



Australian Government

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Official Notice

Change of Practice and Procedure Application for International Registration Governed by the Madrid Protocol with Australia as the Office of Origin

Item 10 “Goods and Services” of Form MM2(E) (Application Form) requires the applicant to list the Class and goods and/or services being claimed from the basic trade mark for which international registration is being sought. The instructions in the IP Australia International TM Application Kit state that the goods and/or services claimed must be the same as or less than those claimed in the basic trade marks(s) and the applicant must list the goods and/or services. Where the applicant is claiming the exact classes and goods and/or services as contained in their basic trade mark, they are still required to list these in their international application.

The current office practice is to check the claimed goods and/or services in the international application against the basic trade mark and issue an “Unable to Certify” letter if the claims are broader or if there are other problems with the information provided. IP Australia is keen to streamline the checking process, in addition to simplifying for applicants the filling out of the Application for International Registration by assisting applicants who may inadvertently narrow their claims by leaving out a word or words when transposing their goods and/or services into the international application form.

The new practice will apply to applicants who do not wish to change any of the words from their basic application or registration for a particular Class or Classes and will allow them to complete the Goods and Services section of the International Application as per the following example.

Class	Goods and Services
16	Exactly as stated in basic application or registration.

Note that if the international application is based on more than one basic application or registration, the applicant should include the relevant number of the application or registration.

In any event, IP Australia will forward the full details of the goods and/or services as stated in the basic application or registration to the International Bureau, when the application certification process has been completed.



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If there are any questions about this new practice, please direct them to the people listed below:

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