name appears in USPTO records before filing international application.
    - Mistake in owner name or legal entity may or may not be correctible.
      - See TMEP §1201.02(c).

# Denial of certification of international application

- If international application does not meet filing requirements → MPU denies certification.
  - MPU sends letter to applicant informing of reasons for denial.
- MPU decision to deny certification is final.
  - Applicant cannot respond to MPU's denial — no back and forth.
  - Applicant cannot amend electronically filed international application.



# Denial of certification: options

- Refile international application.
- File a petition to Director to review denial of certification of international application.
  - A request to review the MPU decision or exercise authority to permit applicant to correct **minor** mistakes
- Questions?
  - USPTO website under Madrid Protocol
  - [MPU@uspto.gov](mailto:MPU@uspto.gov) or (571) 272-8910

# Petition to review denial of certification

- Petitions regarding denials of international applications are expedited due to two-month window.
- If electronically filed international application is incorrect (basic application/registration is correct), then a substitute MM2 form must be submitted with the petition.
- If the international application is not certified within two months of the date of receipt of the international application in the USPTO, the date of international registration will be affected.

# Other considerations for international application

- Pending U.S. applications or registrations issued by the USPTO on the Supplemental Register can be used to file.
- Additional information may be provided in international application that is not in basic.
  - E.g., disclaimer or translation







# Other considerations: subsequent designations

- Protection of subsequent designation expires on same date as international registration.
  - Example:
    - International registration expires on May 1, 2012. Subsequent designation is filed and meets filing requirements such that its effective date is February 1, 2012. Subsequent designation expires on May 1, 2012.



# Other considerations: subsequent designations

- You may only subsequently designate certain Contracting Parties if international registration date is after accession date (date those countries joined Madrid Protocol).
  - Examples:
    - Brazil — October 2, 2019
    - India — July 8, 2013
    - Philippines — July 25, 2012
    - Estonia — November 17, 1998

**Notices of irregularity**



# Notice of irregularity issued by IB

- IB may issue one or more irregularities if there are deficiencies.
- Irregularities may be issued for several reasons:
  - Classification of goods/services
  - Identification of goods/services
  - Fees



# Response to notice of irregularity

- Must be remedied by the USPTO.
  - Example:
    - Omission of drawing or USPTO signature
- Remedied by applicant directly with IB.
  - Example:
    - Fees



# Response to notice of irregularity

- Remedied by applicant through the USPTO and forwarded to IB.
  - Example: amending goods and services
    - Classification of goods/services not proper
      - USPTO will not advise applicant regarding reclassification.
        - » Regs., Rule 12
    - Identification of goods/services too vague for purposes of classification, incomprehensible, or linguistically incorrect
      - » Regs., Rule 13



# Response to notice of irregularity

- Applicant's response deadline is generally three months from the date of notice.
  - File response with the USPTO at least one month before deadline to allow MPU to review response.
  - MPU will not process response received after IB's response deadline.
  - Wait until the irregularity notice appears in TSDR before filing your response.



# TEASi response form



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## Trademark Electronic Application System (TEASi)

PTO/313  
Approved for use through 06/30/2022. (04/18/01) (001)  
U.S. Patent and Trademark Office (USPTO), DEPARTMENT OF COMMERCE  
Under the Electronic Signatures Act of 1995, all records are required to respond to a collection of information under a valid USPTO control number.

