

STATUTORY INSTRUMENT NO. OF 2025

The Trade Marks Act, 2023

(Act No. 11 of 2023)

The Trade Marks (Madrid Protocol) Regulations, 2025

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY PROVISIONS

Regulation

1. Title
2. Interpretation
3. Reference to forms
4. Language of use

PART II

INTERNATIONAL APPLICATIONS ORIGINATING FROM ZAMBIA

5. Right to file international application
6. Filing of international application
7. Examination of international application where Republic is Office of origin
8. Certification by Registrar
9. Rectification of irregularity notified by the International Bureau
10. Classification of goods and services
11. Ceasing of effect of basic application or basic registration

PART III

INTERNATIONAL REGISTRATIONS DESIGNATING ZAMBIA

12. Right to protection
13. Effect of international registration
14. Priority

15. Examination of international registration
16. Publication
17. Opposition proceedings of international registration
18. Notification of refusal
19. Statement of grant of protection
20. Effect of protection
21. Confirmation of total refusal

PART IV

DIVISION, MERGER AND TRANSFORMATION OF INTERNATIONAL REGISTRATIONS DESIGNATING ZAMBIA

22. Division of international registration designating Republic
23. Effect of division of international registration designating Republic
24. Merger of international registration designating Republic
25. Transformation of international registration designating Republic into national application
26. Date of registration of trade mark registered pursuant to transformation application
27. Procedure on transformation application

PART V

GENERAL PROVISIONS

28. Correction to international registration
29. Revocation and invalidation
30. Replacement of registration by international registration
31. Renewal of international registration designating Republic
32. Protection period
33. Permitted use and licensing
34. Recordings in International Register
35. Declaration that change in ownership in international registration has no effect in Republic

36. Declaration that limitation of goods or services in international registration has no effect in Republic
37. Collective and certification marks
38. Enforcement of border measures
39. Communication of information to International Bureau
40. Appeal against decision of Registrar

IN EXERCISE of the powers contained in section 154 of the Trade Marks Act, 2023, the following Regulations are made:

PART I

PRELIMINARY PROVISIONS

Short title	1. These Regulations may be cited as the Trade Marks (Madrid Protocol) Regulations, 2025.
Interpretation	2. In these Regulations unless the context otherwise requires— “Agency” has the meaning assigned to the word in the Act; “applicant” refers to the natural person or legal entity in whose name an international application is filed with the Registrar under these Regulations; “basic application” means an application for registration of a trade mark filed with the Registrar under section 4 of the Act and regulation 3 of the Trade Marks (General) Regulations, 2025, which is used as a basis to file an international application; “basic registration” means a trade mark registered by the Registrar under section 25 of the Act which is used as the basis to file an international application;
SI No. of 2025	“citizen” has the meaning assigned to the word in the Constitution; “Common Regulations” means the Regulations adopted under Article 10 of the Madrid Protocol, and which came into force on 1 st April, 1996;
Cap. 1	

“Contracting Party” means any country or intergovernmental organisation that is a party to the Madrid Protocol;

“Court” means the High Court for Zambia established under the Constitution;

“designated Contracting Party” means a Contracting Party for which extension of protection has been requested under Article 3~~ter~~ (1) or (2) of the Madrid Protocol, as the case may be, or in respect of which the extension of protection has been recorded in the International Register;

“designation” means the request for extension of protection to the Republic under Article 3~~ter~~ (1) or (2) of the Madrid Protocol, as the case may be, and includes an extension as recorded in the International Register and the word “designating” shall be construed accordingly;

“extension of protection” means the protection resulting from an international registration;

“holder” means the natural person or legal entity in whose name an international registration is recorded in the International Register;

“Intellectual Property Journal” has the meaning assigned to the words in the Act;

“international application” means an application to the International Bureau for registration of a trade mark in the International Register;

“International Bureau” has the meaning assigned to the words in the Act;

“International Register” means the register of trade marks maintained by the International Bureau for purposes of the Madrid Protocol;

“international registration” means the registration of a trade mark in the International Register;

“invalidation” means a final decision by the Court invalidating the effects of the protected international registration designating the Republic in respect of all or some of the goods or services covered by the designation or subsequent designation in the Republic;

“Madrid Agreement” means the Agreement Concerning the International Registration of Marks of 14th April, 1891, as revised at Stockholm on 14th July, 1967, and amended on 28th September, 1979;

“Madrid Protocol” means the Protocol Relating to the Madrid Agreement, Concerning the International Registration of Marks, adopted at Madrid on 27th June, 1989, and acceded to by Zambia on 15th August, 2001;

“Office of Origin” means the Office of the Contracting Party where in accordance with Article 2(2) of the Madrid Protocol, an international application is filed;

“protected international registration” means an international registration to which protection resulting from the international registration of a trade mark is extended to the Republic in accordance with these Regulations;

“Register” has the meaning assigned to the word in the Act;

“Registrar” has the meaning assigned to the word in the Act;

“Regulations under the Protocol” means the Regulations under the Madrid Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks;

“subsequent designation” means the request for extension of protection to the Republic under Article 3^{ter} (2) of the Madrid Protocol or an extension as recorded in the International Register;

“trade mark” has the meaning assigned to the words under the Act; and

“transformation application” means an application under Article 9 quinquies of the Madrid Protocol for the conversion of an international registration designating the Republic or a protected international trade mark into a national application.

Reference to
forms

3. A reference in these Regulations to a form prescribed by the International Bureau shall be construed as a reference to the current version of the form bearing the corresponding number, as described in the Third Schedule, which is made available on the World Intellectual Property Organisation’s website.

Language of use

4. (1) An international application or any other communication for transmittal to the International Bureau, through the Registrar, shall be in English.

(2) The Registrar shall send any communication to the International Bureau, in relation to an international application, in English.

PART II
INTERNATIONAL APPLICATIONS ORIGINATING FROM
ZAMBIA

Right to file
international
application

5. (1) A person shall have the right to file an international application if that applicant is-

- (a) a citizen of the Republic;
- (b) a body or corporation incorporated or registered in the Republic;
- (c) domiciled in the Republic; or
- (d) a person who has a real and effective business or commercial establishment in the Republic.

