

# Madrid e-Filing User Guide

(International Registration for Trade Marks)

February 2022





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## Madrid e-Filing User Guide

### Revision history

Date	Amendments
28/02/2017	Document Controlled
01/08/2017	System enhancements including electronic MM18 form and payment procedures
18/01/2018	System enhancements to payment procedures
1/2/2019	System enhancements including electronic MM17 form
1/5/2019	System enhancements including the Limitation procedures
31/01/2020	Irregularity Notices
15/10/2021	Online services portal update, irregularity and formality response paths, PayPal payment option, screenshot updates, Madrid Goods & Services Manager
01/02/2022	Minor revision, Controlled document update

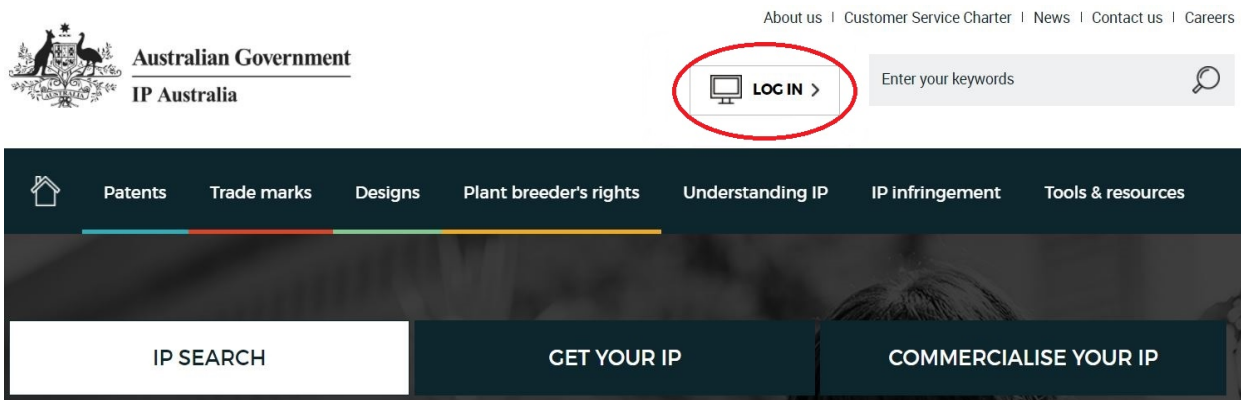
# 1 Introduction

Madrid e-filing is a web solution designed to facilitate the easy filing of an international trade mark application within the Madrid System. It allows an applicant or agent to electronically file the application to the Office of Origin (IP Australia). IP Australia will then conduct a minimum filing check before sending the certified application to WIPO.

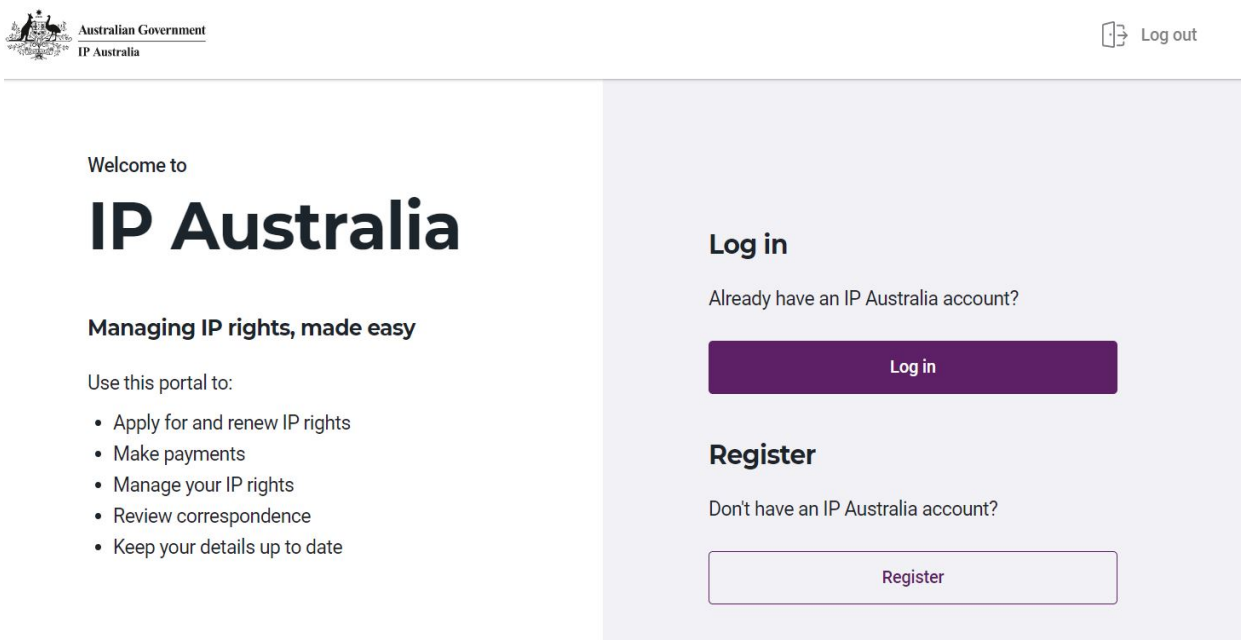
This guide is a quick introduction for the IP Australia customer that describes how the new Madrid e-filing System can be used for electronic transmission of an International Registration Application.

# 2 Access to Madrid e-filing

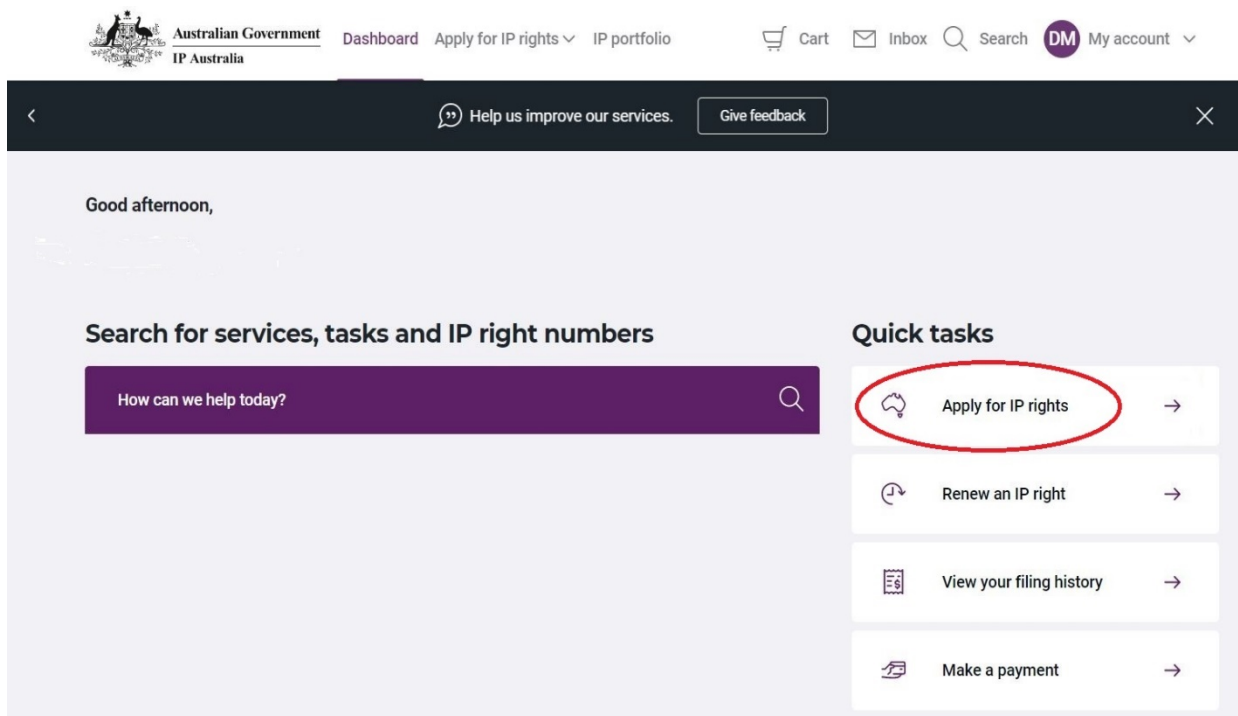
1. Access the IP Australia online services portal from the top of ipaustralia.gov.au.



2. Log into, or create, the account you wish to file the international application from. This is the only account you will be able to access the application from in future.



3. Select the “Apply for IP Rights” link.



Australian Government IP Australia Dashboard Apply for IP rights IP portfolio Cart Inbox Search DM My account

Help us improve our services. Give feedback

Good afternoon,

Search for services, tasks and IP right numbers

How can we help today?

Quick tasks

- Apply for IP rights →
- Renew an IP right →
- View your filing history →
- Make a payment →

4. From this menu, select “File an international application”.

# Apply for IP rights

Register your intellectual property (IP) to prevent others from using your unique ideas.

Want to protect your IP in other countries? [File an international application](#)

## Before you continue

It's important that you understand:

- The [basics of IP](#)
- Different [types of IP](#)
- Whether you're entitled to [IP ownership](#)
- How to [protect your IP before it's registered](#)

5. Then “Apply for an international trade mark”.



## Apply for international IP rights

Register your intellectual property (IP) with the World Intellectual Property Organisation (WIPO) to protect it in multiple countries.

You'll need to use the WIPO portal to register and manage international IP rights. If you need to make Patent Cooperation Treaty (PCT) payments, you can do it here on our portal.

### Before you continue

It's important that you understand:

- How to [approach the global markets](#) 
- [Trade agreements](#)  you can use to your advantage

If you've already filed a patent with the PCT, [enter the national phase](#) to protect it in Australia.

### Get started

Which type of IP right would you like to apply for?



#### Take a patent overseas

Protect your patent in other countries by filing an application under the PCT.

[Apply for an international patent](#) 

#### Pay international patent fees

Make payments relating to your patent filed under the PCT.

[Make a payment](#) →

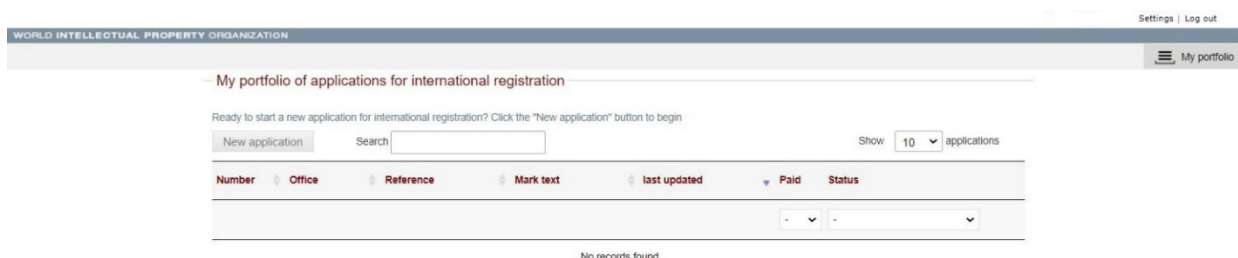


#### Take a trade mark overseas

Protect your trade mark in other countries by filing an application under the Madrid protocol.

[Apply for an international trade mark](#)

6. You will be prompted prior to being navigated directly to the WIPO Madrid e-filing System.



WORLD INTELLECTUAL PROPERTY ORGANIZATION

Settings | Log out

My portfolio

My portfolio of applications for international registration

Ready to start a new application for international registration? Click the "New application" button to begin

New application Search

Show 10 applications

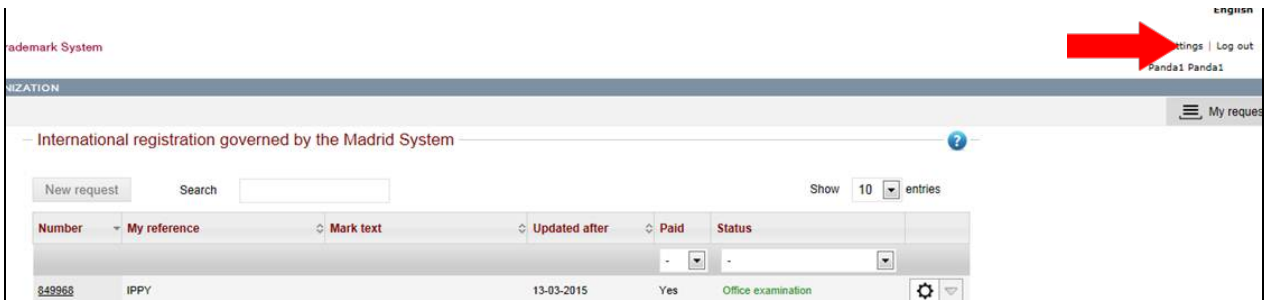
Number	Office	Reference	Mark text	last updated	Paid	Status
No records found						

### 3. Changing the access user name

1. It is not possible to change the user name. However a user may give access to, or share requests with, another registered user.