### Response to Notice of Irregularity

**Irregularity** Validation

**To navigate this form, use the "<Previous" or "Continue>" buttons at the bottom of this page.**

#### IRREGULARITY SECTION

<b>* Document ID Number:</b>	<input type="text"/> <small>Enter the number with NO punctuation or other symbols included. E.g., EN-1/359980501/HW is entered as 359980501.</small>
<b>* USPTO Reference Number:</b>	<input type="text"/> <small>Enter the number with NO punctuation or other symbols included, except for the leading A or Z, as appropriate, e.g., A0012345 or Z1230042.</small>
<b>Irregularity Response:</b> (Optional)	<p><b>WARNING - RESPONSE PERIOD:</b> The USPTO will forward a response to an irregularity notice to the International Bureau (IB) of the World Intellectual Property Organization (WIPO) as expeditiously as possible. However, the IB must receive the response before the end of the response deadline set forth in the IB's notice. Submission of the response to the USPTO does not toll this time period. The USPTO cannot guarantee that the IB will timely receive a response submitted to the USPTO toward the very end of the IB response deadline. Therefore, it is strongly suggested that the response be submitted as soon as possible after receiving the IB's notice. The USPTO will not process any response filed after the IB response deadline.</p> <p><b>WARNING - RESPONSE MUST BE COMPLETE:</b> If your previous response was denied, you must respond completely to each issue raised in the notice of irregularity from the IB. Even if your previous response to the irregularity submitted to the USPTO successfully addressed some of the issues, those responses must be restated in this response, along with addressing the additional issue(s) raised in the USPTO denial.</p> <p><b>WARNING - FEES OR FEE PROCESSING INFORMATION:</b> You must submit any fees required by an irregularity notice directly to the WIPO, even if you are filing a response with the USPTO to correct other irregularities. The USPTO will not accept or forward fees or WIPO current account information to the IB. See 37 C.F.R. 7.14(c); TMEP 1902.07(b)(1).</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div>
<b>Image File:</b> (Optional)	<p>This option should only be used if the Notice of Irregularity from the IB indicates that the image of the mark is unacceptable. Click on the 'Browse' button to select a <b>JPG/JPEG image file</b> from your local drive. You must attach an image of the same mark that was attached to the international application. You cannot change the mark.</p> <p><b>NOTE:</b> The file name excluding the image extension (e.g., .Jpg) must not exceed 34 characters, or include commas.</p> <p style="text-align: center;"><input type="button" value="Choose File"/> No file chosen</p>





# Response to notice of irregularity

- Caution: ID Suggestions from the IB
  - If possible, the IB will offer suggestions when it rejects wording in the listing of goods and services.
  - These suggestions frequently are beyond the scope of your basic and will be denied by the USPTO.
  - Keep the classes the same in the basic and the IR. You will lose any classes in the IR that are not in the basic when a ceasing of effect issues.

# Response to notice of irregularity

- Timing
- Scope
- No response



# Response to notice of irregularity

- MPU reviews amended goods/services for scope at time response is reviewed.
  - If basic goods/services were amended since the date international application was filed, goods/services in response must be within scope of amended goods/services in basic.



# Response to notice of irregularity

- Exceeds scope of basic goods/services:
  - MPU will not forward response to IB.
  - MPU will notify applicant that proposed amendment does not conform to basic goods/services.
  - If response deadline not expired, applicant may submit new response and, if acceptable, MPU will forward to IB.



# Response to notice of irregularity

- If class provided in the international application: IB considers such wording to be too vague for purposes of classification.
- If class or fees are not provided in the international application: IB may reclassify or delete the unacceptable wording/terms.

# Response to notice of irregularity

- MPU will review goods/services in response to ensure they are within scope of basic goods/services at time response is reviewed.
  - If basic goods/services were amended since the date international application was filed, goods/services in response must be within scope of amended goods/services.

**After the international registration  
issues**

# After international registration issues

- Dependency: ceasing of effect
- Maintaining international registration
- Changes to international registration



# Dependency: ceasing of effect

- The international registration is dependent on basic application/registration for five years.
- Any protection extended to a mark in a designated country is dependent on basic application/registration for five years.

# Dependency: ceasing of effect

- Within five-year period → the USPTO must notify IB to restrict or cancel international registration, either totally or partially if:
  - Basic application abandons or registers with narrowed goods/services; or
  - Basic registration cancels

# Dependency: ceasing of effect

- **“Ceasing of effect”** - The USPTO informs IB of which goods/services are protected in U.S.
  - Registration of basic application — all or some goods/services protected in U.S.
  - Abandonment of basic application — no goods/services protected in U.S.
  - Cancellation of the basic registration — goods/services no longer protected in U.S.