(2) A person who meets the requirements under subregulation (1) may file an international application with the Registrar, except that the basic application or basic registration which is used as a basis to file the international application shall be in the name of that person.

(3) Subject to subregulation (1), two or more persons may jointly apply for international registration of a trade mark.

(4) The Registrar may request an applicant under this regulation to provide evidence, as may be necessary, to satisfy the Registrar that the applicant is entitled to file the application in accordance with subregulation (1).

Filing of
international
application

6. (1) A person who intends to file an international application in respect of a good or service shall file with the International Bureau, through the Registrar, Form MM2 as prescribed by the International Bureau on payment of a fee prescribed by the International Bureau.

(2) An application under subregulation (1) shall be accompanied by Form MP1 set out in the First Schedule on payment of the handling fee set out in the Second Schedule.

Examination of
international
application
where Republic
is the Office of
origin

7. Where an international application is filed with the Registrar to be submitted to the International Bureau, the Registrar shall verify that—

- (a) the Agency may be considered as the Office of origin for that international application; and
- (b) the particulars appearing in the international application correspond to the particulars appearing in the basic application or basic registration in accordance with the provisions of the Madrid Protocol and Common Regulations.

Certification by
Registrar

8. (1) Where an international application complies with the requirements under regulations 5, 6 and 7, the Registrar shall—

- (a) certify that the particulars appearing in the international application correspond to the particulars appearing in the basic application or basic registration;

- (b) indicate the date of receipt of the international application; and
- (c) submit the international application to the International Bureau.

(2) Where the international application does not comply with the requirements under regulations 5, 6 and 7, the Registrar shall not submit the international application to the International Bureau and shall issue a written notice to the applicant to correct or amend the international application within thirty days from the date of the written notice.

(3) The applicant shall on receipt of the written notice under subregulation (2), file an application for corrections or amendments to the international application in Form MP2 set out in the First Schedule on payment of the fee set out in the Second Schedule.

(4) Where an applicant fails to make any correction or amendment to the international application, or fails to make payment of the handling fee, the international application shall be treated as withdrawn.

Rectification of
irregularity
notified by the
International
Bureau

9. (1) Where, in accordance with rule 11, 12 or 13 of the Common Regulations, the International Bureau notifies the Agency of any irregularities in an international application required to be rectified by the Agency or the Applicant, the Registrar shall-

- (a) rectify the irregularity and communicate to the International Bureau in respect of the rectification; or
- (b) request the applicant, by written notice, to submit any necessary information to the

Registrar within thirty days from the date of the written notice.

(2) Where the applicant submits the information requested within the period specified under subregulation (1) (b), the Registrar shall submit that information to the International Bureau within three months from the notification of the irregularity by the International Bureau.

(3) The Registrar shall not allow an extension of time under this regulation.

Classification of
goods and
services

10. (1) The International Bureau shall determine the classification of goods and services for an international application and the decision shall be final.

(2) Where the classification of a basic mark by the Registrar is different from the classification by the International Bureau, the Registrar shall not be required to change the classification in the Register.

Ceasing of effect
of basic
application or
basic
registration

11. (1) The Registrar shall, where goods or services covered by an international registration in respect of which a basic application or registration has ceased to have effect, notify the International Bureau of the fact and request the International Bureau to cancel the international registration.

(2) A basic application or registration may cease to have effect if the basic application or registration has been withdrawn, restricted, limited, cancelled, refused, removed, revoked, invalidated, or has otherwise expired-

(a) within five years after the date of the international registration; or

(b) five years after the date of the international registration, where the proceedings relating

to the ceasing of effect of the basic application or basic registration commenced before the end of the five-year period.

PART III
INTERNATIONAL REGISTRATIONS DESIGNATING
ZAMBIA

Right to
protection

12. A holder shall be deemed to comply with the requirements under section 4 (2) of the Act on intent to use by a declaration when designating the Republic.

Effect of
international
registration

13. (1) An international registration designating the Republic shall have the same effect, as from the date of the international registration designating the Republic or subsequent designation, as an application for the registration of trade mark filed with the Registrar.

(2) The date of the international registration designating the Republic or subsequent designation shall be the date of filing of the international registration designating the Republic or subsequent designation with the International Bureau.

(3) The holder of a protected international registration designating the Republic has, subject to these Regulations, the same rights and remedies conferred to a registered proprietor under the Act, except that the exemptions to infringement and exceptions in respect of advertising under sections 66 and 67, respectively, of the Act shall apply.

(4) The Registrar shall, where the holder of an international registration designating the Republic, following

the issuance of a notification of refusal under regulation 18, applies to the Registrar to disclaim any right to the exclusive use of any specified element of the trade mark or agrees for the rights conferred in the Republic by the international registration to be subject to certain conditions or limitations, enter the disclaimer, condition or limitation in the Register and publish the disclaimer, condition or limitation in the Intellectual Property Journal.

(5) Where a protected international registration designating the Republic is subject to a disclaimer, condition or limitation, the rights conferred under the Act shall be restricted by the disclaimer, condition or limitation.

(6) The remedy for groundless threats of infringement proceedings as conferred to a registered trade mark under section 71 of the Act shall apply to a protected international registration designating the Republic.

(7) The indication of classes of goods and services set out in the international registration, in which the Republic is designated, shall not bind the Registrar in respect of the determination of the scope of the protection of the mark.

Priority

14. (1) Subject to subregulation (2), sections 13 and 14 of the Act shall apply so as to confer a right of priority in respect of the protection of an international registration designating the Republic, as they apply in respect of the registration of a trade mark under the Act.

(2) The manner of claiming the priority conferred under sections 13 and 14 of the Act shall be determined in accordance with the Madrid Protocol and Common Regulations.

15. (1) The Registrar shall examine the marks that are the subject of international registrations designating the Republic in accordance with sections 32, 33, 35 to 38 and 40 to 42 of the Act.

(2) Where the trade mark to which the international registration relates contains or consists of a word which is not in Roman characters or English language, the Registrar may require the holder to provide-

(a) a translation of the word in English language to the satisfaction of the Registrar; and

(b) the language to which the word belongs.