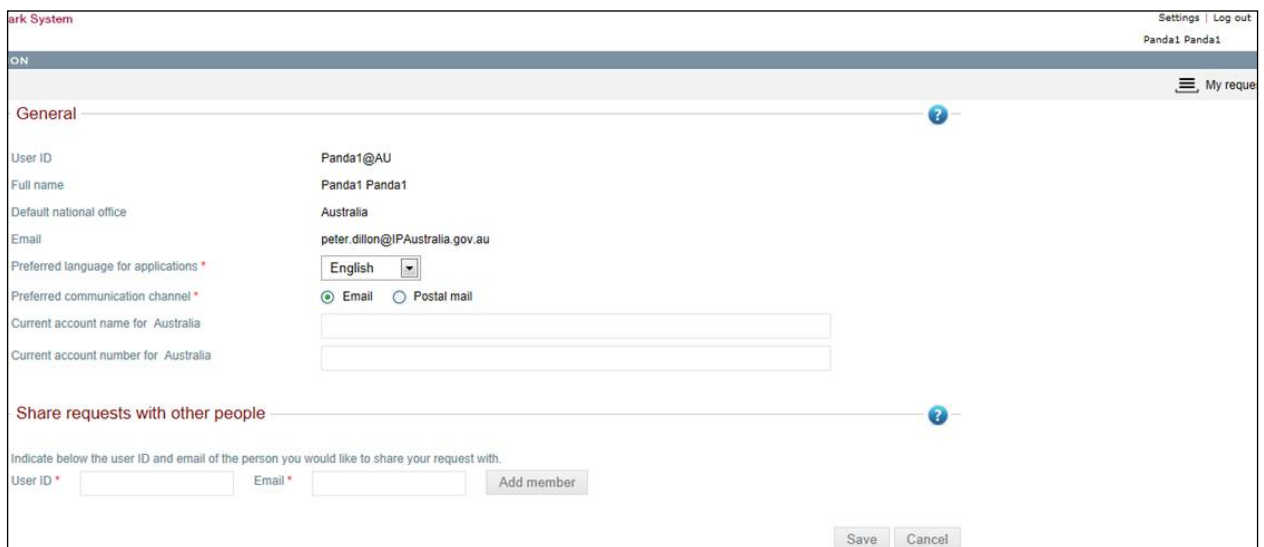
- e.g. person 1 files an international application then decides that person 2 or a general user name needs access to the records or to be able to file another application. To do this you may share requests with other users

2. Log on under person 1's user name, then proceed to the "My tasks" screen. Click on "Settings" in the right hand corner



3. The screen below will appear. Under the heading "Share requests with other people", enter person 2's user id and their email address in the relevant fields. Click on "Add member" and the details will be listed below. You must now click on "Save"

- NOTE: Careful consideration should be given before sharing a user id with anybody, as all users will be able to file new applications and view all records**



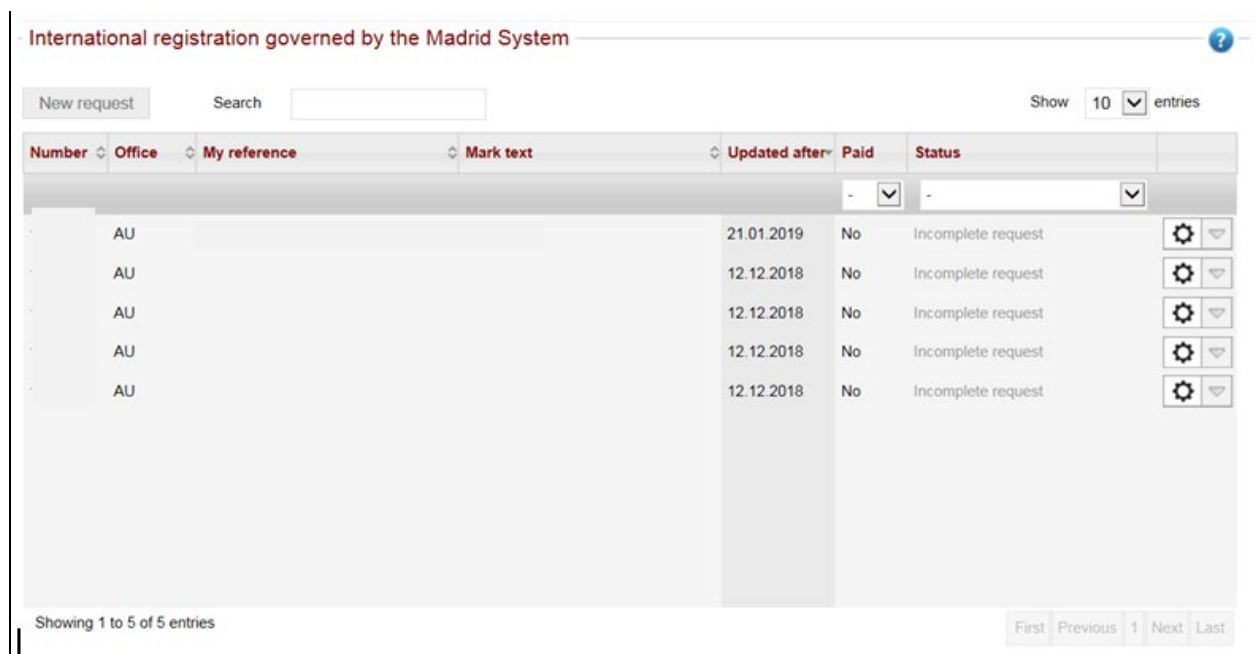


## 4. Madrid International Trademark System

### 4.1 My portfolio

1. Upon logging in you will see “My portfolio” as your home page.
2. The page displays all the applications and registrations for the user, and their status.


**Note:** once an application has been received by WIPO from IP Australia the details and status can be viewed from WIPO’s Madrid Monitor: <https://www.wipo.int/madrid/monitor/en/>





Number	Office	My reference	Mark text	Updated after	Paid	Status
AU				21.01.2019	No	Incomplete request
AU				12.12.2018	No	Incomplete request
AU				12.12.2018	No	Incomplete request
AU				12.12.2018	No	Incomplete request
AU				12.12.2018	No	Incomplete request





3. The following columns are displayed:

- Number – The Australian Basic Application or Registration number.
- Office – which will be Australia.
- My Reference – Your reference details if any were entered for the application.
- Mark text – Displays the name of the mark or the text but can be blank for images.
- Last updated – when the application was last updated by you, IP Australia, or WIPO.
- Paid – Shows if the application has been paid. Applications will not be submitted until payment is successfully completed.
- Status – The status of each application, which are:
  - Incomplete application – An application that has been started by you but not completed. You have full access to the application.
  - Submitted to office – A completed application that has been submitted to IP Australia for verification. You have view only access to the application.
  - Office examination – An application that IP Australia has started verifying. You have view only access to the application.
  - Correction pending - An application that IP Australia has started verifying and identified issues that are required to be fixed by you before proceeding. You have limited access to update the application.
  - Submitted to WIPO – A certified application that has been submitted to WIPO for processing. You have view only access to the application.



- WIPO Processing – the application being examined by WIPO. You have view only access.
  - Irregularity pending – WIPO have examined the application and returned it with one or more issues that need to be responded to before it can be registered. You have access only to the “Irregularities” tab to type or attach your response.
  - Irregularity examination – the application has been returned to IP Australia to ensure the response is relevant, any attachments open, etc. You have view only access to the application.
  - Irregularity correction – IP Australia have identified an issue with the response to the irregularity notice, and the application has been returned to you for correction. You have access only to the “Irregularities” tab to type or attach your response.
- Clicking on  will display additional details for the application (Filing language; Applicants Reference; Mark text; WIPO service request number). Different action and details will be displayed depending on the application status.
  - Incomplete request – Only an incomplete request that has not been submitted to WIPO/IP Australia can be deleted.

25.09.2014	No	Incomplete request		
Language	EN			
My reference				
Mark text				
<a href="#">Display request</a>				
				<input type="button" value="Delete"/>

- Submitted to Office & Office Examination – Allows you to view the submitted request.

18.09.2014	No	Submitted to Office		
04.09.2014	No	Office examination		
Language	EN			
My reference	26 August			
Mark text				
WIPO Finance receipt number	<input type="text"/>	<input type="button" value="Set"/>		
<a href="#">Display request</a>				

- Correction Pending – Allows you to view the formality issues raised for the application by IP Australia.

28.08.2014	Yes	Correction pending		
Language	EN			
My reference				
Mark text				
<a href="#">Display request</a>				
<input type="button" value="Display irregularities"/>				

## 4.2 New application

1. To begin, click on the “New application” Button.

My portfolio of applications for international registration

Ready to start a new application for international registration? Click the "New application" button to begin

**New application** Search

Show  applications

Number	Office	Reference	Mark text	last updated	Paid	Status
-	-	-	-	-	-	-

2. You will be taken to the Basic Application or Registration screen.

Application for international registration

Designated Contracting Parties [➤](#)

- Basic application or registration
- Designated Contracting Parties
- Applicant(s)
- Representative
- Languages and correspondence
- Mark
- Goods and services
- Limitations
- Claimed priorities
- Attachments
- Fee calculations
- Validation
- Payment
- Summary

**General**

Filing language \*

Applicant's Reference

**Basic application or registration**

To start the application process, click the "Import trademark" button and enter a national application or registration number. Once done, click on "Designated Contracting Parties" to continue.

**Import trademark**

3. Enter your preferred reference details for your application. IP Australia and WIPO will quote this in any correspondence with you.
4. Click on the “Import trademark” button.
5. You will then be taken to the Import trademark screen.

Import a national trademark ✕

Import  Application number


Registration number

6. Enter the Australian Basic Application or Registration number, click “Search”. The Basic Application or Basic Registration details are required for you to proceed further with your application.
7. The system displays the Australian Basic Application or Registration details.

**Import a national trademark** ✕

Import  Application number  
 Registration number

Status Registration published  
 Current holder The Crown in Right of the Commonwealth of Australia C/- IP Australia  
 Mark type Figurative  
 Registered Yes  
 Registration number 2121492  
 Application number 2121492  
 Mark SMART TRADE MARK



8. Confirm that the correct trade mark is displayed and click OK.
9. The first Basic Application or Registration numbers and date will be shown. To add further Basic marks click on “Import another trademark”.

Designated Contracting Parties >


**General**

Filing language \*  ▼  
 Applicant's Reference

**Basic application or registration**

Primary national mark imported

🔍 Application number: 2121492   
 Registration number: 2121492   
 Registration date: 02.10.2020 ✕

- a. You can include multiple basic applications or registrations **if they are for identical marks** e.g. TM 874843 – NORWOOD, 884459 – NORWOOD, 995652 – NORWOOD. The first trade mark entered will display and is considered as the main one to be used by the IP Australia for verification.
- b. The first Basic application or registration details cannot be deleted once you move to the next tab (Designated contacting parties).
- c. If the record has been saved and you wish to delete the first number, you must go back to the My Portfolio screen, click on the  icon, and click on delete. Click on “New application” to start again.

## 4.3 Designated contracting parties

1. Once the Australian Basic Application or Registration records have been selected, click on the “Designated contracting parties” button to proceed with the application.
2. You will be taken to the “Designated contracting parties” screen.

Application for international registration

Basic application or registration    Applicant(s)

Designated Contracting Parties

Select the Contracting Parties for which protection of the Mark is sought. Learn more about the procedures of the designated Contracting Parties in the [Madrid Members Profiles Database](#) and in the [Madrid Information Notices](#).

<input type="checkbox"/> AF Afghanistan	<input type="checkbox"/> GM Gambia	<input type="checkbox"/> NZ New Zealand
<input type="checkbox"/> AG Antigua and Barbuda	<input type="checkbox"/> GR Greece	<input type="checkbox"/> OA African Intellectual Property Organization (OAPI)
<input type="checkbox"/> AL Albania	<input type="checkbox"/> HR Croatia	<input type="checkbox"/> OM Oman
<input type="checkbox"/> AM Armenia	<input type="checkbox"/> HU Hungary	<input type="checkbox"/> PH Philippines
<input type="checkbox"/> AT Austria	<input type="checkbox"/> ID Indonesia	<input type="checkbox"/> PK Pakistan
<input type="checkbox"/> AZ Azerbaijan	<input type="checkbox"/> IE Ireland	<input type="checkbox"/> PL Poland
<input type="checkbox"/> BA Bosnia and Herzegovina	<input type="checkbox"/> IL Israel	<input type="checkbox"/> PT Portugal
<input type="checkbox"/> BG Bulgaria	<input type="checkbox"/> IN India	<input type="checkbox"/> RO Romania
<input type="checkbox"/> BH Bahrain	<input type="checkbox"/> IR Iran (Islamic Republic of)	<input type="checkbox"/> RS Serbia
<input type="checkbox"/> BN Brunei Darussalam	<input type="checkbox"/> IS Iceland	<input type="checkbox"/> RU Russian Federation
<input type="checkbox"/> BQ Bonaire, St Eustatius and Saba	<input type="checkbox"/> IT Italy	<input type="checkbox"/> RW Rwanda
<input type="checkbox"/> BR Brazil	<input type="checkbox"/> JP Japan	<input type="checkbox"/> SD Sudan
<input type="checkbox"/> BT Bhutan	<input type="checkbox"/> KE Kenya	<input type="checkbox"/> SE Sweden
<input type="checkbox"/> BW Botswana	<input type="checkbox"/> KG Kyrgyzstan	<input type="checkbox"/> SG Singapore
<input type="checkbox"/> BX Benelux (BOIP)	<input type="checkbox"/> KH Cambodia	<input type="checkbox"/> SI Slovenia
<input type="checkbox"/> BY Belarus	<input type="checkbox"/> KP Democratic People's Republic of Korea	<input type="checkbox"/> SK Slovakia
<input type="checkbox"/> CA Canada	<input type="checkbox"/> KR Republic of Korea	<input type="checkbox"/> SL Sierra Leone
<input type="checkbox"/> CH Switzerland	<input type="checkbox"/> KZ Kazakhstan	<input type="checkbox"/> SM San Marino
<input type="checkbox"/> CN China	<input type="checkbox"/> LA Lao People's Democratic Republic	<input type="checkbox"/> ST Sao Tome and Principe
<input type="checkbox"/> CO Colombia	<input type="checkbox"/> LI Liechtenstein	<input type="checkbox"/> SX Sint Maarten (Dutch part)
<input type="checkbox"/> CU Cuba	<input type="checkbox"/> LR Liberia	<input type="checkbox"/> SY Syrian Arab Republic
<input type="checkbox"/> CW Curacao	<input type="checkbox"/> LS Lesotho	<input type="checkbox"/> SZ Eswatini
<input type="checkbox"/> CY Cyprus	<input type="checkbox"/> LT Lithuania	<input type="checkbox"/> TH Thailand
<input type="checkbox"/> CZ Czech Republic	<input type="checkbox"/> LV Latvia	<input type="checkbox"/> TJ Tajikistan
<input type="checkbox"/> DE Germany	<input type="checkbox"/> MA Morocco	<input type="checkbox"/> TM Turkmenistan
<input type="checkbox"/> DK Denmark	<input type="checkbox"/> MC Monaco	<input type="checkbox"/> TN Tunisia
<input type="checkbox"/> DZ Algeria	<input type="checkbox"/> MD Republic of Moldova	<input type="checkbox"/> TR Turkey
<input type="checkbox"/> EE Estonia	<input type="checkbox"/> ME Montenegro	<input type="checkbox"/> TT Trinidad and Tobago
<input type="checkbox"/> EG Egypt	<input type="checkbox"/> MG Madagascar	<input type="checkbox"/> UA Ukraine
<input type="checkbox"/> EM European Union (EUIPO)	<input type="checkbox"/> MK The Republic of North Macedonia	<input type="checkbox"/> US United States of America
<input type="checkbox"/> ES Spain	<input type="checkbox"/> MN Mongolia	<input type="checkbox"/> UZ Uzbekistan
<input type="checkbox"/> FI Finland	<input type="checkbox"/> MW Malawi	<input type="checkbox"/> VN Viet Nam
<input type="checkbox"/> FR France	<input type="checkbox"/> MX Mexico	<input type="checkbox"/> WS Samoa
<input type="checkbox"/> GB United Kingdom	<input type="checkbox"/> MY Malaysia	<input type="checkbox"/> ZM Zambia
<input type="checkbox"/> GE Georgia	<input type="checkbox"/> MZ Mozambique	<input type="checkbox"/> ZW Zimbabwe
<input type="checkbox"/> GG Guernsey	<input type="checkbox"/> NA Namibia	
<input type="checkbox"/> GH Ghana	<input type="checkbox"/> NO Norway	