# Dependency: ceasing of effect

- IB will restrict or cancel international registration to reflect the changes to the basic.
- IB will notify all designated Parties of the changes.
- The changes to the international registration are then reflected in every designation.
  - End of five years → international registration and every designation becomes independent of basic application/registration

# Dependency: ceasing of effect

- Changes in basic record to drawing, description, translation, owner, and address → **not** notified to IB.
- Changes in basic record to goods/services → **are** notified to IB (i.e., ceasing of effect).
  - International registration updated with final basic goods/services

# Dependency: ceasing of effect

- The IB notifies all of the designated Parties, who update the listing of goods/services associated with their designations.
- Negative consequences to international registration may arise due to changes in basic record during prosecution or after registration.

# Other considerations: caution about dependency

- Applicants encouraged to wait until at least the USPTO issues first office action if possible.
- Priority may be claimed if international application is filed within **six months** of filing date of U.S. basic application.
  - Current USPTO TM pendency = 8.2 months



# Caution: dependency ceasing of effect

- Different/inconsistent protection may result:
  - Mark may be different by the time basic application registers.
    - Example:
      - Basic mark filed as RIGHT-ON. International application mark registers as RIGHT-ON. Basic mark registers as RIGHT ON (no hyphen).
      - No provision in Madrid rules to change mark in international registration to RIGHT ON.



# Caution: dependency ceasing of effect

- Different/inconsistent protection may result:
  - Goods/services may be different by the time basic application registers.
    - Example:
      - In response to USPTO requirement in the basic, “headgear” in Class 25 is amended to “motorcycle helmets” in Class 9. Unless the international registration includes Class 9, the ceasing notice will not include the Class 9 motorcycle helmets.
      - This means the holder will lose these goods in the international registration and in every pending and registered designation.

# Maintaining an international registration

- International registration is valid for 10 years (10 year renewal periods from date of international registration).
- Must be renewed directly with IB for every country in which you want protection to be maintained.
  - Use eMadrid portal on WIPO's website: <https://madrid.wipo.int/>.
  - The USPTO will not process or forward requests for renewal of international registration to IB.
- If not renewed, the international registration will be canceled, and all designations will be canceled.

# Changes to an international registration

- Changes to international registration must be filed directly with IB through the [eMadrid portal](https://madrid.wipo.int/).
  - Change in owner/holder name, entity, citizenship, and address
  - Change in owner/holder representative name and/or address
  - Limitation of goods/services in one or more designations
  - Renunciation of a designated Contracting Party
  - Cancellation of international registration (whole or part)

# Changes to an international registration: owner name

- To record a change due to transfer of property from one legal entity to another, or a change in the nature of legal entity → use the [eMadrid portal](#).
  - IB does not require evidence of change in ownership, so supporting documents should not be sent to IB (e.g., copies of deed of assignment or other contract).

# Changes to an international registration: holder details

- Name, address, legal nature
  - To record a change in name and/or address only (including address for correspondence) → use the eMadrid portal.

# Changes of ownership filed through the USPTO

- Allowed only when the assignee cannot get the assignor's signature to request recordation of the assignment. [Rule 7.23](#).
  - Assignor no longer exists; or
  - Assignee could not get the assignor's signature
- Assignee must meet Madrid Protocol/Paris entitlement criteria.



# Changes of ownership filed through the USPTO

- Applies to a U.S. designation or a U.S. office of origin IR.
- Must complete the IB's [MM5 form](#) and attach it to a [Petition to Director for an International Application/Registration](#).



# How to find help

- Assignments Recordation Branch
  - 571-272-3350 | [ETAS@uspto.gov](mailto:ETAS@uspto.gov)
- Madrid Processing Unit (MPU)
  - 571-272-8910 | [MPU@uspto.gov](mailto:MPU@uspto.gov)
- TEAS and TEASi forms technical difficulties
  - [TEAS@uspto.gov](mailto:TEAS@uspto.gov)
- Trademark Assistance Center (TAC)
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**Questions**