(3) Where the Registrar considers that the international registration does not comply with the provisions of the Act referred to in subregulation (1), or complies only in respect of some of the goods or services of which protection in the Republic is sought, the Registrar shall before the applicable expiry of the refusal period specified in Article 5(2)(a) of the Madrid Protocol-

(a) refuse to register the international registration and give a notification of the provisional refusal to the International Bureau and the holder as prescribed by the International Bureau; and

(b) specify in the notification the period within which the holder may respond to the provisional refusal.

(4) A holder may apply to the Registrar for an extension of time to extend the time specified under paragraph

(3)(b) in Form MP3 set out in the First Schedule on payment of a fee set out in the Second Schedule.

SI. No. of 2025 (5) The Registrar may grant the request for extension under subregulation (4) for a period not exceeding six months, subject to regulation 57 of the Trade Marks (General) Regulations, 2025.

(6) Where a holder intends to respond to the provisional refusal of the Registrar or apply for an extension of time to respond, the holder shall file with the Registrar an address for service in the Republic by appointing an agent registered in accordance with section 116 of the Act, in Form MP4 set out in the First Schedule and on payment of a fee set out in the Second Schedule.

(7) Where a holder intends to respond to the provisional refusal of the Registrar under subregulation (3), the holder may –

- (a) apply to the Registrar for the grounds of the Registrar's decision in Form MP5 set out in the First Schedule and on payment of the fee set out in the Second Schedule;
- (b) make representations to the Registrar in writing;
- (c) apply to the Registrar for a hearing, in writing; on payment of the fee set out in the Second Schedule;
- (d) amend the international registration designating the Republic by filing an application to amend the international registration designating the Republic as prescribed by the International Bureau; and

(e) provide additional or any other information or evidence by way of statutory declaration, affidavit or solemn declaration.

(8) Where an application for a hearing is filed in accordance with subregulation (7), the Registrar shall give notice to the holder of the date fixed for the Registrar to hear the holder's representations.

(9) The Registrar shall, on consideration of the representations made by the holder at the hearing, accept or refuse the international registration designating the Republic.

(10) Where the Registrar refuses the international registration designating the Republic under subregulation (9), the Registrar shall state the grounds of the refusal which shall be communicated to the holder in writing.

(11) The date on which the Registrar's written grounds of decision of the refusal are issued to the holder shall be considered to be the date of the Registrar's decision for the purpose of an appeal against the decision of the Registrar.

Publication

16. Where the international registration designating the Republic is accepted for protection in respect of all or some of the goods or services, the Registrar shall publish the particulars of the international registration in the Intellectual Property Journal.

Opposition proceedings of international registration

17. The provisions relating to opposition to registration of a trade mark under the Act and the Trade Marks (General) Regulations, 2025, shall apply to opposition proceedings of international registration designating the Republic.

18. (1) Except where refusal is based on an opposition, the Registrar shall not give a notification of refusal after the expiry of twelve months from the date of notification of an international registration designating the Republic.

(2) Where the Registrar considers that an opposition may be filed after the expiry of the period of twelve months referred to under subregulation (1), the Registrar shall inform the International Bureau, in accordance with Article 5(2)(c) of the Madrid Protocol, of the possible notification of provisional refusal based on the possibility of the filing of the opposition.

(3) Where a notice of opposition is filed with the Registrar in respect of an international registration designating the Republic, the Registrar shall, before the expiry of the refusal period referred to under subregulation (1), issue a provisional refusal based on an opposition and notify the International Bureau as prescribed by the International Bureau.

(4) The notification of provisional refusal under subregulation (3) shall set out the matters required under Article 5 of the Madrid Protocol and rule 17 of the Common Regulations.

(5) The Registrar shall notify the International Bureau after the final decision in respect of which a refusal is made-

- (a) that the holder has responded within the period specified in regulation 15 (3) (b) or any extended period granted under subregulation (5) of that regulation; or
- (b) that the holder has filed a counterstatement within the period

specified under section 21(1) of the Act or any extended period under section 146 of the Act.

Statement of
grant of
protection

19. (1) Where the examination procedure under regulation 15 has been completed and the Registrar has not found grounds to refuse protection of an international registration, the Registrar shall before the expiry of the refusal period referred to under regulation 18(1), send a statement of grant of protection of a trade mark that is subject of an international registration designating the Republic.

(2) The Registrar shall not send a statement of grant of protection under subregulation (1) unless-

- (a) the period after the date of publication for filing a notice of opposition has expired and an opposition has not been filed against the international registration;
- (b) the period of twelve months after the designation or subsequent designation expires and the period for giving a notice of opposition in accordance with regulation 18(2), including any extended period, expires without a notice of opposition having been filed;
- (c) a notification of refusal has been issued in respect of some of the goods or services, and the holder-
 - (i) has not responded within the period specified by the Registrar under subregulation 15(3)(b), including any extended period;

- (ii) has not filed a counterstatement within the period specified in section 21(1) of the Act, including any extended period; or
 - (iii) has informed the Registrar that the holder does not intend to respond or file a counterstatement; and
- (d) a notification of refusal has been issued in respect of all or some of the goods or services and the Registrar notifies the International Bureau that a final decision has been made to the effect that refusal is withdrawn or withdrawn in respect of some of the goods or services.

(2) The protection referred to in subregulation (1) shall apply to a trade mark that is the subject of an international registration designating the Republic where-

- (a) the period of twelve months after the designation or subsequent designation has expired and notification of refusal has not been given; and
- (b) the International Bureau has not been informed that any notice of opposition may be filed after the expiry of the period referred to under paragraph (a).

(3) Where the Registrar issues a refusal in respect of some of the goods or services in an application for international registration, the protection shall be extended only to the remaining goods or services.

Effect of
protection

20. (1) A trade mark that is the subject of an international registration in respect of which a statement of grant of protection has been issued under regulation 19(1) shall be treated as being registered under the Act from-

- (a) the date of the international registration, where the request for extension of protection to the Republic is mentioned in the international application; or
- (b) the date on which a request for extension of protection to the Republic is recorded in the International Register, where the request is made subsequent to the international registration.

(2) A protected trade mark that is corrected shall be treated as being registered, as corrected, under the Act.

