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PROTOCOL RELATING TO THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS ENTERS INTO FORCE IN CHILE

On July 4th, 2022, three months after the deposit of the instrument of accession before the Director General of the World Intellectual Property Organization, the "Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks" (the "Madrid Protocol") entered into force in our country. The accession determined that Chile joined the Madrid System, which covers 128 countries.

The Madrid System contemplates a centralized trademark application and management process. In the context of this system, filing a single international application is equivalent to filing national applications in all the countries that are designated by the applicant. The centralized registration provides a simple and efficient way of managing a portfolio of international trademarks within the member countries of the Madrid Protocol.

The entry into force of the Madrid Protocol in Chile entails that, as from this date, owners of a local trademark application or registration, who have a personal or business connection with Chile, can file an international application before the National Institute of Industrial Property which, acting as the Office of Origin, will certify the application and send it to the World Intellectual Property Organization for registration. Furthermore, it will allow users from other Contracting Parties of the Madrid System to designate Chile in their international applications to obtain trademark protection in our country.

The prosecution and registration of an international application in each of the countries that are designated therein will be governed by the regulations of the designated country and it will be the prerogative of the Trademark Office of the respective territories to grant or reject the national registration of the trademark. If the trademark is granted, it will be protected from the date of the international registration, in the same manner as if the trademark had

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been filed before the respective national Trademark Office.

The international registration may be renewed every 10 years and is subject to the payment of the fees established in the Madrid System.

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