

# Information Letter

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## SPECIAL NOTE

MADRID PROTOCOL  
• United States Accession

### Madrid Protocol: UNITED STATES ACCESSION

Legislation authorizing the United States to join the Madrid Protocol was enacted on November 2, 2002. The State Department must deposit the instruments of accession with the World Intellectual Property Organization (WIPO), and the U.S. Patent and Trademark Office (PTO) must promulgate its implementing regulations. It is anticipated that the benefits offered by the Madrid Protocol will be available in the U.S. as of approximately November 2, 2003.

Under the Madrid Protocol, a U.S. trademark owner can file one application with the U.S. PTO, in English, pay the appropriate filing fee, in U.S. currency, and potentially have its mark protected in any country that has adopted the Protocol. Likewise, non-U.S. trademark owners in countries that are members of the Madrid Protocol will be able to request extension of their international registration to the U.S. without the need to file a trademark application directly with the U.S. PTO.

At this time, 56 countries are members of the Madrid Protocol. Among these are all of the member states of the European Union as well as Australia, China, Japan, Norway, the Russian

Federation, Singapore, Switzerland, many Eastern European countries and a few African nations. More countries are expected to join the Protocol soon.

U.S. accession to the Madrid Protocol offers a new avenue to secure cost-effective and efficient trademark protection. Watch our newsletter for continuing updates on U.S. progress toward implementation of the Madrid Protocol, and for insights into how you can best take advantage of this development.

- JAS

**FROSS ZELNICK LEHRMAN & ZISSU, P.C.**