Confirmation of
total refusal

21. (1) The Registrar shall, as prescribed by the International Bureau, notify the International Bureau after the final decision confirming the refusal of protection of a trade mark designating the Republic is made in respect of all the goods or services for which protection has been requested.

(2) For purposes of these Regulations, a final decision shall be considered as having been made where—

- (a) the Registrar, or the Court on appeal from
- (b) the Registrar, decides whether the refusal shall be upheld in whole or in respect of only some of the goods or services for which protection in the Republic is sought, and any right of appeal against that decision has been exhausted;

- (c) any representation or counterstatement is withdrawn; or
- (d) the proceedings relating to the refusal are discontinued or treated as withdrawn.

PART IV

DIVISION, MERGER AND TRANSFORMATION OF INTERNATIONAL REGISTRATIONS DESIGNATING ZAMBIA

Division of
international
registration
designating
Republic

22. (1) A holder of an international registration designating the Republic may apply to the Registrar to divide the registration with respect to classes or specific goods or services within the registration.

(2) An application for division shall be made in Form MM3 as prescribed by the International Bureau and accompanied by payment of the fee prescribed by the International Bureau.

(3) An application referred to under subregulation (2) shall be accompanied by Form MP6 set out in the First Schedule on payment of the fee set out in the Second Schedule and shall include the following information:

- (a) the holder's name and address for service;
- (b) where the applicant has an agent, the agent's name;
- (c) the number of the international registration designating the Republic or the national application number or registration number;
- (d) in the case of a division of classes of goods or services, a list of the classes sought to be divided out;

- (e) in the case of a division of goods or services, a list of the goods or services sought to be divided out; and
- (f) where the international registration designating the Republic is subject to proceedings filed in Court, a statement that the other party, or parties, to the proceedings has or have consented to the application for division.

(4) Where a holder has not appointed or authorised an agent and has not filed an address of service in the Republic, the holder shall file with the Registrar an address for service in the Republic, by appointing an agent registered in accordance with section 116 of the Act, in Form MP4 set out in the First Schedule and on payment of a fee set out in the Second Schedule.

(5) Where the Registrar is satisfied that an application for division complies with the requirements of this regulation, the Registrar shall submit an application to the International Bureau.

Effect of division
of international
registration
designating
Republic

23. Where the International Bureau has given notice of recordal of the division of an international registration designating the Republic —

- (a) the Registrar shall reflect the division in the Register; and
- (b) the part that is divided out shall be independent of the original international registration designating the Republic and shall retain the filing date of-

Merger of
international
registration
designating
Republic

- (i) the original international registration; or
- (ii) the date on which a request for extension of protection to the Republic is recorded in the International Register.

24. (1) A holder of two or more international registrations designating the Republic may apply to the Registrar for the merger of two or more of those registrations, if those registrations have previously been divided out from their international registration designating the Republic in accordance with regulation 23.

(2) An application for a merger shall be made in Form MM4 as prescribed by the International Bureau and accompanied by payment of the fee prescribed by the International Bureau.

(3) An application referred to under subregulation (2) shall be accompanied by Form MP7 set out in the First Schedule on payment of the fee set out in the Second Schedule.

(4) An application referred to under subregulation (2) shall contain the following information:

- (a) the applicant's name and address for service;
- (b) where the applicant has an agent, the agent's name; and
- (c) the number of each international registration designating the Republic sought to be merged.

(5) Where the Registrar is satisfied that an application for merger complies with the requirements of this regulation, the Registrar shall submit the application to the International Bureau.

(6) Where the International Bureau gives notice to the Registrar that the merger has been recorded, the Registrar shall reflect the merger in the Register.

Transformation
of international
registration
designating
Republic into
national
application

25. (1) Where an international registration designating the Republic is cancelled at the request of the Office of origin under Article 6(4) of the Madrid Protocol, for all or some of the goods or services listed in the international registration, the holder of the international registration may file an application with the Registrar for registration of the same trade mark in respect of the goods or services covered by the list of goods or services contained in the international registration within three months from the date that the international registration is cancelled.

(2) An application under subregulation (1) shall be made in Form MP5 set out in the First Schedule on payment of the fee set out in the Second Schedule,

(3) An application under subregulation (2) shall include the following:

- (a) the international registration number of the international registration which has been cancelled;
- (b) the date of the international registration or the date of the subsequent designation, where applicable;

- (c) the date on which the cancellation of the international registration was recorded; and
- (d) the date of any priority claimed in the international application and recorded in the International Register, where applicable.

(4) Where the application filed under subregulation (1) is approved by the Registrar, the Registrar shall publish that approval in the Intellectual Property Journal.

(5) A holder shall file with the Registrar an application under subregulation (1) together with an address for service in the Republic by appointing an agent registered in accordance with section 116 of the Act, in Form MP4 set out in the First Schedule and on payment of a fee set out in the Second Schedule.

(6) A holder under this regulation shall be the person who was the holder of the international registration at the date of its cancellation.

Date of
registration of
trade mark
registered
pursuant to
transformation
application

26. A trade mark registered pursuant to a transformation application shall be treated as if it were registered-

- (a) on the date of the international registration in accordance with Article 3(4) of the Madrid Protocol; or
- (b) where the request for extension to the Republic was made subsequent to the international registration, on the date of recordal of the request in accordance with Article 3ter (2) of the Madrid Protocol.

27. (1) Where an international registration designating the Republic becomes protected on or before the transformation date, the trade mark shall be registered under the Act.

(2) Where an international registration designating the Republic has not become protected by the transformation date and its particulars have been published, the Registrar shall treat-

- (a) the publication of its particulars as the publication of the transformation application under section 31 of the Act; and
- (b) any opposition to its protection under regulation 17 as an opposition to its registration under section 19 of the Act.

(3) Where the particulars of the international registration designating the Republic have not been published by the transformation date and the Registrar has given a notification of refusal, the Registrar shall, for purposes of the transformation application, treat the notification of refusal as a written notice issued by the Registrar to the application under section 16(5) of the Act.