Basic application or registration    Applicant(s)

3. The system displays the list of all the countries that you can currently designate, in alphabetical order of their country code. For instance: GB United Kingdom, or EM European Union.
4. Select the countries you want to designate by ticking the box on their left. Some have additional information that will show in the “Remarks” at the bottom of the list.





- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> EM European Union (EUIPO) | <input type="checkbox"/> MK The Republic of North Macedonia | <input checked="" type="checkbox"/> US United States of America |
| <input type="checkbox"/> ES Spain                             | <input type="checkbox"/> MN Mongolia                        | <input type="checkbox"/> UZ Uzbekistan                          |
| <input type="checkbox"/> FI Finland                           | <input type="checkbox"/> MW Malawi                          | <input type="checkbox"/> VN Viet Nam                            |
| <input type="checkbox"/> FR France                            | <input type="checkbox"/> MX Mexico                          | <input type="checkbox"/> WS Samoa                               |
| <input type="checkbox"/> GB United Kingdom                    | <input type="checkbox"/> MY Malaysia                        | <input type="checkbox"/> ZM Zambia                              |
| <input type="checkbox"/> GE Georgia                           | <input type="checkbox"/> MZ Mozambique                      | <input type="checkbox"/> ZW Zimbabwe                            |
| <input type="checkbox"/> GG Guernsey                          | <input type="checkbox"/> NA Namibia                         |   |
| <input type="checkbox"/> GH Ghana                             | <input type="checkbox"/> NO Norway                          |   |

### Remarks

#### EM

The designation of the European Union covers its Member States (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, The Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden).

#### US

By designating the United States of America, it is compulsory to complete the Declaration of Intention to use (MM18) screen.

Note: in the United States one must confirm a trademark after five years. [Learn more](#)



5. Click on the "Applicant(s)" arrow to navigate to the next screen.

## 4.4 Applicant

1. The system will display the Applicant Name retrieved from the Australian Basic Application or Registration.

2. Click on the applicant name and you will be taken to the Add/Edit Applicant screen to modify the details.
    - a. Existing applicant details stored against the Australian Basic application or registration will be auto populated. Verify and correct details if required.
    - b. A valid email address is mandatory. **Note:** each applicant must have their own unique email address, which **must be different to the representative's** unless they are also acting in that role.
- Or
- c. You have the capability to add additional applicants by clicking on the Add another Applicant Button. The button will take you to a blank Add/Edit applicant screen to enter details.
  - d. You can delete the additional applicant if required, but at least one applicant for the application is mandatory.

**Note:** all owners on the basic mark must be included on the international application - **and appear the same**. This includes upper and lower case, middle names, Ltd vs Limited, etc. If the ownership details on the basic mark are not current a Change of Name or an Assignment request should be lodged on the basic mark to amend the applicant details before filing the international application.

Add/edit applicant ✕

— General information —

Name \*   Applicant

Address \*

Country \*  ▼

Email \*

Telephone

Applicant type \*  Natural person  Legal entity

OK

3. Select the Applicant Type: the applicant can be either a Natural Person **or** a Legal Entity.
4. The Entitlement to File section will open and the system will display different data fields depending on the applicant type selected.
  - a. Natural Person – If the applicant is a person they must nominate as being either a national of **or** domiciled in Australia. **Note:** if “domicile” is chosen a residential address is required. **A PO Box, C/o, or business address is not acceptable.** If a PO Box or C/o has been provided as the applicant’s address, the “Provide another address” tick box should be selected. Further fields will then display where the street address can be entered.

Applicant type \*  Natural person  Legal entity

Nationality \*  ▼

— Entitlement to file —

Entitlement as a national

Entitlement through domicile

OK





Applicant type \*  Natural person  Legal entity

Nationality \*

Entitlement to file

Entitlement as a national

Entitlement through domicile

Reuse the contact information provided above

Provide another address

Name

Street \*

City \*

Country \*

Postal Code \*

PO BOX

Email \*

- b. Legal Entity - If the applicant is a legal entity they must be a national of Australia or there must be a real and effective industrial or commercial establishment in Australia. **Note:** if “establishment” is chosen a street address is required. **A PO Box or c/o is not acceptable.** If a PO Box or c/o has been provided as the applicant’s address the “Provide another address” tick box should be selected. Further fields will then display where the street address can be entered.

Applicant type \*  Natural person  Legal entity

Legal nature of the legal entity (may be required in some countries) \*

State (country) and territory, if applicable, of corporation :

State \*  Territory

Entitlement to file

Entitlement through establishment: Australia

Reuse the contact information provided above

Provide another address

Entitlement as a national

- c. The legal nature of the legal entity is mandatory: e.g. Company Limited by Shares, Proprietary Limited, Corporation etc - not the type of business it conducts.



- These details may be required by certain designated Contracting Parties. For example, if the United States of America is designated **it is** necessary to include these indications. **Note:** we suggest you provide these details to avoid any delays in processing your application or issues with .
- State (Country) of the legal entity – mandatory.
- Territory – the state the legal entity is registered in – optional.

**Note:** If “Entitlement as a national“ has been selected for either a person or legal entity the application summary will show “No” for both “domiciled” and “establishment”.

Applicant type: Natural person

Nationality: Australia

**Entitlement to File**

Domiciled in the territory of:Australia	No	Real and effective industrial or commercial establishment in the territory of Australia	No
---	----	---	----

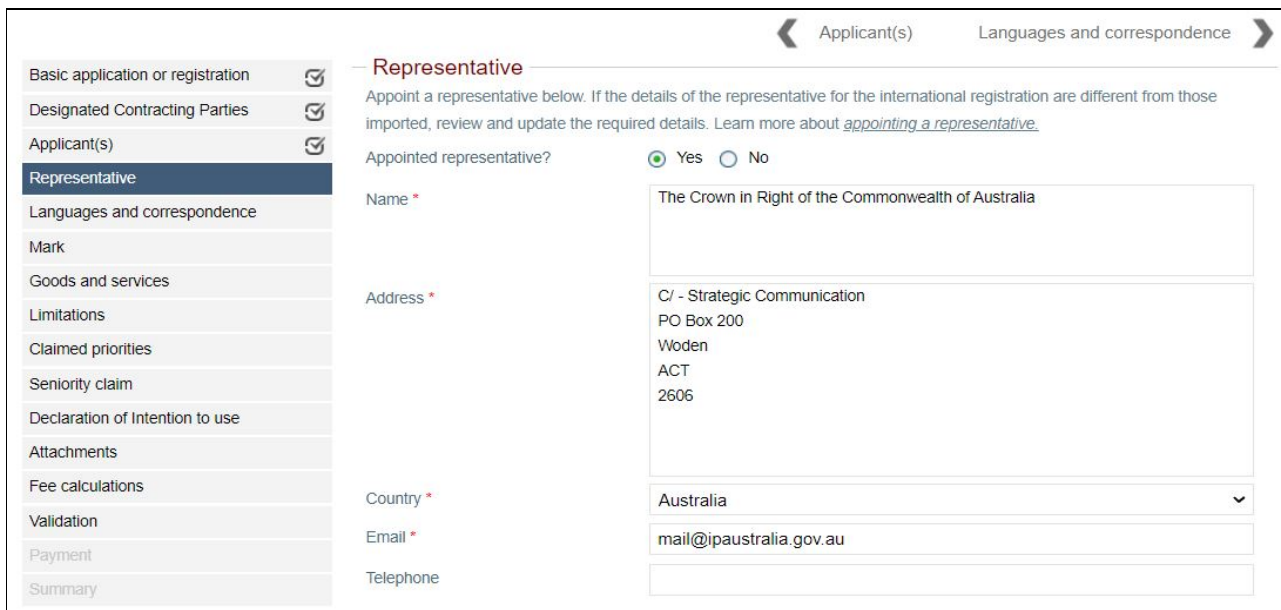
5. Click on the “Representative” button to navigate to the next screen.

## 4.5 Representative

1. The Representative screen will auto populate with the details that appear on the basic mark.

- Designating a representative is optional.
- The representative does not have to be the same as on the basic mark/s.
- The representative does not have to be in Australia.
- An email address is mandatory – all correspondence will be sent by email.
- All correspondence will be sent to the representative except for in the following situations:
  - a. If the representative is cancelled
  - b. a reminder six months before the renewal due date
  - c. notification of non-renewal

**Note:** the representative and applicant/s cannot share the same email address, unless they are acting in both roles. Applicant email addresses that are clearly variations of the representative’s may also be queried.



Applicant(s) Languages and correspondence

Basic application or registration

Designated Contracting Parties

Applicant(s)

**Representative**

Languages and correspondence

Mark

Goods and services

Limitations

Claimed priorities

Seniority claim

Declaration of Intention to use

Attachments

Fee calculations

Validation

Payment

Summary

**Representative**

Appoint a representative below. If the details of the representative for the international registration are different from those imported, review and update the required details. [Learn more about appointing a representative.](#)

Appointed representative?  Yes  No

Name \* The Crown in Right of the Commonwealth of Australia

Address \* C/ - Strategic Communication  
PO Box 200  
Woden  
ACT  
2606

Country \* Australia

Email \* mail@ipaustralia.gov.au

Telephone

2. Verify the displayed details or edit if required.

3. Click on the “Languages and correspondence” arrow to navigate to the next screen.

## 4.6 Languages and correspondence

**Note:** All fields are mandatory and the “Second language for European Union” field will only populate if the European Union has been designated.

← Representative
Mark →

### Languages

Preferred correspondence language with WIPO \* English ▼

Preferred correspondence language with office of origin \* English ▼

When designating the EUIPO, a second language is required. Use the drop-down list below to indicate a preference

Second language for European Union (EUIPO) \* 
 -- ▼  
—  
 German  
 Italian  
 French  
 Spanish

1. You may select from English, French and Spanish as your preferred language of communication with WIPO.
2. You can **only** select English as your preferred language of communication with the Office of Origin (IP Australia).
3. If you have designated the European Union, **you must** select a second language. Options for a second language are French, Spanish, Italian or German.
4. If you have designated a representative, then all correspondence will be sent to the representative email address except for in the following situations:
  - a. If the representative is cancelled
  - b. a reminder six months before the renewal due date
  - c. notification of non-renewal
5. If you have not appointed a representative the system will default to the applicant's email address.

**Correspondence**

Will be sent to the applicant

Name \*

Address

Country

Email \*

Telephone

Will be sent to this address

6. You can choose to send the correspondence to another address by clicking on the “Will be sent to this address” button. The system will allow you to add additional address details.

**Correspondence**

Will be sent to the applicant

Will be sent to this address

Name \*

Street \*

City \*

Country \*

Postal Code \*

PO BOX

Email \*

Telephone

▶ Show more address fields

7. Click on the “Mark” button to navigate to the next screen.

## 4.7 Mark

- Existing mark details stored against the Australian basic application or registration will populate automatically, however you should still review them to ensure they are correct.

