

# International Registration of Marks through the Madrid System in Vietnam

The Madrid System offers a streamlined process for trademark owners to secure protection in multiple countries through a single application, making it a highly efficient option for businesses operating internationally. Vietnam, as a member of both the Madrid Agreement and the Madrid Protocol, allows Vietnamese trademark holders to leverage this system effectively.

 by IP team @ Herman, Henry & Dominic



# Overview of the Madrid System

The Madrid System is governed by two treaties: the Madrid Agreement (1891) and the Madrid Protocol (1989). These treaties enable the international registration of trademarks, which is managed by the International Bureau of the World Intellectual Property Organization (WIPO) based in Geneva. Through a single application and fee payment, applicants can seek protection in multiple member countries, simplifying the process significantly compared to filing separate national applications.



## Global Reach

The Madrid System allows trademark protection in multiple countries through a single application.



## Streamlined Process

A single application and fee payment simplifies the process compared to filing separate national applications.

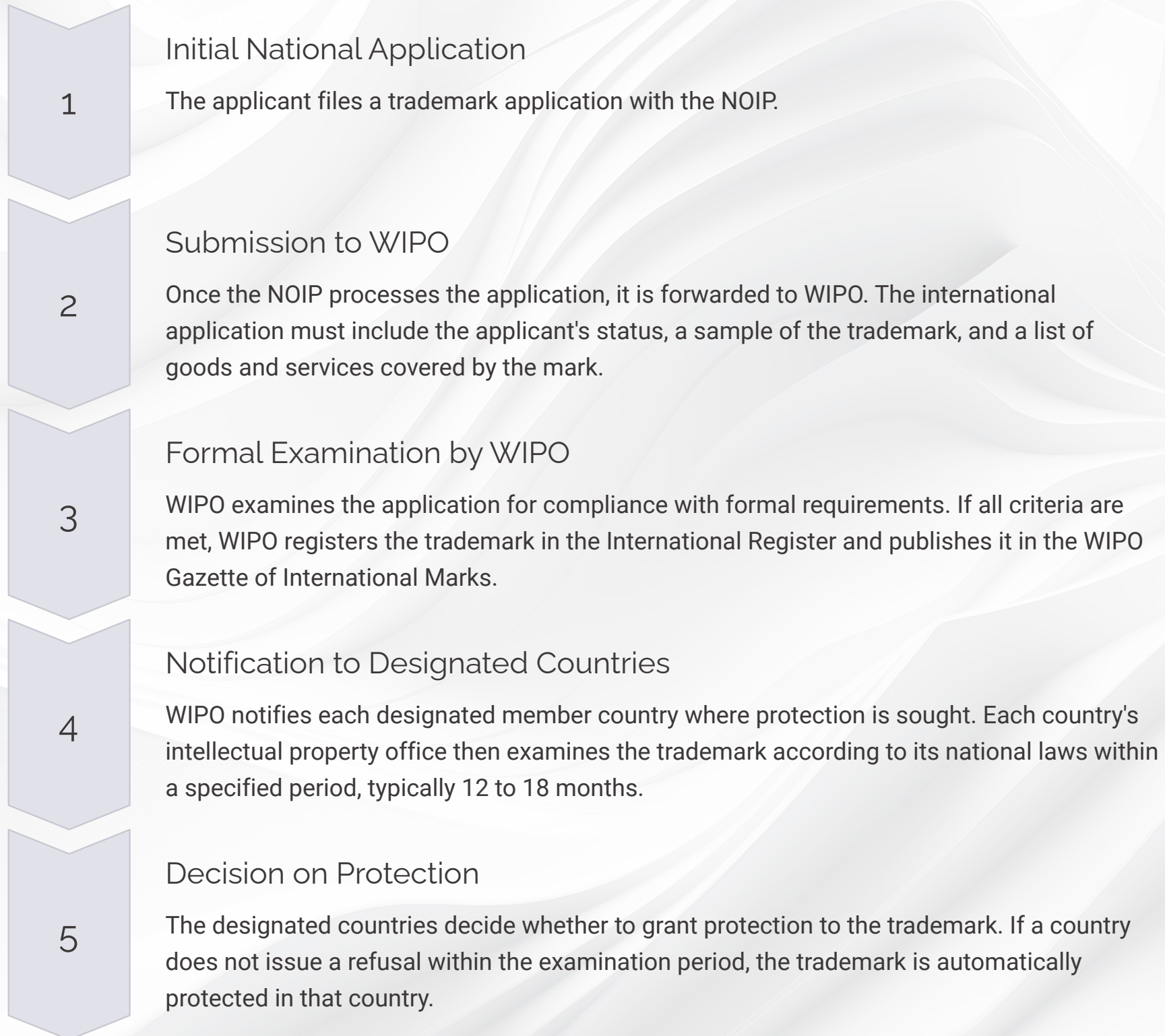


## Centralized Management

The International Bureau of WIPO manages the international registration of trademarks.

# Procedure for Vietnamese Applicants

Vietnamese applicants begin the process by filing a trademark application with the National Office of Intellectual Property (NOIP) of Vietnam. This national application serves as the basis for the international application. The key steps involved are as follows:





# Advantages of the Madrid System

The Madrid System offers several benefits for Vietnamese businesses:

1

## Cost Efficiency

Filing a single application and paying one set of fees reduces costs compared to filing multiple national applications.

2

## Simplified Management

Trademark management, including renewals and changes, can be done centrally through WIPO, making it easier to maintain and update trademark portfolios.

3

## Extended Protection

The system provides a mechanism for extending trademark protection internationally, which is crucial for businesses operating in multiple markets.



# Challenges and Considerations

While the Madrid System simplifies the international registration process, applicants should be aware of potential challenges:

## National Examination

Each designated country conducts its examination, and the criteria for protection may vary. Therefore, a trademark approved in one country may be refused in another.

## Compliance with Local Laws

Applicants must ensure that their trademarks comply with the local laws and regulations of each designated country to avoid refusals.

## Renewal and Maintenance

International registrations are valid for ten years and can be renewed directly with WIPO. However, maintaining protection requires timely renewals and adherence to each country's specific requirements.

# ABOUT US



Herman, Henry & Dominic is an experienced team of lawyers and legal experts, based in Saigon and Hanoi. The firm is a member of the INTERNATIONAL TRADEMARK ASSOCIATION (INTA).

Herman, Henry & Dominic believes in building strong relationship with clients based on trust and respect. The firm maintains permanent good working relations with various governmental bodies in Vietnam to enable its team to access the resources necessary to produce timely and effective results for clients.

Herman, Henry & Dominic works under the motto: "Local Expertise & Global Standard."

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