PART V

GENERAL PROVISIONS

Correction to
international
registration

28. (1) The Registrar may, where the Registrar receives from the International Bureau a notification of a correction to an international registration designating the Republic that the Registrar has examined but to which a statement of grant of protection under regulation 19 has not been issued or an international registration in respect of a protected international registration designating the Republic,

examine whether the international registration, as corrected, complies with the requirements for the grant of a trade mark under the Act.

(2) Where the Registrar considers that an international registration as corrected, does not comply with the requirements of the Act, the Registrar shall—

- (a) give notification of refusal of the correction to the International Bureau; and
- (b) specify in the notification in paragraph (a), the period within which the holder may respond.

(3) Subregulations 15(4) to (13) shall apply with necessary modifications to the holder's response under subregulation (2)(b).

(4) Where the Registrar considers that, an international registration, as corrected, complies with the requirements of the Act in respect of some or all of the goods or services specified in the international registration, the Registrar shall publish the particulars of the international registration, as corrected, in the Intellectual Property Journal.

(5) A person may oppose a correction to an international registration designating the Republic by filing with the Registrar, a notice of opposition within two months after publication of the particulars of the international registration, as corrected, in the Intellectual Property Journal.

(6) The provisions relating to opposition to registration of a trade mark under the Act and the Trade Marks (General) Regulations, 2025, shall apply to an opposition filed under this regulation.

Sl. No. of 2025

(7) A notification of refusal of a correction of an international registration shall be made in accordance with regulation 18.

Revocation and
invalidation

29. (1) Sections 47 and 48 of the Act shall apply, with necessary modifications, to revoke or declare invalid a protected international registration designating the Republic.

(2) For the purpose of applying sections 47 and 48 of the Act—

(a) references to cancellation of a registered trade mark under section 47 shall be construed as references to revocation or invalidation of an international registration;

(b) references to removal of a registered trade mark under section 48 shall be construed as references to revocation or invalidation of an international registration; and

(c) references to the proprietor under sections 47 and 48 of the Act shall be construed as references to the holder of the protected international registration designating the Republic.

SI. No. of 2025

(3) The provisions of sections 21 to 24 of the Act and regulation 49 of the Trade Marks (General) Regulations, 2025, shall apply, with necessary modifications, to the procedure for an application for revocation or a declaration of invalidity of protection of a protected international registration designating the Republic.

(4) The Registrar shall, where the protection of a protected international registration designating the Republic

is revoked or declared invalid to any extent notify the International Bureau and the rights of the holder shall be deemed to have ceased to that extent from the date of the revocation or a declaration of invalidity in accordance with section 47 or 48 of the Act.

Replacement of
registration by
international
registration

30. (1) A holder of an international registration may apply to the Registrar to register the international registration in the Register, where -

- (a) a registered trade mark is also a protected international registration designating the Republic;
- (b) the proprietor is the holder of the protected international registration designating the Republic;
- (c) all the goods or services in respect of which the registered trade mark is registered are protected under the protected international registration designating the Republic; and
- (d) the date of registration of the registered trade mark in the Republic precedes the date that the international registration was registered in the International Register.

(2) An Application under subregulation (1) shall be made in Form MP7 set out in the First Schedule on payment of the fee set out in the Second Schedule.

(3) An application referred to under subregulation (1) shall indicate the following:

- (a) the number of the international registration designating the Republic or protected

international registration designating the Republic;

- (b) where only some of the goods or services listed in the international registration are concerned, a list of those goods or services;
- (c) the filing date of the national application for registration of the trade mark number;
- (d) the registration date and national trade mark registration number;
- (e) the priority date, if any, of the national trade mark registration; and
- (f) information relating to other rights acquired by the national trade mark registration.

(4) Where the conditions specified under subregulations (1) and (2) are satisfied, the Registrar shall note in the Register that the international registration designating the Republic has replaced the registered trade mark in relation to the goods or services in respect of which the registered trade mark was registered.

(5) Where the Registrar has taken note of an international registration, the Registrar shall notify the International Bureau, as prescribed by the International Bureau, and the international registration designating the Republic shall be treated as being registered under the Act as of the date of registration of the registered trade mark in relation to all goods or services in respect of which the registered trade mark was registered.

(6) For the purpose of determining whether the protected international registration designating the Republic is an earlier trade mark, it shall be treated as having the date of application of the registered trade mark in the Republic in

relation to all the goods or services in respect of which the registered trade mark was registered, considering where appropriate, the priorities claimed in respect of the registered trade mark.

(7) An application under this regulation shall not affect the right or remedy conferred on any person in respect of the registered trade mark.

Renewal of
international
registrations
designating the
Republic

31. (1) International registrations which in accordance with Article 7 of the Madrid Protocol have been renewed in respect of the Republic as a designated Contracting Party shall continue to have effect in the Republic.

(2) The Registrar shall only remove the international registration from the Register, following the receipt of notification of non-renewal from the International Bureau.

Protection period

32. The protection period for an international registration is ten years, from the date of the international registration, and may be renewed within six months before the date of expiry of the international registration of a trade mark as prescribed by the International Bureau.

Permitted use
and licensing

33. Sections 59 to 63 of the Act shall apply, with necessary modifications, in respect of licences and permitted use of international registration designating the Republic.

Recordings in
International
Register

34. (1) A recording made in the International Register in respect of an international registration designating the Republic shall have the same effect as if it had been recorded by the Registrar in the Register.

(2) Where the Registrar considers that the recording referred to under subregulation (1) has no effect in the Republic, the Registrar shall, as prescribed by the International Bureau, notify the International Bureau to that effect.

Declaration that change in ownership in international registration has no effect in Republic

35. (1) Where the Republic is notified by the International Bureau of a change in ownership of an international registration designating the Republic, the Registrar may declare that the change in ownership has no effect in the Republic.

(2) Where the Registrar has made a declaration in accordance with subregulation (1), the international registration designating the Republic shall remain in the name of the holder.

(3) The Registrar shall, as prescribed by the International Bureau, notify the International Bureau that the change of ownership of an international registration designating the Republic under subregulation (1) has no effect in the Republic, and indicate -

- (a) the reasons for which the change in ownership has no effect;
- (b) the corresponding provisions of the law which apply for purposes of this provision; and
- (c) whether the declaration may be subject to review or appeal.

