

APPENDIX B



The following is a list of members of international trademark agreements to which the United States is also a party.

The United States is not a member of the Madrid System for the International Registration of Marks, which provides an international trademark register, administered by WIPO, for member countries. Thus, registrations issued under that agreement are not acceptable as a basis for registration in the United States.

If there is a discrepancy between the expiration of a foreign registration as listed here and the date listed on the foreign registration, the date listed on the foreign registration will be controlling.

Paris Convention for the Protection of Industrial Property

Under the Paris Convention, foreign applicants may seek U.S. registration, based on either (a) a valid registration, or (b) an application to register in any of the member countries listed below, with a right of priority if the United States application is filed within 6 months of the date of the first filing of the foreign application. For updates to the list below, see the World Intellectual Property Organization's home page at <http://www.wipo.int/treaties/ip/paris/index.html>.

Country	Term of Registration (in years)	Renewal Period (in years)
ALBANIA	10 (from date of application)	10
ALGERIA	10 (from date of application)	10
ANTIGUA and BARBUDA	14 (from date of application)	14
ARGENTINA	10 (from date of registration)	10
ARMENIA (Russian Federation)	10 (from date of application)	10
ARUBA	10 (from date of application)	20
AUSTRALIA	10 (from date of application)	10
AUSTRIA	10 (from end of month in which mark is registered)	10
AZERBAIJAN (Russian Federation)	10 (from date of application)	10
BAHAMAS	14 (from date of application)	14
BAHRAIN	10 (from date of application)	10
BANGLADESH	7 (from date of application)	15
BARBADOS	10 (from date of registration)	10
BELARUS (Russian Federation)	10 (from date of application)	10
BELGIUM (Benelux Nations)	10 (from date of application) (1 to 10 years for service marks)	10
BENIN (African Union Nations) (OAPI)	10 (from date of application)	10
BHUTAN	10 (from date of application)	10
BOLIVIA	10 (from date of registration)	10
BOSNIA and HERZEGOVINA	Unlimited as long as fees are paid (usually 10 years)	Dependent on fee payment

TRADEMARK MANUAL OF EXAMINING PROCEDURE

Country	Term of Registration (in years)	Renewal Period (in years)
BOTSWANA	10 (from date of application)	10
BRAZIL	10 (from date of registration)	10
BULGARIA	10 (from date of application)	10
BURKINA FASO (OAPI)	10 (from date of application)	10
BURUNDI	Unlimited	
CAMEROON (OAPI)	10 (from date of application)	10
CANADA	15 (from date of registration)	15
CENTRAL AFRICAN REPUBLIC (OAPI)	10 (from date of application)	10
CHAD (OAPI)	10 (from date of application)	10
CHILE	10 (from date of registration)	10
CHINA (PEOPLE'S REPUBLIC)	10 (from date of registration)	10
COLOMBIA	10 (from date of registration)	10
CONGO (OAPI)	10 (from date of application)	10
COSTA RICA	10 (from date of registration)	10
CÔTE D'IVOIRE (OAPI)	10 (from date of application)	10
CROATIA	Unlimited as long as fees are paid (usually 10 years)	Dependent on fee payment
CUBA	10 (from date of application)	10
CYPRUS	7 (from date of application)	14
CZECH REPUBLIC	10 (from date of application)	10
DENMARK	10 (from date of registration)	10
DOMINICA	14 (from date of application)	14
DOMINICAN REPUBLIC	5, 10, 15 or 20 (from date of registration)	Any new period
ECUADOR	10 (from date of registration)	10
EGYPT	10 (from date of application)	10
EL SALVADOR	10 (from date of registration)	10
ESTONIA	10 (from date of application)	10
FINLAND	10 (from date of registration)	10
FRANCE (including Overseas Departments and Territories)	10 (from date of application)	10
GABON (OAPI)	10 (from date of application)	10
GAMBIA	14 (from date of application)	14
GEORGIA	10 (from date of application)	10
GERMANY	10 (beginning on filing date of application and ending the last day of the month in which the application had been filed)	10
GHANA	7 (from date of application)	14
GREECE	10 (from day following application date)	10
GRENADA	Term dependent on United Kingdom registration	Renewal dependent on United Kingdom registration
GUATEMALA	10 (from date of registration)	10
GUINEA (OAPI)	15 (from date of application)	15
GUINEA-BISSAU	10 (from date of registration)	10
GUYANA	7 (from date of application)	14
HAITI	10 (from date of registration)	10
HOLY SEE (Italy)	10 (from date of application)	10