Application for international registration

← Languages and correspondence      Goods and services →

- Basic application or registration
- Designated Contracting Parties
- Applicant(s)
- Representative
- Languages and correspondence
- Mark**
- Goods and services
- Limitations
- Claimed priorities
- Seniority claim
- Declaration of Intention to use
- Attachments
- Fee calculations
- Validation
- Payment
- Summary


**Mark**

Type: Figurative

Kind: Individual

---

**Image representation**



The mark is in color

The applicant claims color(s) as a distinctive feature of the mark

---

**Transliteration of the mark**

This is mandatory if a mark is or contains non-Latin characters or non-Arabic numerals

---

**Translation of the mark**

As required by some designated Contracting Parties

The words in the mark have no meaning and cannot be translated

English translation:

French translation:

Spanish translation:

---

**Additional information**

Description, if any, as it appears in the basic mark

Voluntary description

Verbal elements

SMART TRADE MARK

The applicant declares to disclaim protection for the following element(s)

← Languages and correspondence      Goods and services →

- You must indicate the kind and type of mark. For most applications the type will either be “word”, “figurative” or “combined”, and the kind “individual”.
  - If the mark is a word only **DO NOT** add any additional text/symbols. The trade mark in the International registration **must** be identical to the basic trade mark. This includes upper and lower case for word marks. The image representation section will not appear if the Mark Kind is a “word”. **Note:** The system should automatically indicate that the mark be considered as a mark in standard characters.

**Mark**

Type

Kind \*

---

**Text**

Trademark \*

The mark is a mark in standard characters

- b. If the Australian Trademark is in colour, the system should automatically check the “The mark is in color” box. If the indication at this check box is not correct, please amend as applicable. **Note:** WIPO charge an administration fee to process marks that have any colour in them. This is separate to claiming colour as a distinctive feature. If you do not wish to be charged this fee you should request an amendment to the basic mark to be converted to black and white or grey scale before filing the international application.
- c. The system allows you to claim colour as a distinctive feature of the mark. The “Color claimed” section will only display if you have checked both the “Mark is in color” option and then checked “The applicant claims color(s) as a distinctive feature of the mark”. You must enter at least one colour.

The applicant claims color(s) as a distinctive feature of the mark

---

**Color claim**

Colors claimed

The principal parts that are in color

## Series Marks

- a. There is no provision for Series marks to be filed under the Madrid Protocol. If the basic trademark is a series mark, you must choose one mark from the series on which to base your international application. If you wish to claim for all marks, you will need to apply for a separate international application for each individual mark.
- b. If it is a word mark you must delete the versions in the series mark not being claimed and leave the one that is.
- c. If it is an image the system will auto populate the first image that appears on the Australian Trade Mark Search database. If that is not the image being claimed on the international application, or if all the images in the series mark appear in the box, then you must clearly nominate which version is being applied for. This should be done by:
  - Attaching a covering letter advising that the national application is a series mark and that you are applying for the attached mark.
  - Uploading a separate copy of the image.
  - In the Attachment Tab, click on “Add files” select the appropriate file, click on “Start upload”. Note: you can’t jump to the attachment tab until the previous ones are completed.

## Transliteration and Other mark information

**Transliteration of the mark**

This is mandatory if a mark is or contains non-Latin characters or non-Arabic numerals

**Translation of the mark**

As required by some designated Contracting Parties

The words in the mark have no meaning and cannot be translated

English translation

French translation

Spanish translation

**Additional information**

Description, if any, as it appears in the basic mark

Voluntary description

Verbal elements \*

SMART TRADE MARK

The applicant declares to disclaim protection for the following element(s)

← Languages and correspondence Goods and services →

- You will be required to provide a transliteration for a Mark containing non-Latin characters or non-Arabic numbers (such as Chinese characters).
- You may tick the box “The words in the mark have no meaning and cannot be translated” or include a translation into English, French or Spanish. This is optional.
- Description of the Mark - where the basic application or basic registration contains a description of the mark, the same description may, if the applicant so wishes or if the Office of origin so requires, be included in this section. Normally any mandatory text will be listed in the “Endorsements” field of your basic mark, and may begin with the phrase “It is a condition of registration...”. If a description is provided, it must be a description of the mark and not, for example, a statement concerning the use of the mark or its reputation.
- Voluntary description of the mark (optional) – any description of the mark, including the description contained in the basic application or registration, if you were not required to provide this description in the Description of the Mark field.





e. Verbal element details should be provided if the mark feature is a Combined (picture and text logo). If these are not auto populated, then the customer should add them.

3. Click on the “Goods and services” button to navigate to the next screen.

## 4.8 Goods and services

1. The system displays a list of all the existing goods and services details stored against the Australian Basic application or registration. By default the application will proceed for all classes and all goods/services listed on the basic mark.


◀ Mark      Limitations ▶

### Goods and Services

As a courtesy, the imported list of goods and services, if not already defined in one of WIPO's three filing languages (English, French or Spanish), is automatically translated into the selected filing language.

If creating an application manually, use the [Madrid Goods & Services Manager](#) to prepare the list. Once done, add the class(es) as defined in the national mark. Open the class to add and edit the terms.

Want to avoid possible irregularities from WIPO? Click the "Check classification" button to verify that the terms are in the correct class and not too vague. Refer to the [examination guidelines](#) for more information regarding WIPO's classification practices.

 Check classification

New class	1	+
Class 9		✕
Class 35		✕
Class 42		✕

2. Click on each Class # to display the full list of items claimed within that class.

New class	1	+
Class 9	Bilingual Display   Edit   Remove selected terms	✕
<input checked="" type="checkbox"/> EN Downloadable software applications (apps) <input checked="" type="checkbox"/> EN Application software <input checked="" type="checkbox"/> EN Computer software for communication between computer processes <input checked="" type="checkbox"/> EN Computer software for authorising access to data bases		
Class 35		✕
Class 42		✕

- a. You can change the goods/services claimed by removing whole classes, just some descriptions within a class, or by limiting them country by country in the "Limitations" section. **Note:** if you edit the list of goods or services, the edited items **cannot** be broader in scope than those of the basic application/registration.
- b. Bilingual Display – Not applicable when applying for an international application via this Office of Origin.

- c. Edit – This button will allow you to change all the terms specified within that class. You can highlight an individual term to edit or remove it, or copy/paste multiple descriptions.

- d. Remove selected terms – This button will allow you to remove all the terms that you have ticked. You will be asked to confirm before deletion. To re-enter the claim(s), click on edit and retype.

### Goods and Services

As a courtesy, the imported list of goods and services, if not already defined in one of WIPO's three filing languages (English, French or Spanish), is automatically translated into the selected filing language.

If creating an application manually, use the [Madrid Goods & Services Manager](#) to prepare the list. Once done, add the class(es) as defined in the national mark. Open the class to add and edit the terms.

Want to avoid possible irregularities from WIPO? Click the "Check classification" button to verify that the terms are in the correct class and not too vague. Refer to the [examination guidelines](#) for more information regarding WIPO's classification practices.

Check classification

- e. – This button will delete the whole class and all the terms listed within that class. If you wish to undo the deletion, click on the down arrow in the *New Class* field and select the relevant class number then click on the plus icon . Repeat if reversal of deletion is applicable for other classes.

New class

- f. The system will display a confirmation message before any amendments or deletions are made to a class. If you wish to proceed, click the OK button.

3. WIPO provides the **Madrid Goods & Services Manager** as a tool to assist with the acceptability of the claims. When selected the “Check Classification” button will assess the class number and wording of the descriptions and may suggest possible alternatives.

Check classification

- Classification not yet checked
- Checked and certified
- Wrong class
- Too vague or not found
- Too long or poorly formulated
- Duplicate term

New class

Class 9
Bilingual Display | Edit | Remove selected terms |

<input checked="" type="checkbox"/>	EN	Downloadable software applications (apps)
<input checked="" type="checkbox"/>	EN	Application software
<input checked="" type="checkbox"/>	EN	Computer software for communication between computer processes
<input checked="" type="checkbox"/>	EN	Computer software for authorising access to data bases
<input type="checkbox"/>	EN	Computer system design
<input type="checkbox"/>	EN	Computer things

Class 35

Class 42

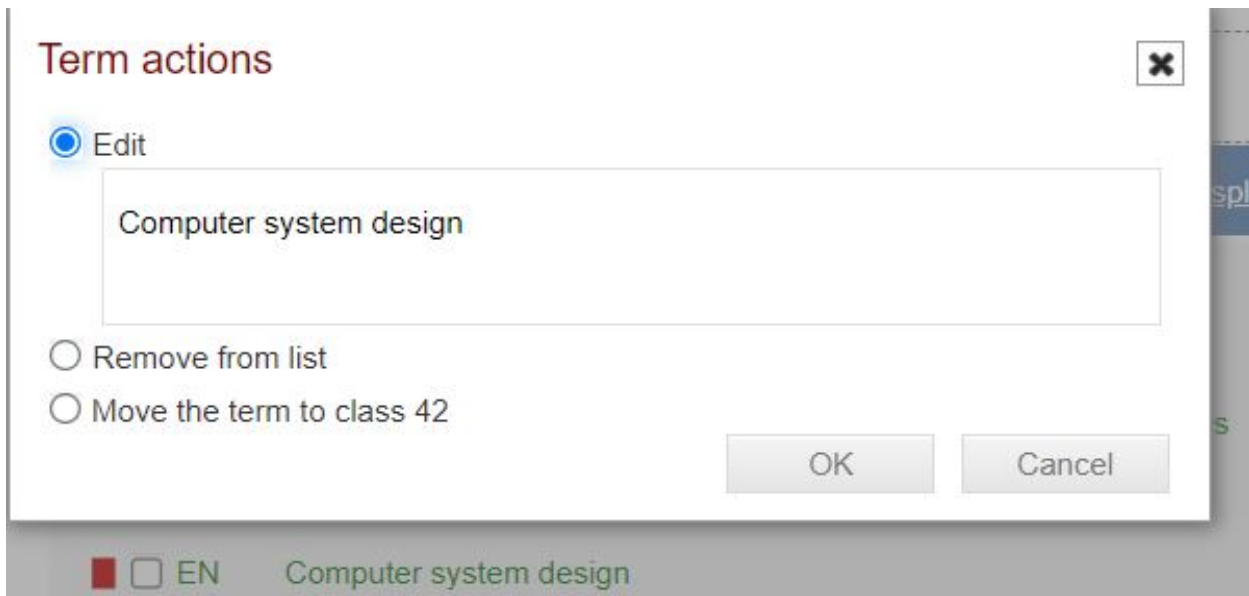
- If some of the descriptions are considered not valid a warning message will display.


Warning
[Hide details](#) [Close](#)

Not all terms are validated:

- Checked and certified: 15
- Wrong class: 1
- Too vague or not found: 1

- Clicking on a description will open an action box which will allow you to modify it.



- For descriptions considered “Too vague or not found” clicking on the  will open a selection of possible alternatives to choose from.

### Validated terms

Showing the 100 most relevant terms

Click on a term to import it

- 9 computer programs for Internet of Things [IoT] enabled devices
- 9 computer software for use in implementing Internet of Things [IoT]
- 9 downloadable computer software for use in implementing Internet of Things [IoT]
- 9 computer application software for use in implementing Internet of Things [IoT]
- 9 computer programs for use in implementing Internet of Things [IoT]

- When the international application is submitted, as part of the initial filing check IP Australia will compare the goods and services listed with those on the basic mark/s. Any variations that are considered to broaden the scope of the basic mark/s will be identified and raised as a formality issue.

4. Click on the “Limitations” button to navigate to the next screen.

## 4.9 Limitations

If not all good/services included in the main list are to be applied for in all designated contracting parties (countries), or if different wording might be required for a particular country, you can “limit” them at this point.

1. To create a limitation list of goods and services for one or more countries click on the “Add a limitation” button.

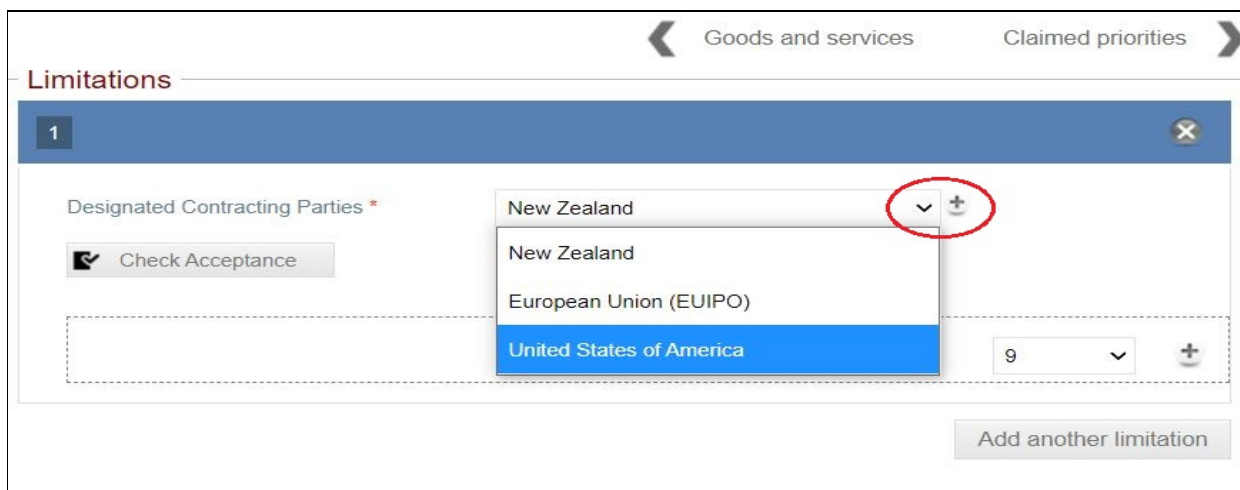
← Goods and services
Claimed priorities →

### Limitations

Want to avoid a refusal from a designated Contracting Party? Click the "Add limitation" button, selecting the Contracting Party and class(es) of goods and services for which a limitation is sought. Open the class to edit or remove terms. [Learn more about limitations.](#)

**Add limitation**

2. Click on the down arrow and select the country you wish to apply the limitation to and then click on the plus sign **+**. The country will then populate in the heading bar as well as in the left of the window.