(4) The Registrar shall submit the declaration of no effect to the International Bureau before the expiry of twelve months from the date on which the notification referred to under subregulation (1) is submitted to the Republic.

(5) A holder of the international registration designating the Republic may make representation, in writing, to the Registrar against the Registrar's decision within two months from the date on which the Agency issued the notification under subregulation (1).

(6) The Registrar may, after considering the written representation made by the holder under subregulation (5), declare that the change in ownership-

- (a) has effect in the Republic; or
- (b) has no effect in the Republic.

(7) The Registrar shall inform the holder, in writing, of the declaration made under subregulation (5) stating the grounds of the decision.

(8) The date on which the Registrar issues the decision to the holder in accordance with subregulation (7) shall be deemed to be the date of the Registrar's decision for the purpose of an appeal to Court.

(9) The Registrar shall notify the International Bureau of a final decision in respect of the declaration made under this regulation.

(10) Where a holder fails to make written representation in accordance with subregulation (5), the notification of the change of ownership shall continue to have no effect in the Republic.

(11) A holder shall, where the holder has no address for service in the Republic, file with the Registrar an address for service in the Republic by appointing an agent registered in accordance with section 114(1) of the Act, in Form MP4 set out in the First Schedule and on payment of the fee set out in the Second Schedule.

Declaration that
limitation of
goods or services
in international
registration has
no effect in
Republic

36. (1) Where the Republic is notified by the International Bureau of a limitation of the list of goods or services in an international registration designating the Republic, the Registrar may declare that the limitation has no effect in the Republic and notify the International Bureau as prescribed by the International Bureau.

(2) The declaration of no effect under subregulation (1) shall contain the following:

- (a) the reasons for which the limitation has no effect;
- (b) where the declaration does not affect all the goods or services to which the limitation relates, those goods or services which are affected by the declaration or those which are not affected by the declaration;
- (c) the corresponding provisions of the law which apply for the purposes of this provision; and
- (d) whether such declaration may be subject to review or appeal.

(3) The Registrar shall submit the declaration of no effect to the International Bureau before the expiry of the twelve months from the date on which the notification referred to under subregulation (1) is submitted to the Republic.

(4) A holder of the international registration designating the Republic may make representation in writing to the Registrar against the declaration made in accordance with subregulation (2) within two months from the date on which the Agency issues the notification under subregulation (1).

(5) The Registrar may, after considering the written representation made by the holder under subregulation (4), declare that the limitation of the list of goods or services-

- (a) has effect in the Republic; or
- (b) has no effect in the Republic.

(6) The Registrar shall inform the holder, in writing, of the declaration made under subregulation (5) stating the grounds of the decision.

(7) The date on which the Registrar issues the written grounds of decision to the holder shall be deemed to be the date of the Registrar's decision for the purpose of an appeal to Court.

(8) Where the holder fails to make written representation under subregulation (4), the notification of the limitation of the list of goods or services shall continue to have no effect in the Republic.

(9) The Registrar shall notify the International Bureau of a final decision relating to the declaration made under this regulation.

(10) Where the holder has no address for service in the Republic, the holder shall file with the Registrar an address for service in the Republic by appointing an agent registered in accordance with section 114 of the Act, in Form MP4 set out in the First Schedule and on payment of the fee set out in the Second Schedule.

Collective and
certification
marks

37. (1) In the case of the protection of a collective mark in an international registration designating the Republic, sections 78(2) to (6), 79 and 80 of the Act shall apply with the necessary modifications.

(2) In the case of the protection of a certification mark in an international registration designating the Republic, sections 85(2) to (5), 86 and 87 of the Act shall apply with the necessary modifications.

(3) A holder of a collective or certification mark shall, for purposes of this regulation, submit copies of the regulations that govern the use of the collective and certification marks to the Registrar.

(4) The Registrar shall, where a holder of a collective or certification mark has not submitted the regulations governing the use of the collective or certification marks in accordance with subregulation (3), issue a provisional refusal.

Enforcement of
border measures

38. (1) Part X of the Act shall apply to a protected international registration designating the Republic.

(2) For purposes of subregulation (1), references to a proprietor or licensee in Part X of the Act shall be construed as references to a holder or licensee of an international registration designating the Republic.

Communication
of information to
International
Bureau

39. The Registrar shall communicate to the International Bureau any information that the Republic is required to communicate under these Regulations or pursuant to the Madrid Protocol or Common Regulations as prescribed by the International Bureau.

Appeal against
decision of
Registrar

40. (1) A person who is aggrieved with a decision made by the Registrar in respect of an international registration designating the Republic under these Regulations may appeal to the Court within thirty days of receipt of the decision.

(2) The Registrar shall inform the International Bureau of the decision, judgment or order of the Court following the appeal filed under subregulation (1).

FIRST SCHEDULE
PRESCRIBED FORMS

(Regulations 6(2), 8 (3), 15(4), 15(4), 15(7), 22(3) and 24(3))

Form MP1
(Regulation 6(2))
(In typescript and completed in duplicate)



THE PATENTS AND COMPANIES REGISTRATION AGENCY

The Trade Marks Act, 2023
(Act No. 11 of 2023)

The Trade Marks (Madrid Protocol) Regulations, 2025

TO: THE REGISTRAR

HANDLING FEE FOR FILING OF AN INTERNATIONAL APPLICATION		
Basic Application/ Registration Number		
Class(es)		
Date		
Reference No. (Applicant to fill, if any)		
PART A DETAILS OF APPLICANT		
	☐ Owner	
1.	Full name	
	Identity/registration number*	
	Nationality	
	Gender	
	Physical address	
	Telephone number	
	Mobile number	
	Email address	
	Address for service of the Applicant	
PART B DETAILS OF APPLICANT		

(To be filled if application is joint)		
2.	Full name	
	Identity/registration number*	
	Nationality	
	Gender	
	Physical address	
	Telephone number	
	Mobile number	
	Email address	
	Address for service of the Applicant	
	*Delete what is not applicable	
3.	PART C DECLARATIONS	
	DECLARATION BY APPLICANT(S) I/We are* the applicant(s) declare that the information provided herein and the accompanying documents are true and correct to the best of my/our knowledge. Dated this day of, 20..... Signature (s) of the Applicant (s)	
	*Delete what is not applicable	
PART D DETAILS OF TRADE MARK AGENT (To be filled if MM2 filed by Agent)		
4.	(a)	Full name
	(b)	Identity/registration number
	(c)	Nationality
	(d)	Physical address
	(e)	Telephone number
	(f)	Mobile number
	(g)	Email address
		Dated this day of, 20..... Signature Trade Mark Agent
PART D DETAILS OF PAYMENT		
4.	☐ Visa Card	
	☐ Online	
	☐ Mobile Wallet	
	☐ Other, please specify	

FOR OFFICIAL USE ONLY

Received by:
Officer Signature

Date received:, 20.....