APPENDIX B

Country	Term of Registration (in years)	Renewal Period (in years)
HONDURAS	10 (from date of registration)	10
HUNGARY	10 (from date of application)	10
ICELAND	10 (from date of registration)	10
INDIA	7 (from date of application)	7
INDONESIA	10 (from date of application)	10
IRAN	10 (from date of application)	10
IRAQ	15 (from date of application)	15
IRELAND	7 (from date of application)	14
ISRAEL	7 (from date of application)	14
ITALY	10 (from date of application); 20 (from date of application) for registrations due for renewal prior to 2004	10
IVORY COAST	See CÔTE D'IVOIRE	
JAMAICA	7 (from date of application)	14
JAPAN	10 (from date of registration)	10
JORDAN	7 (from date of application)	14
KAZAKSTAN (Russian Federation)	10 (from date of application)	10
KENYA	7 (from date of application)	14
KOREA, NORTH (DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA)	10 (from date of application)	10
KOREA, SOUTH (REPUBLIC OF KOREA)	10 (from date of registration)	10
KYRGYZSTAN (Russian Federation)	10 (from date of application)	10
LAOS	10 (from date of application)	10
LATVIA	10 (from date of application)	10
LEBANON	15 (from date of application)	15
LIECHTENSTEIN	10 (from date of application)	10
LESOTHO	10 (from date of application)	10
LIBERIA	15 (from date of registration)	15
LIBYA	10 (from date of application)	10
LIECHTENSTEIN	20 (from date of application)	20
LITHUANIA	10 (from date of application)	10
LUXEMBOURG (Benelux Nations)	10 (from date of application) (1 to 10 years for service marks)	10
MADAGASCAR ¹		
MALAWI	7 (from date of application)	14
MALAYSIA	10 (from date of application)	10
MALI (OAPI)	10 (from date of application)	10
MALTA	14 (from date of application)	14

¹ A new industrial property law covering patents, trademarks and designs was promulgated in Madagascar on July 31, 1989. Certain regulations have been promulgated, notably those covering the appointment of local trademark agents. In addition, due to Madagascar's prior involvement in OAPI, trademark owners can claim rights in OAPI registrations filed before December 31, 1976. December 9, 1994 was the cut-off date for filing Maintenance in Vigour applications. Because rights in Madagascar are acquired on a first-to-file basis, trademark registration applications should be filed as soon as is possible. Trademarks may be protected through publication of cautionary notices. *Trademarks Throughout the World* (J. M. Politi, 4th ed. 2000).

TRADEMARK MANUAL OF EXAMINING PROCEDURE

Country	Term of Registration (in years)	Renewal Period (in years)
MAURITANIA (OAPI)	10 (from date of application)	10
MAURITIUS	7 (from date of application)	14
MEXICO	10 (from date of application)	10
MOLDOVA (REPUBLIC OF) (Russian Federation)	10 (from date of application)	10
MONACO	10 (from date of application)	10
MONGOLIA	10 (from date of application)	10
MOROCCO	20 (from date of registration)	20
MOZAMBIQUE	10 (from date of application)	10
NEPAL	7 (from date of registration)	Unlimited
NETHERLANDS (Benelux Nations)	10 (from date of application) (1 to 10 years for service marks)	10
NETHERLANDS ANTILLES	10 (from date of application)	20
NEW ZEALAND	7 (from date of application)	14
NICARAGUA	10 (from date of registration)	10
NIGER (OAPI)	10 (from date of application)	10
NIGERIA	7 (from date of application)	14
NORWAY	10 (from date of registration)	10
OMAN	10 (from date of application)	10
PANAMA	10 (from date of registration)	10
PAPUA NEW GUINEA	10 (from date of application)	10
PARAGUAY	10 (from date of registration)	10
PERU	10 (from date of registration)	10
PHILIPPINES	20 (from date of registration)	20
POLAND	10 (from date of application)	10
PORTUGAL	10 (from date of registration)	10
ROMANIA	10 (from date of application)	10
RUSSIAN FEDERATION	10 (from date of application)	10
RWANDA	Unlimited	
SAINT KITTS and NEVIS	14 (from date of application)	14
SAINT LUCIA	14 (from date of application)	14
SAINT VINCENT and the GRENADINES	Term dependent on United Kingdom registration	Renewal dependent on United Kingdom registration
SAN MARINO ²		
SENEGAL (OAPI)	10 (from date of application)	10
SINGAPORE	10 (from date of application)	10
SIERRA LEONE	14 (from date of application)	14
SLOVAKIA	10 (from date of application)	10
SLOVENIA	10 (from date of application)	10
SOUTH AFRICA	10 (from date of application)	10
SPAIN	10 (from date of application)	10
SRI LANKA	10 (from date of application)	10
SUDAN	10 (from date of application)	10
SURINAME	10 (from date of registration)	10

² San Marino has no trademark law. However, trademark protection obtained in Italy applies here by virtue of the Pact Of Amity And Good Neighborhood, dated March 31, 1939. *Trademarks Throughout the World* (J. M. Politi, 4th ed. 2000).