← Goods and services
Claimed priorities →

**1** ✕

Designated Contracting Parties \*

Check Acceptance

New Zealand ▼ +

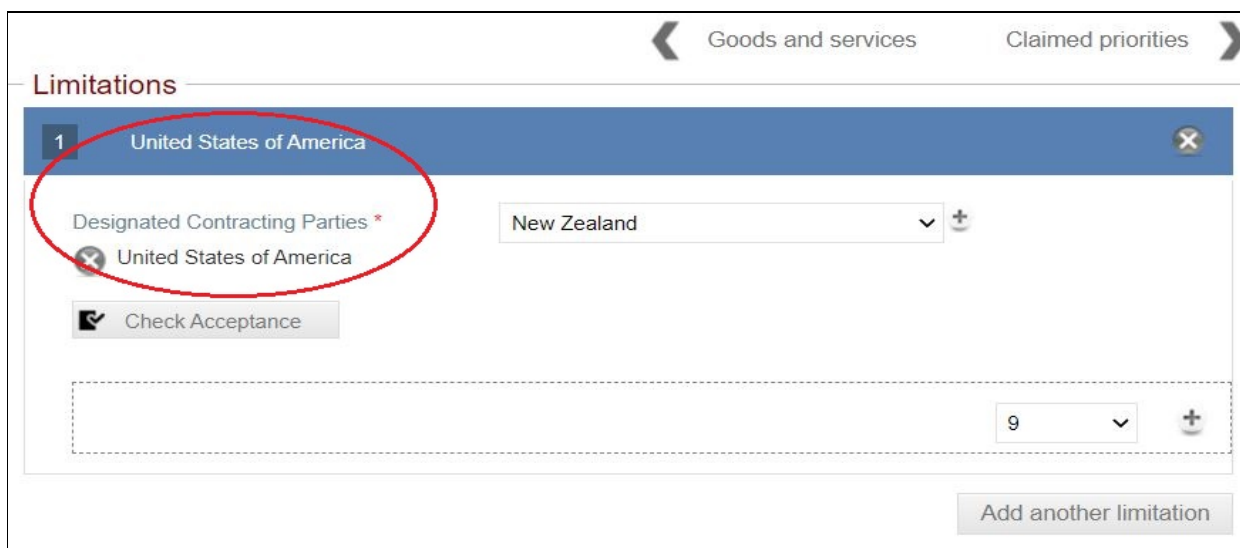
New Zealand

European Union (EUIPO)

**United States of America**

9 ▼ +

Add another limitation



← Goods and services
Claimed priorities →

**1 United States of America** ✕

Designated Contracting Parties \*


Check Acceptance



New Zealand ▼ +

9 ▼ +

Add another limitation






3. If the same limitation list is to be used for another country, click on the down arrow again, select the country and click on the plus sign .


- To remove a country from the list, click on the cross  to the left of the country name.
- To remove an entire limitation list, click on the cross  on the right of the heading bar.

 Goods and services Claimed priorities 


**Limitations**

1 United States of America, New Zealand



Designated Contracting Parties \* European Union (EUIPO)  





 United States of America  







 New Zealand

 Check Acceptance


9  



Add another limitation


4. To display and add a class to the list:
- Click on the down arrow in the bottom right-hand side of the window and select the class required. **Note:** Only the classes listed in the Goods and Services tab of international application will populate for selection.
  - Click the plus sign .
  - Repeat for further classes.
  - To remove a class, click the cross .

 Goods and services Claimed priorities 


**Limitations**

1 United States of America, New Zealand



Designated Contracting Parties \* European Union (EUIPO)  





 United States of America  



 New Zealand

 Check Acceptance

9  

9  
9  
 35  
 42

Add another limitation

5. Click on the class to view the claims where you can:

- Click Edit to make changes to the claims and then click Ok to save the changes.
- Remove claims by ticking the box next to the relevant claim(s) and click “Remove selected terms”.

← Goods and services Claimed priorities →

**Limitations**

1 United States of America, New Zealand
✕

Designated Contracting Parties \* European Union (EUIPO) ▼ +

✕ United States of America

✕ New Zealand

Check Acceptance

---

42

▼

+

Class 9
✕

Class 35 🔄
Bilingual Display | Edit | Remove selected terms | Clear |
✕

EN Promotional advertising services

EN Business assistance

Add another limitation

6. It is possible to add further limitation lists for the remaining countries by clicking on “Add another limitation”

← Goods and services Claimed priorities →

**Limitations**

1 United States of America, New Zealand
✕

2 European Union (EUIPO)
✕

Designated Contracting Parties \* ▼

✕ European Union (EUIPO)

Check Acceptance

---

35

▼

+

Class 9
✕

Class 42
✕





- **Note:** The “Check acceptance” button is like the Madrid Goods & Services Manager on the Goods and Services tab but has been provided as a guide to assist only with the acceptability of the claims in the particular designated countries.

7. Click on the “Claimed priorities” button to navigate to the next screen.

## 4.10 Claimed priorities

Priority can only be claimed where the filing date of the International application is within **six months** from the filing date of the basic application/s.

**Note:** If the six-month deadline falls on a weekend or holiday you are still entitled to claim priority **if you file on the next business day**. However, the Madrid e-Filing form will not allow you include those details. Instead, you will need to submit the application without the priority claim and include a letter at the “Attachments” tab, clearly stating the priority details that you wish to claim and that you are filing on the next business day.

1. Priority details are added automatically if within six months from the filing date of the basic mark.

← Limitations
Declaration of Intention to use →

### Claimed priorities

As a courtesy, a claimed priority is added automatically if the national application filing date is within six months of the international application filing date. It is possible to delete the claimed priority if such protection is not sought.

NOTE: it is not possible to add a claimed priority if the national application filing date is older than six months of the international application filing date.

1
AU - Australia
Ref :2173837
Date :26.04.2021
✕

Office of earlier filing *	<input type="text" value="AU - Australia"/>
Number of earlier filing *	<input type="text" value="2173837"/>
Date of earlier filing *	<input type="text" value="26.04.2021"/>

No action required to claim a complete priority of goods and services

Apparel, namely, footwear and headwear, swimwear, dresses, skirts, pants, shorts, tops, shirts, t-shirts, sweaters, jumpers, coats, jackets, suits, socks, shoes, hats, headbands, scarves, playsuits, jumpsuits, lingerie, underwear, belts, jeans, blouses and tank tops

articles of clothing made of imitation leather, namely, dresses, skirts, pants, shorts, tops, shirts, t-shirts, sweaters, jumpers, swimwear, coats, jackets, suits, socks, shoes, hats, headbands, scarves, playsuits, jumpsuits, lingerie, underwear, belts, blouses and tank tops

articles of clothing made of leather, namely, dresses, skirts, pants, shorts, tops, shirts, t-shirts, sweaters, swimwear, coats, jackets, suits,

Use the arrow button to claim a partial priority of Goods and services

↔


Remove class




Remove selected terms

Add



2. If there is only one basic mark from which priority is being claimed for all the goods and services indicated, then you do not need to do anything. You can simply navigate to the next screen.
3. If there is more than one basic mark, or you wish to only claim priority for some goods/services, you will need to manually add the priority details using the steps below.
4. The “Office of earlier filing” will default to Australia. If priority relates to an application filed in another country, click on the down arrow to select that country.
5. The “Number of earlier filing” – please check the basic application number is correct, especially if there are multiple basic marks included.
6. Enter the “Date of earlier filing”, noting that the filing date of the application in the claimed priority cannot be older than six months.
7. The drop-down list will contain **all** the classes that are present in the main goods and services list. For applications based on multiple basic marks this means it may include those that do not qualify for priority claim.
8. If the priority is only being sought for one or some classes, select the class by clicking on the

down arrow  and then:

- a. To transfer all the terms within the class, click the curved arrow  next to the class number. This will move all terms to the right-hand column. If required, repeat for further classes.
  - b. To transfer selected terms within the class, click on the relevant term(s) within the class (hold down the Ctrl key to highlight multiple terms) and click the curved arrow  next to the terms. This will move only the selected terms to the right-hand column. If required, repeat for terms within further classes.
  - c. “Remove class” button – This will remove all the terms within the selected class.
  - d. “Remove selected terms” button – This will remove all the highlighted terms within the selected class.
  - e. “Add another claimed priority” button – This allows you to add another claim priority.
  - f. X button  – This button will delete the whole claimed priority.
9. If the European Union has been designated, click on the MM17 button to navigate to the next screen and follow the instructions at step 4.10.
  10. If the United States of America has been designated, click on the MM18 button to navigate to the next screen and follow the instructions at step 4.11.
  11. If the European Union and the United States of America have **not** been designated, click on the “Attachments” button to navigate to the next screen and follow the instructions at step 4.12.

## 4.11 MM17

If the European Union has been designated the option of adding a seniority claim is available at the MM17 tab. The MM17 Claim of Seniority should only be completed where the applicants have this mark registered in a Member State of the European Union for goods and services included in this international application.

1. If seniority is being claimed, click on the “Add seniority” button

Application for international registration

◀ Claimed priorities      Declaration of Intention to use ▶

Basic application or registration	<input checked="" type="checkbox"/>	<p>– Seniority claim (MM17) –</p> <p>By designating the EUIPO, it is possible to claim the seniority of an earlier mark registered in, or for, a Member State of the European Union. Click the "Add seniority" button and make sure to complete the mandatory fields</p> <p style="text-align: right;"><b>Add seniority</b></p>
Designated Contracting Parties	<input checked="" type="checkbox"/>	
Applicant(s)	<input checked="" type="checkbox"/>	
Representative	<input checked="" type="checkbox"/>	
Languages and correspondence	<input checked="" type="checkbox"/>	
Mark	<input checked="" type="checkbox"/>	
Goods and services	<input checked="" type="checkbox"/>	
Limitations	<input checked="" type="checkbox"/>	
Claimed priorities	<input checked="" type="checkbox"/>	
Seniority claim	<input checked="" type="checkbox"/>	

Application for international registration

◀ Claimed priorities      Declaration of Intention to use ▶

Basic application or registration	<input checked="" type="checkbox"/>	<p>– Seniority claim (MM17) –</p> <table border="1"> <tr> <td>1</td> <td>AT - Austria</td> <td>Ref :1234567</td> <td>National</td> <td>Date :01.11.2020</td> <td><input type="button" value="X"/></td> </tr> <tr> <td>European country code *</td> <td colspan="5">AT - Austria</td> </tr> <tr> <td>Registration number *</td> <td colspan="5">1234567</td> </tr> <tr> <td>Scope *</td> <td colspan="5">National</td> </tr> <tr> <td>Filing date *</td> <td colspan="5">01.11.2020</td> </tr> <tr> <td colspan="6" style="text-align: right;"><input type="button" value="Add another seniority"/></td> </tr> </table>	1	AT - Austria	Ref :1234567	National	Date :01.11.2020	<input type="button" value="X"/>	European country code *	AT - Austria					Registration number *	1234567					Scope *	National					Filing date *	01.11.2020					<input type="button" value="Add another seniority"/>					
1	AT - Austria		Ref :1234567	National	Date :01.11.2020	<input type="button" value="X"/>																																
European country code *	AT - Austria																																					
Registration number *	1234567																																					
Scope *	National																																					
Filing date *	01.11.2020																																					
<input type="button" value="Add another seniority"/>																																						
Designated Contracting Parties	<input checked="" type="checkbox"/>																																					
Applicant(s)	<input checked="" type="checkbox"/>																																					
Representative	<input checked="" type="checkbox"/>																																					
Languages and correspondence	<input checked="" type="checkbox"/>																																					
Mark	<input checked="" type="checkbox"/>																																					
Goods and services	<input checked="" type="checkbox"/>																																					
Limitations	<input checked="" type="checkbox"/>																																					
Claimed priorities	<input checked="" type="checkbox"/>																																					
Seniority claim	<input checked="" type="checkbox"/>																																					
Declaration of Intention to use	<input type="checkbox"/>																																					
Attachments	<input type="checkbox"/>																																					

2. Select the European country by clicking on the down arrow and clicking on the relevant country.
3. Enter the registration number of the earlier filing.
4. Select the scope of the registration as either National or International by clicking on the down arrow.
5. Enter the filing date of the earlier registration.
6. If the United States of America has been designated, click on the MM18 button to navigate to the next screen and follow the instructions at step 4.12.
7. If the United States of America has **not** been designated, click on the “Attachments” button to navigate to the next screen and follow the instructions at step 4.13.

## 4.12 MM18

If the United States of America has been designated it is mandatory to complete the MM18 - Declaration of Intention to Use the Mark.

All fields and the penalty warning tick box must be completed and the signature. The system will now automatically populate the forward slash ( / ) at the start and end of the name in the signature field once you have progressed through to the attachment screen e.g. /Jane Citizen/

**Please note:** If the MM18 is not correctly completed and there are no other formality issues, our office will not raise a formality. The application will be certified and forwarded to WIPO who will then issue an Irregularity Notice.

Seniority claim
Attachments

Basic application or registration	✔
Designated Contracting Parties	✔
Applicant(s)	✔
Representative	✔
Languages and correspondence	✔
Mark	✔
Goods and services	✔
Limitations	✔
Claimed priorities	✔
Seniority claim	✔
<b>Declaration of Intention to use</b>	
Attachments	✔
Fee calculations	✔
Validation	
Payment	
Summary	

### Declaration of Intention to use (MM18)

This form contains the exact wording of the declaration of intention to use the mark required by the United States of America. The United States of America requires that the intention to use the mark be made in English, even if the international application is in French or Spanish.