Time received:

OFFICIAL
STAMP



THE PATENTS AND COMPANIES REGISTRATION AGENCY

The Trade Marks Act, 2023
(Act No. 11 of 2023)

The Trade Marks (Madrid Protocol) Regulations, 2025

TO: THE REGISTRAR

REQUEST FOR CORRECTIONS OR AMENDMENTS TO AN INTERNATIONAL APPLICATION			
Basic Application/Registration Number			
Class			
Date			
Reference No. (Applicant to fill, if any)			
PART A DETAILS OF APPLICANT(S)			
	☐ Owner		
1.	Full name		
	Identity/registration number*		
	Nationality		
	Gender		
	Physical address		
	Telephone number		
	Mobile number		
	Email address		
PART B DETAILS OF CORRECTION OR AMENDMENT *			
2.	Current Information		Description of Correction or Amendments made
	Reasons for Correction or Amendment		
	(a)		
	(b)		
	(c)		
	(d)		
*Describe details of correction or amendment made			

		PART C DECLARATIONS		
		DECLARATION BY APPLICANT(S) I/We are* the applicant(s) declare that the information provided herein and the accompanying documents are true and correct to the best of my/our* knowledge. Dated this day of, 20..... Signature (s) of the Applicant (s)		
		*Delete what is not applicable		
		PART C DETAILS OF TRADE MARK AGENT (To be filled if MM2 filed by Agent)		
3.	(a)	Full name		
	(b)	Identity/registration number		
	(c)	Nationality		
	(d)	Physical address		
	(e)	Telephone number		
	(f)	Mobile number		
(g)	Email address			
		Dated this day of, 20..... Signature Trade Mark Agent		
		PART D DETAILS OF PAYMENT		
4.	☐ Visa Card			
	☐ Online			
	☐ Mobile Wallet			
	☐ Other, please specify			
FOR OFFICIAL USE ONLY				
Received by: Officer Signature				
Date received:, 20.....				
Time received:				
OFFICIAL STAMP				

**THE PATENTS AND COMPANIES REGISTRATION AGENCY****The Trade Marks Act, 2023**

(Act No. 11 of 2023)

The Trade Marks (Madrid Protocol) Regulations, 2025**TO: THE REGISTRAR**

REQUEST FOR EXTENSION OF TIME	
Basic Application/Registration Number	
Class	
Reference No. (Applicant to fill, if any)	
PART A DETAILS OF THE REQUEST	
1.	Please state the circumstances justifying the application: ☐ Unable to respond in time ☐ Need time to gather information/evidence ☐ Other, please specify (Note: if the space provided is insufficient, please use a separate sheet and firmly attach it to this Form)
PART B DECLARATION AND SIGNATURE	
2.	☐ By the Applicant I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. ☐ By Agent (An agent signing this Form on behalf of the applicant shall satisfy himself as to the truth of the declaration) I, the undersigned, do hereby declare that: I have been duly appointed and authorised to act as an agent on behalf of the applicant is filing this form. The information furnished above on behalf of the applicant is true to the best of my knowledge

	Name: Signature:		
	*Tick what is not applicable		
PART C DETAILS OF PAYMENT			
3.	☐ Visa Card		
	☐ Online		
	☐ Mobile Wallet		
	☐ Other, please specify		
FOR OFFICIAL USE ONLY			
Received by:			
Officer		Signature	
Date received:, 20.....		OFFICIAL STAMP	
Time received:			



THE PATENTS AND COMPANIES REGISTRATION AGENCY

The Trade Marks Act, 2023
(Act No. 11 of 2023)

The Trade Marks (Madrid Protocol) Regulations, 2025
TO: THE REGISTRAR

APPOINTMENT OF TRADE MARK AGENT AND PROVISION OF ADDRESS FOR SERVICE				
Basic Application/Registration Number				
Class(es)				
Date				
Reference No. (Applicant to fill, if any)				
PART A APPOINTMENT OF AGENT				
1.	I/We, the undersigned, do hereby authorise and appoint of to be our true and lawful Agent and Attorney for us and in our name to respond to the provisional refusal of the Registrar/apply for an extension of time to respond. We also authorise the said Agent to complete the entry of an address for service as part of any registration under the above authorisation. Name: Signature:			
	Note: Attach duly signed Power of Attorney			
PART B ADDRESS FOR SERVICE				
2.	Physical Address	Street		
		Town		
		District		
		Province		

	Telephone No.		
	Mobile No.		
	Email address		
PART C DECLARATION			
3.	☐ By the Applicant I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. ☐ By Agent (An agent signing this Form on behalf of the Applicant shall be satisfied as to the truth of the declaration) I, the undersigned, do hereby declare that: I have been duly appointed and authorised to act as an agent on behalf of the Applicant is filing this form. The information furnished above on behalf of the Applicant is true to the best of my knowledge. Name: Signature: Identity/Registration Number..... *Tick what is not applicable		
PART D DETAILS OF PAYMENT			
4.	☐ Visa Card		
	☐ Online		
	☐ Mobile Wallet		
	☐ Other, please specify		
FOR OFFICIAL USE ONLY			
Received by: Officer Signature Date received:, 20..... Time received:			
			OFFICIAL STAMP



THE PATENTS AND COMPANIES REGISTRATION AGENCY

The Trade Marks Act, 2023
(Act No. 11 of 2023)

The Trade Marks (Madrid Protocol) Regulations, 2025

TO: THE REGISTRAR

REQUEST FOR GROUNDS OF DECISION			
Basic Application /Registration Number			
Class			
Date			
Reference No. (Applicant to fill, if any)			
PART A DETAILS OF REQUEST			
1.	☐ Request is hereby made for grounds of decision of total provisional refusal for international application ☐ Date of Registrar's decision. Please state below the date of Registrar's letter conveying his refusal of the application Note: The date of the Registrar's decision for the purpose of any appeal to Court will be the date that the grounds are issued in response to this request.		
PART B ADDRESS FOR SERVICE			
2.	Physical Address	Street	
		Town	
		District	
		Province	
Telephone No.			