APPENDIX B

Country	Term of Registration (in years)	Renewal Period (in years)
SWAZILAND	10 (from date of registration)	10
SWEDEN	10 (from date of registration)	10
SWITZERLAND	10 (from date of application)	10
SYRIA	10 (from date of registration)	10
TAJIKISTAN (Russian Federation)	10 (from date of application)	10
TANZANIA (UNITED REPUBLIC OF)	14 (from date of application)	14
TOBAGO	See TRINIDAD and TOBAGO	
TOGO (OAPI)	10 (from date of application)	10
TRINIDAD and TOBAGO	10 (from date of registration)	10
TUNISIA	15 (from date of application)	15
TURKEY	10 (from date of application)	10
TURKMENISTAN (Russian Federation)	10 (from date of application)	10
UGANDA	7 (from date of application)	14
UKRAINE	10 (from date of application)	10
UNITED ARAB EMIRATES	10 (from date of application)	10
UNITED KINGDOM	10 (from date of application)	10
URUGUAY	10 (from date of registration)	10
UZBEKISTAN (Russian Federation)	10 (from date of application)	10
VENEZUELA	10 (from date of registration)	10
VIETNAM	10 (from date of application)	10
YUGOSLAVIA	Unlimited as long as fees are paid (usually 10 years)	Dependent on fee payment
ZAMBIA	7 (from date of application)	14
ZIMBABWE	10 (from date of application)	10

Inter-American Convention

Under the Inter-American Convention for Trademarks and Commercial Protection (also known as the “Pan-American Convention”), foreign applicants may seek U.S. registration, based on either (a) a valid registration, or (b) an application to register in any of the member countries listed below, with a right of priority if the United States application is filed within 6 months of the date of the first filing of the foreign application.

Country	Term of Registration (in years)	Renewal Period (in years)
COLOMBIA	10 (from date of registration)	10
CUBA	10 (from date of application)	10
GUATEMALA	10 (from date of registration)	10
HAITI	10 (from date of registration)	10
HONDURAS	10 (from date of registration)	10
NICARAGUA	10 (from date of registration)	10
PANAMA	10 (from date of registration)	10
PARAGUAY	10 (from date of registration)	10

TRADEMARK MANUAL OF EXAMINING PROCEDURE

Country	Term of Registration (in years)	Renewal Period (in years)
PERU	10 (from date of registration)	10

Buenos Aires Convention

Under the Buenos Aires Convention for the Protection of Trade Marks and Commercial Names, foreign applicants may seek registration based on a valid registration from a member country but *not* based on an application in the foreign country.

Country	Term of Registration (in years)	Renewal Period (in years)
BOLIVIA	10 (from date of registration)	10
BRAZIL	10 (from date of registration)	10
COSTA RICA	10 (from date of registration)	10
CUBA	10 (from date of application)	10
DOMINICAN REPUBLIC	5, 10, 15 or 20 (from date of registration)	Like periods
ECUADOR	10 (from date of registration)	10
GUATEMALA	10 (from date of registration)	10
HAITI	10 (from date of registration)	10
HONDURAS	10 (from date of registration)	10
NICARAGUA	10 (from date of registration)	10
PARAGUAY	10 (from date of registration)	10
URUGUAY	10 (from date of registration)	10

European Community Trademark

On December 20, 1993, the European Council issued Regulation No. 40/94, establishing a single system of trademark registration, known as the Community Trade Mark (CTM), which is alternative to the various registration systems of each nation within the European Community. A foreign applicant may seek registration in the United States based on either (a) a valid CTM registration, or (b) a CTM application, with a right of priority if the United States application is filed within 6 months of the date of the first filing of the CTM application. European Community countries include Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Sweden, Spain and the United Kingdom. A CTM is registered for a period of 10 years, running from the date of filing, and may be renewed for 10 years. CTM registrations are issued by the Office for Harmonization in the Internal Market (OHIM). For further information about the CTM, see OHIM's website at <http://oami.eu.int/>.