**DECLARATION OF INTENTION TO USE THE MARK:  
UNITED STATES OF AMERICA**

By designating the United States in the application for international registration/subsequent designation, the person signing below declares that:

- (1) the applicant/holder has a bona fide intention to use the mark in commerce that the United States Congress can regulate on or in connection with the goods/services identified in the international application/subsequent designation;
- (2) he/she is properly authorized to execute this declaration on behalf of the applicant/holder;
- (3) he/she believes applicant/holder to be entitled to use the mark in commerce that the United States Congress can regulate on or in connection with the goods/services identified in the international application/subsequent designation; and
- (4) to the best of his/her knowledge and belief no other person, firm, corporation, association, or other legal entity has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and
- (5) to the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.

I declare under penalty of perjury under the laws of the United States of America that all the foregoing statements are true and correct to the best of my knowledge and belief. I understand that willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, and are punishable by fine or imprisonment, or both (18 U.S.C. §1001). 35 U.S.C. §25(b).

/Jane Citizen/	22.10.2020
Signature *	Date of execution (dd.MM.yyyy) *
Jane Citizen	
Signatory's Name (Printed) *	
Director	
Signatory's Title *	

**INSTRUCTION**

This declaration must be signed by:

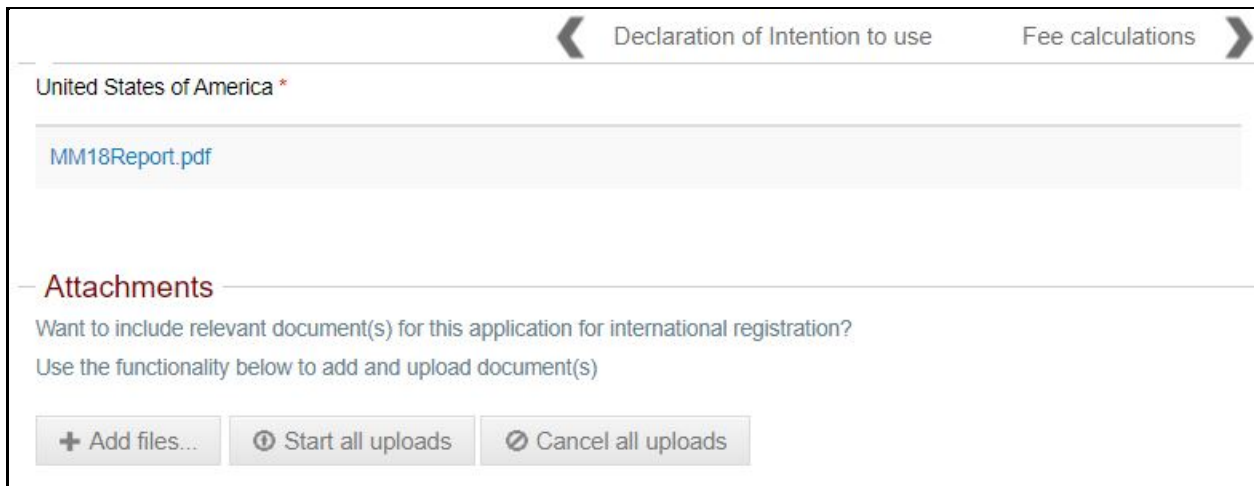
- (1) the applicant/holder or a person with legal authority to bind the applicant/holder; or
- (2) a person with firsthand knowledge of the facts and actual or implied authority to act on behalf of the applicant/holder; or
- (3) an attorney who is authorized to practice before the United States Patent and Trademark Office under 37 C.F.R. §10.1(c), who has an actual written or verbal power of attorney or an implied power of attorney from the applicant/holder.

- Click on the "Attachments" button to navigate to the next screen



## 4.13 Attachments

1. If the United States of America is one of the Designated Countries, the MM18 form that was completed on the previous screen will be attached here and can be viewed by clicking on the pdf link.



Declaration of Intention to use Fee calculations

United States of America \*

[MM18Report.pdf](#)

**Attachments**

Want to include relevant document(s) for this application for international registration?  
Use the functionality below to add and upload document(s)

+ Add files... Start all uploads Cancel all uploads

2. If one of the Designated Countries is the European Union and an MM17 Seniority Claim was completed it will only be viewable in the application summary available at the Validation screen.
3. Upload any other files relevant to the application, e.g. a covering letter and/or a copy of the single image of the series mark being sought if required (see the Mark tab, Item 3.7(3)). **Do not** attach copies of acceptance notices, registration certificates, or examination reports from the basic mark/s, or certificates of incorporation, citizenship, or other personal documents.
  - a. Click on "Add files"
  - b. Select the appropriate file
  - c. Click on "Start upload".

Note: You can only upload one attachment at a time

4. Click on the "Fee calculations" button to navigate to the next screen.

## 4.14 Fee calculations

1. Click on “Show fees details” to display the fee breakdown of all the charges for the international application in Swiss Francs. **Note:** Currency exchange rates can vary between the date the application was started and when it is finally submitted by making payment. You may wish to recalculate immediately before you submit to avoid an under or over payment.

[← Attachments](#)      [Validation →](#)

### Fee calculations

The fees payable for this international application are shown below. For representatives, use the print screen function to save the fee calculation sheet for further reference. [Learn more about fees.](#)

International fees (basic part)	CHF 903.00
International fees (individual part)	CHF 2,162.00
<b>Grand total</b>	<b>CHF 3,065.00</b>

[Show fee details](#)

 [Print fee screen](#)

- a. Each time the user makes a change to the goods and services or adds additional countries this screen will be refreshed with a new breakdown of fees.


[← Attachments](#)      [Validation →](#)

### Fee calculations

The fees payable for this international application are shown below. For representatives, use the print screen function to save the fee calculation sheet for further reference. [Learn more about fees.](#)

International fees (basic part)	CHF 903.00
International fees (individual part)	CHF 2,405.00
<b>Total due now</b>	<b>CHF 3,308.00</b>
International fees (individual part 2), <b>Due once the designated Contracting Party completes examination</b>	CHF 723.00
<b>Grand total (Total due now + individual part 2)</b>	<b>CHF 4,031.00</b>

[Show fee details](#)

 [Print fee screen](#)

- b. The respective individual fees for Japan, Cuba and Brazil are payable in two parts (more details in the Remarks under the Designating Countries tab) **Note:** the individual fees payable in second parts quoted in the summary are **only** an indication of the possible fee due. Please ensure that you recalculate the fees at the time of paying, to ensure any fee changes in those countries have been calculated correctly.
- c. There is no “National fee” for filing the application through IP Australia.
- d. The “International fees (basic part)” is the amount charged by WIPO. The fee will state either that it is for a reproduction of the mark in black and white **or** in colour.

- e. “International fees (individual part)” list the fees charged by each designated party. The amounts each charge can vary greatly and can either be a flat fee or per class (the number given in the “Supplem. Fees quantity” column).
- f. The amount in given in the “Grand total” will cover registration for the initial ten years from the date of filing.

← Attachments
Validation →

- Basic application or registration
- Designated Contracting Parties
- Applicant(s)
- Representative
- Languages and correspondence
- Mark
- Goods and services
- Limitations
- Claimed priorities
- Seniority claim
- Declaration of Intention to use
- Attachments
- Fee calculations
- Validation
- Payment
- Summary

### Fee calculations

The fees payable for this international application are shown below. For representatives, use the print screen function to save the fee calculation sheet for further reference. [Learn more about fees.](#)

International fees (basic part)	CHF 903.00
International fees (individual part)	CHF 2,162.00
<b>Grand total</b>	<b>CHF 3,065.00</b>

[Hide fees details](#)

### Fees details

#### National fee

Handling fees	CHF 0.00
<b>Total national fees</b>	<b>CHF 0.00</b>

#### International fees (basic part)

Basic fee when the reproduction of the mark is in color	CHF 903.00
<b>Total basic fees</b>	<b>CHF 903.00</b>

#### International fees (individual part)

	Individual fees	Collective and individual fees	Supplem. fees quantity	Supplem. fees unit amount	Total amount
European Union (EUIPO) (1 class(es) included)	CHF 897.00		1	CHF 55.00	CHF 952.00
European Union (EUIPO) (2 class(es) included)			1	CHF 164.00	CHF 164.00
New Zealand (1 class(es) included)	CHF 63.00		1	CHF 63.00	CHF 126.00
United States of America (1 class(es) included)	CHF 460.00		1	CHF 460.00	CHF 920.00
<b>Total individual fees</b>					<b>CHF 2,162.00</b>

2. Click on the “Validation” button to navigate to the next screen.



## 4.15 Validation

1. The Validation screen will open displaying a .PDF summary of your application. Each of the menu items on the left should be ticked if complete. Open the application summary and check that the application details are correct. If not, return to the relevant tab and make the necessary changes.
2. Once the information in the summary is correct, save a copy of the Application (PDF) for your records.

### Application for international registration

← Fee calculations    Payment →

Basic application or registration	<input checked="" type="checkbox"/>
Designated Contracting Parties	<input checked="" type="checkbox"/>
Applicant(s)	<input checked="" type="checkbox"/>
Representative	<input checked="" type="checkbox"/>
Languages and correspondence	<input checked="" type="checkbox"/>
Mark	<input checked="" type="checkbox"/>
Goods and services	<input checked="" type="checkbox"/>
Limitations	<input checked="" type="checkbox"/>
Claimed priorities	<input checked="" type="checkbox"/>
Declaration of Intention to use	<input checked="" type="checkbox"/>
Attachments	<input checked="" type="checkbox"/>
Fee calculations	<input checked="" type="checkbox"/>
<b>Validation</b>	
Payment	
Summary	

**Validation**

**A VERY IMPORTANT NOTE:** Recent changes to EU payment security regulations mean that some customers are experiencing problems when paying with a 3D secured credit card. MAKE SURE the credit card payment is fully processed and the state of the application in Madrid eFiling changes from 'Incomplete application' to 'Submitted to Office'.

A summary of the application is below. Take the time to review the application details before proceeding to payment. Upon payment, the application will be automatically submitted to the office of origin. Should an irregularity be found, a request for correction will be sent.

NOTE: some credit card payments take time to process. Please do not close the browser until redirected back to the Madrid eFiling summary screen. Contact the office of origin or WIPO immediately if payment was made yet the status of the application remains 'incomplete'.

Application (PDF)

3. Click on the “Payment” arrow to navigate to the next screen.

## 4.16 Payment

1. This screen displays the methods by which you can make payment to WIPO for the international application. Payment can be made by credit card, PayPal, or WIPO current account. (Please refer to the WIPO website for further information regarding a WIPO current account [http://www.wipo.int/about-wipo/en/finance/current\\_account/](http://www.wipo.int/about-wipo/en/finance/current_account/))
2. Select your preferred method of payment from the dropdown list.

### Invoice

Payment number	EPAY-TY9D-SER8
Reference	IRPI-000059804
Amount	1,699.00 CHF
Payment subject	Fee for Madrid eFiling
Choose payment method	<div style="border: 1px solid #ccc; padding: 5px;"> <div style="background-color: #f0f0f0; padding: 2px;">PayPal</div> <div style="padding: 2px;">Credit card</div> <div style="padding: 2px;">Current Account at WIPO</div> <div style="background-color: #007bff; color: white; padding: 2px;">PayPal</div> </div>

Pay
Go back


3. Click on the “Pay” button to navigate to the next screen.
  - a. If paying by **Credit Card**:
    - Enter the credit card type, cardholder name, number, CVV and expiry date
    - Click the ‘Pay’ button

### Payment by Credit Card

Recent changes to European payment security regulations mean that some customers are experiencing problems paying with a credit card. If your card payment is declined you should [click here](#) for instructions on how to resolve the issue.

Amount	1,699.00 CHF
Payment number	EPAY-TY9D-SER8
Reference	IRPI-000059804
Payment subject	Fee for Madrid eFiling

The connection between your web browser and the web server is encrypted. Encryption and verification (certified authenticity) of data transfer utilizes the strongest available encryption method, and is periodically updated to ensure currency with the latest versions. Your credit card will be automatically debited once you have confirmed payment.

Card type 

\*Please select\*

Full name of cardholder (as printed on card)

Card number

CVV Code (What is a CVV code?)

Card expiry date

▼

▼

Pay
Reset
Go back

- In the verification screen that populates check that the details are correct, click the “Submit” button for the payment to be processed, and proceed to step 4 below

**Note:** Should the credit card not be accepted it may be that additional authorisation is required, or the transaction is being blocked by the issuing financial institution. Please contact your financial institution. As WIPO states:

### 3D Secure (3DS)

The recent implementation of the EU's Payment Services Directive 2 includes a requirement for strong customer authentication when making card payments. If you continue to experience card payment declines and are unable to pay with your card you should contact your bank or card issuer to resolve the problem.

- b. If paying by **WIPO Current Account:**
- Enter the Username and Password
  - Click the “Pay” button

Invoice	
Amount	2,046.00 CHF
Payment number	EPAY-c7v8mKICTfcbfs
Reference	IRPI-000017910
Payment subject	Fee for Madrid eFiling

To pay using your WIPO Current Account, simply enter your username and password below. N.B. The password/username for your WIPO Current Account is NOT the same as the username/password for your WIPO Account.

Username

Password

- c. If paying by **PayPal:**
- You will be prompted to log into your PayPal account.



## Pay with PayPal

Enter your email or mobile number to get started.

[Forgotten your email?](#)

**Next**

or

Pay with a Card

[Cancel and return to WIPO](#)



4. Once the payment is successful the system will automatically open at the Summary screen.

## 4.17 Summary

1. The Summary screen will open confirming the application has been submitted and will display:
  - a. a PDF link to the summary of your application.
  - b. the date of submission of your application.
  - c. the email address to which the payment confirmation has been sent.
  - d. the payment number.