	Mobile No.		
	Email address		
	PART C DECLARATION		
3.	☐ By the Applicant I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. ☐ By Agent (An agent signing this Form on behalf of the Applicant shall be satisfied as to the truth of the declaration) I, the undersigned, do hereby declare that: I have been duly appointed and authorised to act as an agent on behalf of the Applicant in filing this form. The information furnished above on behalf of the Applicant is true to the best of my knowledge. Name: Signature: Position: Date:		
	PART D DETAILS OF PAYMENT		
4.	☐ Visa Card		
	☐ Online		
	☐ Mobile Wallet		
	☐ Other, please specify		
FOR OFFICIAL USE ONLY			
Received by: Officer Signature Date received:, 20..... Time received:			
			OFFICIAL STAMP



THE PATENTS AND COMPANIES REGISTRATION AGENCY

The Trade Marks Act, 2023
(Act No. 11 of 2023)

The Trade Marks (Madrid Protocol) Regulations, 2025

TO: THE REGISTRAR

REQUEST FOR PROCESSING OF APPLICATION FOR DIVISION OF INTERNATIONAL REGISTRATION DESIGNATING THE REPUBLIC																			
Basic Application/Registration Number																			
Class																			
Date																			
Reference No. (Applicant to fill, if any)																			
PART A DETAILS OF REQUEST																			
1.	Specification of goods or services to be divided out*																		
	☐ All goods or services in the following class(es) of the original application are to be divided out Class No. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; height: 20px;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> </table>																		
	☐ The following goods or services of the original application are to be divided out. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; text-align: center;">Class No.</td> <td style="text-align: center;">Specification of Goods or Services</td> </tr> <tr> <td style="height: 20px;"></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> </tr> </table>									Class No.	Specification of Goods or Services								
Class No.	Specification of Goods or Services																		
	*Tick what is applicable																		
2.	Specification of goods and services to remain																		
	☐ All goods or services in the following class(es) of the original application are to be divided out Class No. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; height: 20px;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> </table>																		
	☐ The following goods or services of the original application are to be divided out <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; text-align: center;">Class No.</td> <td style="text-align: center;">Specification of Goods and Services</td> </tr> <tr> <td style="height: 20px;"></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> </tr> </table>									Class No.	Specification of Goods and Services								
Class No.	Specification of Goods and Services																		

	*Tick what is applicable			
	PART B ADDRESS FOR SERVICE			
3.	Physical Address:	Street		
		Town		
		District		
		Province		
	Telephone No.			
	Mobile No.			
	Email Address			
	PART C DECLARATION			
4.	☐ By the Applicant I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge.			
	☐ By Agent (An agent signing this Form on behalf of the applicant shall be satisfied as to the truth of the declaration)			
	I, the undersigned, do hereby declare that: I have been duly appointed and authorised to act as an agent on behalf of the Applicant in filling this form. The information furnished above on behalf of the applicant is true to the best of my knowledge			
	Name: Signature: Date:			
	*Tick what is not applicable			
	PART D DETAILS OF PAYMENT			
5.	☐ Visa Card			
	☐ Online			
	☐ Mobile Wallet			
	☐ Other, please specify			
FOR OFFICIAL USE ONLY				
Received by: Officer Signature				
Date received:, 20.....				
Time received:				
				OFFICIAL STAMP



THE PATENTS AND COMPANIES REGISTRATION AGENCY

The Trade Marks Act, 2023
(Act No. 11 of 2023)

The Trade Marks (Madrid Protocol) Regulations, 2025

TO: THE REGISTRAR

REQUEST FOR PROCESSING OF APPLICATION FOR MERGER OF INTERNATIONAL REGISTRATION DESIGNATING THE REPUBLIC			
Basic Application/Registration Number			
Class			
Date			
Reference No. (Applicant to fill, if any)			
PART A DETAILS OF REQUEST			
1.	International Registration Number to be merged:		
	1.		
	2.		
	3.		
	4.		
	5.		
Note: Application for merger of application or registered trade marks must be of the same applicant or proprietor, filing date and are for identical marks			
2.	Physical Address	Street	
		Town	
		District	
		Province	
	Telephone No.		
	Mobile No.		
	Email Address		
PART C DECLARATION			
3.	☐ By the Applicant I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge.		

	☐ By Agent (An agent signing this Form on behalf of the applicant shall be satisfied as to the truth of the declaration) I, the undersigned, do hereby declare that: I have been duly appointed and authorised to act as an agent on behalf of the Applicant in filing this form. The information furnished above on behalf of the Applicant is true to the best of my knowledge Name: signature: Position: Date: *Tick what is not applicable		
	PART B DETAILS OF PAYMENT		
4.	☐ Visa Card ☐ Online ☐ Mobile Wallet ☐ Other, please specify		
FOR OFFICIAL USE ONLY Received by: Officer Signature Date received:, 20..... Time received: OFFICIAL STAMP			

SECOND SCHEDULE

(Regulations 6, 8(3), 15(4), 15(6), 15(7), 22(3), 22(4), 24(3), 25(2), 25(5), 30(2), 35(11)
and 36(10))

PRESCRIBED FEES

THIRD SCHEDULE

(Regulation 3)

FORMS PRESCRIBED BY THE INTERNATIONAL BUREAU

Forms prescribed by the International Bureau, including those referenced to in these Regulations can be accessed on the WIPO website:

https://www.wipo.int/documents/d/madrid-system/docs-en-form_mm.zip