World Trade Organization

APPENDIX B

The World Trade Organization (WTO), established on January 1, 1995, is the embodiment of the results of the Uruguay Round trade negotiations and the successor to the General Agreement on Tariffs and Trade (GATT). Article 4 of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs) contains a most-favored-nation clause under which any advantage a member gives to the nationals of another member must normally be extended to the nationals of all members. Section 44(b) of the Trademark Act, 15 U.S.C. §1126(b), provides that any person whose country of origin is a party to any convention or treaty to which the United States is a member is entitled to the benefits of §44. Accordingly, foreign applicants may seek U.S. registration, based on either (a) a valid registration, or (b) an application to register in any of the member countries listed below, with a right of priority if the United States application is filed within 6 months of the date of the first filing of the foreign application. The WTO Agreement entered into force in the United States on January 1, 1996. The benefits accorded to nationals under this agreement by the United States date from January 1, 1996. The following is a list of WTO members who are not currently members of the Paris Convention. WTO members who are also members of the Paris Convention are not set forth in the list below because nationals from these countries have been able to base their U.S. registration on their home country application or registration since the date of the country's accession to the Paris Convention. For updates to the list of member below, see WTO's home page at www.wto.org.

Country	Effective Date of Membership	Term of Registration (in years)	Renewal Period (in years)
ANGOLA	Nov. 23, 1996	10 (from date of application)	10
BAHRAIN	Jan. 1, 1995	10 (from date of application)	10
BELIZE	Jan. 1, 1995	Term dependent on United Kingdom registration	Renewal dependent on United Kingdom registration
BRUNEI DARUSSALAM	Jan. 1, 1995	7 (from date of application)	14
DJIBOUTI	May 31, 1995	10 (from date of application)	10
EUROPEAN COMMUNITY	Jan. 1, 1995	10 (from date of application)	10
FIJI	Jan. 14, 1996	14 (from date of application)	14
HONG KONG	Jan. 1, 1995	7 (from date of application)	14
INDIA	Jan. 1, 1995	7 (from date of application)	7
KUWAIT	Jan. 1, 1995	10 (from date of application)	10

TRADEMARK MANUAL OF EXAMINING PROCEDURE

Country	Effective Date of Membership	Term of Registration (in years)	Renewal Period (in years)
MACAU	Jan. 1, 1995	7 (from date of registration)	7
MALDIVES ³	May 31, 1995		
MALI	May 31, 1995	10 (from date of application)	10
MYANMAR	Jan. 1, 1995	Unlimited (from date of first use)	
NAMIBIA	Jan. 1, 1995	10 (from date of registration)	10
PAKISTAN	Jan. 1, 1995	7 (from date of application)	15
QATAR	Jan. 13, 1996	10 (from date of application)	10
SLOVENIA	July 30, 1995	10 (from date of application)	10
SOLOMON ISLANDS	July 26, 1996	Term dependent on United Kingdom registration	Renewal dependent on United Kingdom registration
THAILAND	Jan. 1, 1995	10 (from date of registration)	10

Memorandum of Understanding Between United States and Taiwan

On the basis of a Memorandum of Understanding signed on April 10, 1996, between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States, a foreign applicant may seek U.S. registration based on either (a) a valid registration, or (b) an application filed in Taiwan, and may claim a right of priority if the United States application is filed within 6 months of the date of the first filing of the application in Taiwan. *See* notice published in the *Official Gazette* on May 7, 1996 [1186 TMOG 50]. A registration in Taiwan is valid for 10 years from the date of registration, and may be renewed for 10 years.

Other Countries Offering Reciprocal Registration Rights to United States Applicants

Applicants from countries that are not members of international trademark agreements to which the United States is also a party may register in the United States based upon their home country registration if their home country provides reciprocal registration rights to U.S. applicants. Following is a partial list of such countries. A claim of priority based on a foreign-filed application (15 U.S.C. §1126(d)) is not usually available to these applicants.

³ There is no trademark law in effect in the Republic of Maldives, whose closest financial ties are with India. The only means of obtaining protection is by publishing a cautionary note in the English section of a Maldives newspaper. *Trademarks Throughout the World* (J. M. Politi, 4th ed. 2000).

APPENDIX B

If the country is not on the following list, the examining attorney should require an English copy of the foreign trademark statute providing for reciprocal registration rights to U.S. applicants based on a U.S. registration.

Country	Term of Registration (in years)	Renewal Period (in years)
SEYCHELLES	7 (from date of application)	14
TONGA	Term dependent on United Kingdom registration	Renewal dependent on United Kingdom registration
TUVALU	Term dependent on United Kingdom registration	Renewal dependent on United Kingdom registration

Additional Resources For Information About International Treaties and the Trademark Laws of Foreign Countries

For further information about the trademark laws of foreign countries, *see Trademarks Throughout the World* (J. M. Politi, 4th ed. 2000) and *World Trademark Law and Practice* (Ethan Horwitz, 2nd ed. 2001).

The United States Department of State puts out a list of members of treaties currently in force, available at http://www.state.gov/www/global/legal_affairs/tifindex.html.

Information about the United Nations treaty collection is available at <http://untreaty.un.org/English/treaty.asp>.