**Request for International registration**

YOUR INTERNATIONAL APPLICATION IS COMPLETE!  
Your international application is currently pending examination by the office of origin. Additional information is available below.

**Summary**

Status Paid

Your request (HTML) [My requests](#)

Your request (PDF)

**Application details**

Application number  
1815618

Date of submission  
11/15/2017 08:46:00

**Payment details**

A Payment confirmation or notification e-mailed to  
karen.smith@ipaaustralia.gov.au

Payment number  
EPAY-i9k6tkv4DRorZR

Basic application / registration

Designated contracting parties

Applicant(s)

Representative

Languages and correspondence

Mark

Goods and services

Claimed priorities

MM18

Attachments



Fee calculations

Validation

Payment

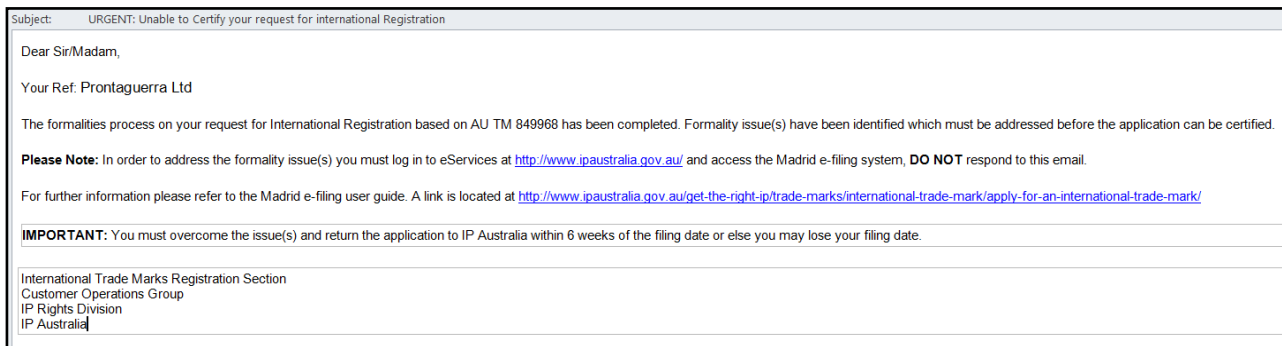
**Summary**

2. Click on the **My requests** button to return to the “My Portfolio” screen where the status of the Application should be changed from **Incomplete** to **Submitted to office**. Please check to make sure this status has changed. If the status has not changed, please check the “Paid” status which should read “Yes”.
3. If the “Paid status” still shows “No”, or payment has been interrupted or has timed out, or the payment page has been closed before payment has been finalised, contact your financial institution to check if funds have been debited. If not, reopen the application, go to the “Validation” tab and open and close the Application (PDF). That should allow you to step forward to the “Payment” page again, and the payment process should recommence and finalise. If you are still unable to make payment or unsure if the application has been submitted, please contact IP Australia.

**Note:** Once you have submitted your international application you will no longer be able to update any details, but you can click on the   and in the window that opens click on the “Display request” link to view the submitted application.

## 5. Responding to a formalities issue

If formality issues are detected in your application you will receive an email advising you to log back into the Madrid e-filing system through the IP Australia online services portal. The issues raised by IP Australia will be listed in the application form, not in the email, and all responses must be made in the application form itself. Do not respond to the notification email.



### IMPORTANT NOTES:

- You must overcome the issue(s) and return the application back to IP Australia within six weeks of the filing date, or else you may lose your filing date.
- The formality issues are not listed in the email notification. You must log back into your application in the Madrid e-filing system to view and respond to the formality issues.
- You can only fix the issues that have been identified. **Do not** make any further changes to the details, as filed, which are on that page. Changing any other part of the application, e.g. designating another country, is not possible.

To access the Madrid e-filing system:


- Log back into the IP Australia online services portal by repeating the steps in section 2.
- You will then be taken to the “My portfolio” page of the Madrid International Trademark System.
- The page displays all the current applications for the user, and their status.
- The applications with formalities issues will be in the status of **Correction pending**.

**Note:** only after an application has been certified by IP Australia and forwarded to WIPO can the details be viewed from WIPO’s Madrid Monitor: <https://www.wipo.int/madrid/monitor/en/>

Number	My reference	Mark text	Updated after	Paid	Status	
<a href="#">1196148</a>		THIS CENTRE IS ACCREDITED BY N...	02-03-2015	No	Incomplete request	
<a href="#">1583123</a>		FROTHIE	02-03-2015	No	Office examination	
<a href="#">763115</a>		HEALTHY WATERWAYS BECAUSE WE	02-03-2015	No	Incomplete request	
<a href="#">1661826</a>	Mon1	STORCO	02-03-2015	No	Correction pending	
<a href="#">1055290</a>	Mon2		02-03-2015	No	Correction pending	
<a href="#">1055435</a>	SAL		02-03-2015	No	Office examination	
<a href="#">1661826</a>	Viernes	STORCO	02-03-2015	No	Incomplete request	
<a href="#">1068665</a>			27-02-2015	No	Incomplete request	
<a href="#">1661826</a>	Int App	STORCO	27-02-2015	No	Incomplete request	
<a href="#">1420128</a>	Int App Dom	Saporini Made in Italy	27-02-2015	No	Incomplete request	

Showing 1 to 10 of 28 entries

1. There are two ways in which you can access and respond to formalities issues

- By clicking on the trade mark number on the left, or
- By clicking on the  icon on the right, and then on “Display Formality Issues” in the pop-up box.

Language: EN


My reference: Mon1





Mark text: STORCO

WIPO Finance receipt number:  Set

[Display request](#)

Display Formality Issues

2. The application will open and speech bubble icons  will appear in the tab(s) where an issue has been identified.

- Basic application / registration
- Designated contracting parties
- Applicant(s)
- Representative
- Languages and correspondence
- Mark 
- Goods and services 
- Claimed priorities
- MM18
- Attachments 
- Fee calculations
- Validation 

**General** ?

Language of the request \*

Your reference


---

**Basic application or basic registration** ?

*Basic application/basic registration*

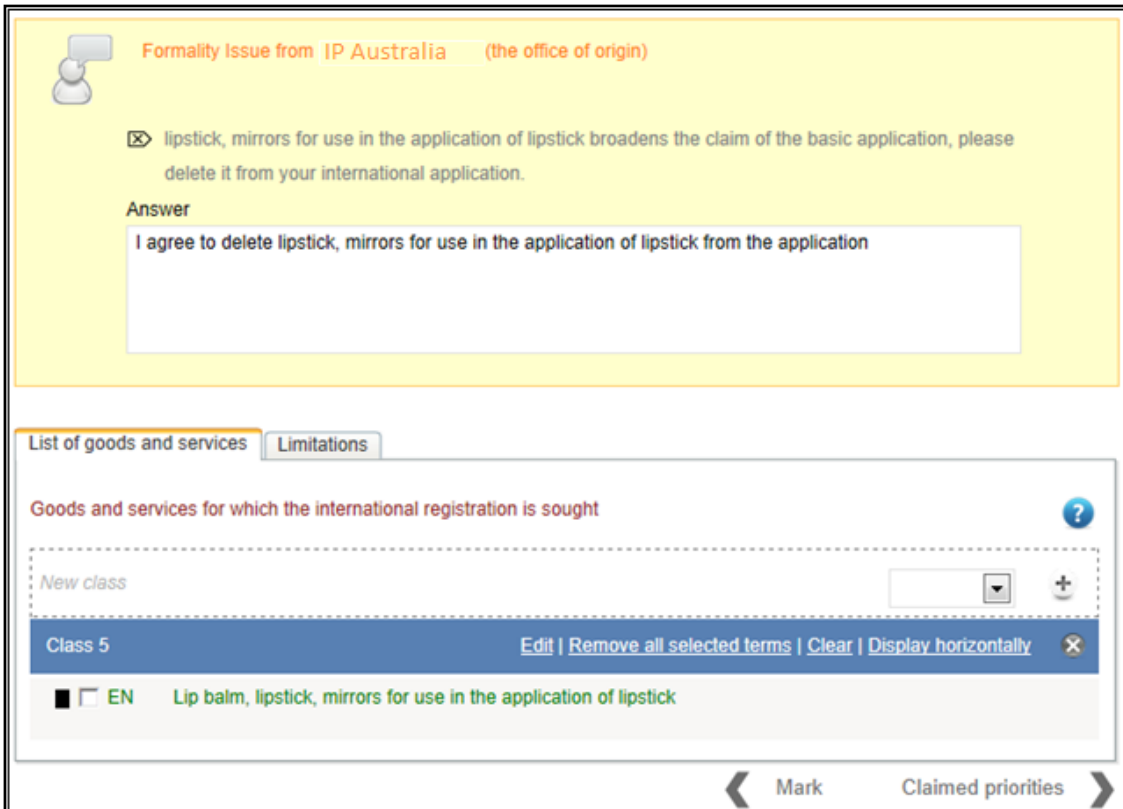
Application number: 1782456
Registration number: N/A
Application date: 11-07-2016

Import another trademark

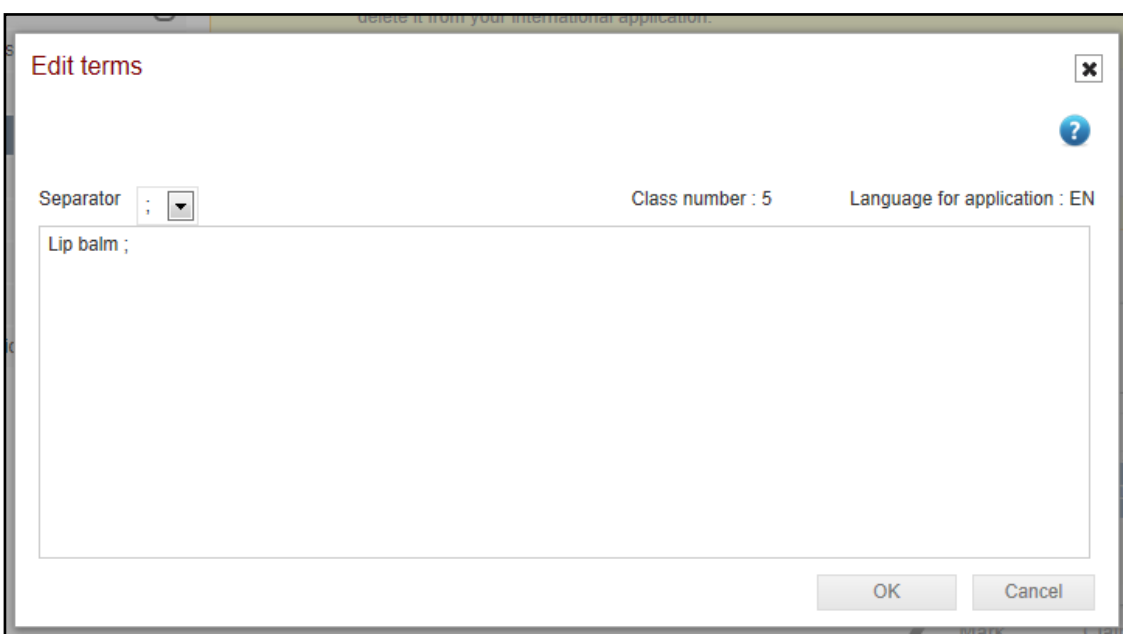
Designated contracting parties 



- Once you click on the speech bubble icon you will receive a message relating to this issue.
- Click on OK. Enter a comment in the Answer box.



- Click on the class in question, click on “Edit”, make the change, and click on “OK”.



- Continue through each tab that has a speech bubble icon until all the formalities issues have been addressed.

- Click on the "Validation" tab. You will see an overview of your responses, and all the speech bubbles should now be ticks. then click on **Send**.

- Basic application or registration
- Designated Contracting Parties
- Applicant(s)
- Representative
- Languages and correspondence
- Mark
- Goods and services
- Limitations
- Claimed priorities
- Attachments
- Fee calculations
- Validation

### Formality Issues

The office of origin has identified one or more Formalities. When complete, click the "send" button to return the application to the office of origin.

Applicants | 02-12-2021 : Emily Russell | Test 1

*Test*

Answer

I have amended the address.

Mark information - General | 02-12-2021 : Emily Russell | Test 2

*Test*

Answer

Corrected now, thank you.

Goods and services | 02-12-2021 : Emily Russell | Another Test

*Test*

Answer

I agree to delete lipstick, mirrors for use in the application of lipstick from the application

Attachments | 02-12-2021 : Emily Russell | One More Test

*Another formality*

Answer

Corrected

### Validation

Application (PDF)

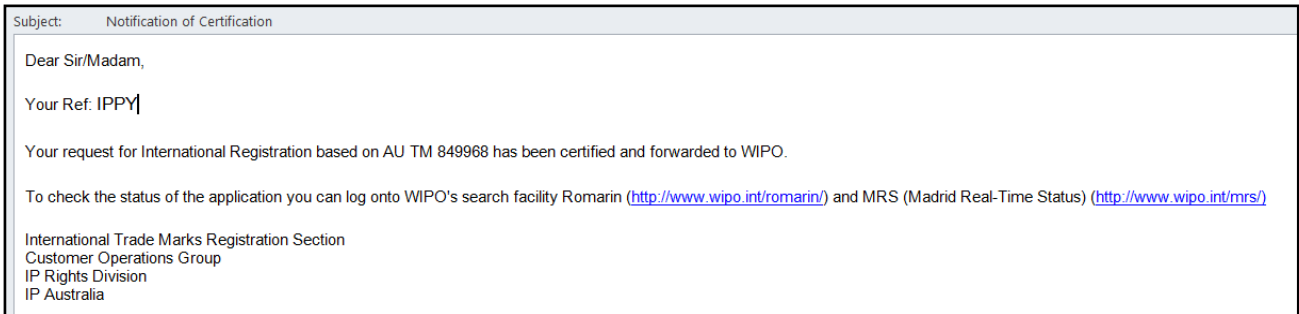
Send

- The status will revert to **Office examination**. IP Australia will then review your response.

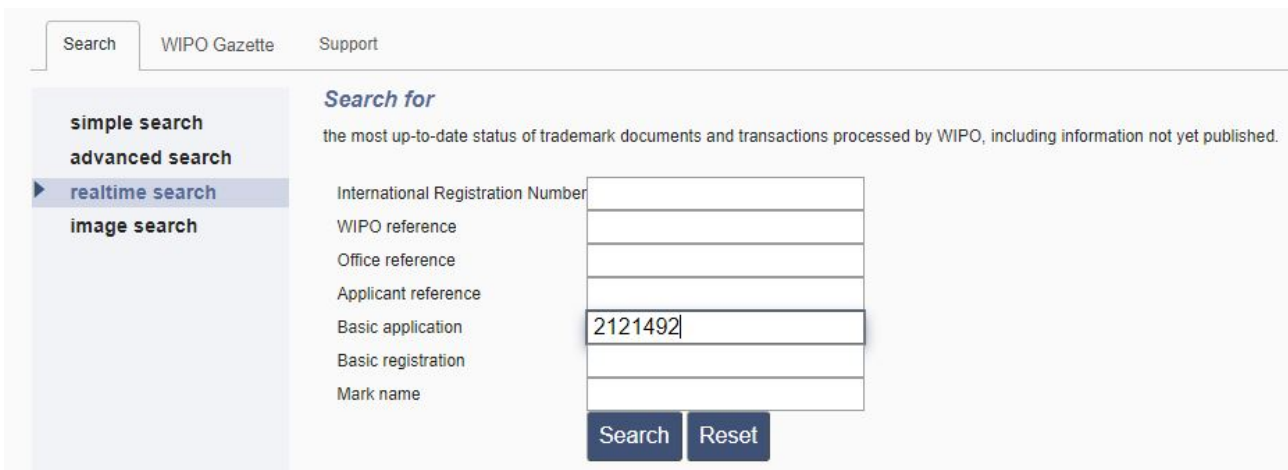
## 6. Certification

Once any formalities issues are overcome and the application is in order, our office will “certify” that the information in the application corresponds with the information held by the Registrar in respect of the basic application and/or registration.

A Notification of Certification email will be forwarded to the email address noted on the international application, and the status of the application in your portfolio will change to **WIPO Processing**.



**To follow the progress of the application** you can log onto WIPO's search facility Madrid Monitor at <https://www.wipo.int/madrid/monitor/en/> and conduct a “realtime search” using the basic application/registration number.



Search WIPO Gazette Support

**simple search**  
**advanced search**  
**▶ realtime search**  
**image search**

**Search for**  
the most up-to-date status of trademark documents and transactions processed by WIPO, including information not yet published.

International Registration Number   
 WIPO reference   
 Office reference   
 Applicant reference   
 Basic application   
 Basic registration   
 Mark name

**Search** **Reset**

# 7. Irregularities

## 7.1 Irregularity Notice Issued

If you receive an email from WIPO advising that irregularities have been found on your international application, review the attached notice. It will list the points raised by your examiner, how to overcome them, and the final date to respond. If any additional fees are required they will also be listed, along with a unique reference number to quote when making the payment to WIPO.

You will have **3 months** from the date of the Notice to respond (or **2 months** from the date of filing for issues relating to an MM18 form).

**All responses** (other than payments) should be made in the Madrid e-Filing form via IP Australia's online services. **Do not** respond directly to WIPO using Contact Madrid. Doing so may delay the registration process. If you are having difficulty making a response, please contact IP Australia.

Follow the steps below to access the application and respond.



**REGISTERED EMAIL™ | CERTIFIED DELIVERY**

This is a Registered Email™ message from [noreply@wipo.int](mailto:noreply@wipo.int)

Ref: = 1500099101

Dear Sir, Madam,

Please find attached a notification of an irregularity issued with respect to the international trademark application with basic (application / registration) number . This electronic notification replaces the transmission of the notification by ordinary mail (please refer to the term and conditions for electronic communication at [https://www.wipo.int/edocs/madrdocs/en/2015/madrid\\_2015\\_28.pdf](https://www.wipo.int/edocs/madrdocs/en/2015/madrid_2015_28.pdf)).

Please, also note that:

- 1) Certain irregularities can only be corrected via the Office of Origin.
- 2) Certain irregularities can be corrected by the applicant. In such case, if the international application was filed using Madrid eFiling, applicants can remedy the irregularity through Madrid eFiling by logging on in the usual manner. Otherwise, applicants must remedy the irregularity through <https://www3.wipo.int/contact/en/madrid>
- 3) Fee irregularities can be corrected online at [https://webaccess.wipo.int/epayment/feeDetails\\_en.jsp?docID=1500099101](https://webaccess.wipo.int/epayment/feeDetails_en.jsp?docID=1500099101)

Respectfully,

International Registrations Operations Division  
World Intellectual Property Organization (WIPO)  
34, chemin des Colombettes  
1211 Geneva 20  
Switzerland 1500099101 6196493

**R**Post™ PATENTED

- Log back into the IP Australia online services portal by repeating the steps in section 2.
- You will then be taken to the “My portfolio” page of the Madrid International Trademark System.
- The applications with irregularity issues will have a status of **Irregularity Pending**.

EN	720532	UTS	28.10.2021	27.01.2022	Irregularity pending	
EN	616947	SACRED HILL SACRED HILL	26.11.2021	05.01.2022	Irregularity pending	
EN	616444	SHEEPSKINS DOWNUNDER	29.10.2021	28.01.2022	Irregularity pending	
EN	2230848	Gowning Street	26.11.2021	25.01.2022	Submitted to Office	

1. There are two ways in which you can respond to formalities issues.

a. By Clicking on the trade mark number on the left end of the row, or

b. By clicking on the  icon on the right and selecting "Display Irregularities".

Number	Office	Reference	Mark text	last updated	Paid	Status	
21760/2019	AT		WIENER-SPORT-CLUB W.S.C.	09.01.2020	Yes	Irregularity pending	
7549/2004	AT		RKG PHOTOVOLTAIK				
60548/2017	AT		PATENT BOT				
M201800788	EE	1253630201 PROD	CRYPTOCEAN				
01381882	BX		DIGI STEEL				

Language: EN

Reference: WIENER-SPORT-CLUB W.S.C.


Mark text: 1500096701













WIPO Service request: 1500096701

International Application

**Display irregularities**

2. Once you have opened the application you will receive a message relating to the issue. An example of a message is below. Each irregularity that needs to be addressed will be listed and have a separate field below where you may enter your response or attach a file. (For example, you may wish to agree to a rewording of the description of some goods and services, or to transfer them to a different class number.)

Disclaimers
Validation 

- Basic application or registration 
- Designated Contracting Parties 
- Applicant(s) 
- Representative 
- Languages and correspondence 
- Mark 
- Goods and services 
- Limitations 
- Claimed priorities 
- Attachments 
- Fee calculations 
- Disclaimers 
- WIPO irregularities**
- Validation

**Irregularities issued by WIPO**

A response must be submitted to WIPO, via the office of origin, before this date: Oct 26, 2019

**The term(s) are linguistically incorrect**

3. The International Bureau considers that the following terms of the list of goods and/or services are linguistically incorrect (Rule 13):

- 1) "naval, geodesy" (class 9)
- 2) "arranging subscriptions of the online publications of others"(class 35)

**Answer**

+ Add files...
Start all uploads
Cancel all uploads

---

**The term proposition(s) are linguistically incorrect**

The International Bureau suggests therefore the following:

- 1) "nautical, surveying" (class 9)
- 2) "arranging subscriptions to online publications for others"(class 35)

**Answer**

+ Add files...
Start all uploads
Cancel all uploads

3. To attach any files, such as a letter with a detailed response, click on "Add files". Select the appropriate file and then click on "Start upload".
4. If the Irregularity Notice requires the payment of any outstanding fees there is a link in the notification email which will take you to WIPO's E-Payment Service to make your payment directly to them. The web address and reference number for your payment are also given in the attached copy of the Irregularity Notice.

Page : 2

We acknowledge receipt of the above-mentioned international application.

The examination of this application has revealed the irregularities which are listed hereafter:

IRREGULARITY(IES) CONCERNING THE FEES: TO BE REMEDIED BY THE APPLICANT OR THE OFFICE OF ORIGIN

1. The amount of the fees received is less than the amount required (Rule 9(3)). Missing amount: (see accounting statement enclosed).

In order to remedy this irregularity, the missing amount should be paid to the International Bureau:

- either online, by credit card or by debiting a sufficiently credited current account opened with WIPO, at <https://webaccess.wipo.int/epayment/> using reference 1506340401;
- or by transfer to WIPO's bank account: IBAN NO. CH51 0483

- The amount outstanding will be given in the payment summary on the final page of the notice. **Note:** This figure will include the amount needed to add any additional classes of good and services indicated in the notice, if you agree to do so.

Swiss Francs

Basic fee where no reproduction of the mark is in color (Protocol application):	653.00
Individual fee (international application): CA	233.00
Individual fee per additional class (international application): CA	140.00
Individual fee (international application): CN	249.00
Individual fee per additional class (international application): CN	250.00
Individual fee (international application): NZ	63.00
Individual fee per additional class (international application): NZ	126.00
Individual fee (international application): US	460.00
Individual fee per additional class (international application): US	920.00
Total due:	3,094.00
-----	
To date, your payment is:	
- payment 21/0081590 on 24/09/2021	2,376.00
	-----
Balance in our favour	718.00
<PAYMENT-INFO>	



- Once all issues have been answered, click on the “Validation” tab. You will see an overview of your responses. Review, and then click **Send**.



Validation

Answer

We agree to the the proposed amendment of the specification of goods to cover the following goods:

“Table wines; dessert wines; fortified wines; sparkling wines; wine based beverages; wine; alcoholic beverages except beer”

Validation

Application (PDF)

Send

- The status of the application in your portfolio will now show as **Irregularity examination**.

**Note:** If the deadline to respond to the Irregularity Notice has passed and application has not been returned to IP Australia, our office will recall the application from the applicant and forward it to WIPO with a comment that no response had been received. WIPO will then continue the registration process, or abandon the application, depending on the irregularity issues raised.



## 7.2 Formality Issues in Irregularity Response

IP Australia reviews your response to the irregularity notice before forwarding it to WIPO. This is to ensure that it addresses all items raised, that documents are attached as indicated etc, not to assess whether it will overcome the points raised by the examiner.

If we identify formality issues in your irregularity response you will receive an email advising you to log back into the Madrid e-filing system through the IP Australia online services portal to view the issues and to respond again.

Dear Sir/Madam,

Your Ref: Test 2

Your response to the Irregularity Notice for your International Registration based on AU TM xxxxxxx has been reviewed by IP Australia.


At this stage there is an issue or issues that still need to be addressed before your response can be forwarded on to WIPO

**Please Note:** In order to address the formality issue(s) you must log into IP Australia's eServices and access your International Registration application.

International Trade Marks Registration Section  
Customer Operations Group  
IP Rights Division  
IP Australia

- Log back into the IP Australia online services portal by repeating the steps in section 2.
- You will then be taken to the “My portfolio” page of the Madrid International Trademark System
- The applications with irregularity issues will have a status of **Irregularity correction**.

✓	Number	Mark text	Reception date	last updated	Deadline	Status	
	2015262	KIN FERTILITY	25.11.2021 10:35	25.11.2021	25.01.2022	Office examination	
	1884614	SABA	25.11.2021 10:22	26.11.2021	25.01.2022	Correction pending	
	1373696	Kloke	06.10.2021 11:10	08.10.2021	06.12.2021	Correction pending	
	1359887	FoxTrax	11.10.2021 16:11	05.11.2021	13.12.2021	Irregularity correction	

1. There are two ways in which you can respond to formalities issues
  - a. By Clicking on the trade mark number on the left, or
  - b. By clicking on the  icon on the right
2. Once you have opened the application you will receive a message relating to the issue. An example of a message is below.

Application for international registration

← Fee calculations      Validation →

Basic application or registration	✓
Designated Contracting Parties	✓
Applicant(s)	✓
Representative	✓
Languages and correspondence	✓
Mark	✓
Goods and services	✓
Limitations	✓
Claimed priorities	✓
Attachments	✓
Fee calculations	✓
<b>WIPO irregularities</b>	
Validation	

**Formality Issue from IP Australia (the office of origin)**

The letter mentioned in your answer has not been attached.

Answer

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**Irregularities issued by WIPO** ?

A response must be submitted to WIPO, via the office of origin, before this date: Aug 21, 2019

**Transfer class 3 to 23**

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"lotions" from class 3 to class 23

**Answer**

Please see the attached letter which addresses all issues raised.

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**The term proposition(s) are linguistically incorrect**

3. Enter a comment in the “Formality issue from IP Australia” answer box, and also for the “Irregularities issued by WIPO” if you have not already done so.
4. Once all issues have been answered, click on the “Validation” tab. You will see an overview of your responses. Review, and then click **Send**.
5. The status of the application in your portfolio will now show as **Irregularity examination**.
6. IP Australia will once again review your response to the irregularity notice. You will then receive a confirmation email when your response has been forwarded to WIPO.

End of document

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