



A Guide to the Main WIPO Services

WIPO is the global forum for intellectual property services, policy, information and cooperation.

WIPO Services provide efficient and cost-effective solutions across the entire intellectual property life cycle, helping you to:

- protect inventions, trademarks and designs internationally;**
- resolve intellectual property and domain name disputes; and**
- access global intellectual property data.**

Introduction

Globalization and recent technological advances have provided even the smallest of enterprises with unprecedented access to export markets, offering a world of opportunity for smart organizations. However, operating in international markets means competing on the world stage.

In this environment, intellectual property is more important than ever. WIPO supports organizations around the world, from multinational corporations to small and medium-sized enterprises (SMEs), through its extensive range of global intellectual property (IP) services. Whether you are a multinational business or an individual, WIPO Services provide efficient and cost-effective solutions to meet your IP needs throughout the intellectual property life cycle. These services include:

- WIPO global databases which make it easy for anyone, anywhere, to access the wealth of information in the IP system, and thus support all other IP activities;
- WIPO global Services for cost-effective and efficient protection of IP including patents, trademarks and industrial designs across borders, thereby protecting business investment in innovation; and
- the WIPO Arbitration and Mediation Center, which provides neutral, international and non-profit dispute resolution services tailored for IP and technology disputes in a time- and cost-efficient manner.

This brochure offers an overview of the main WIPO Services. Further information and contact details can be found at www.wipo.int.

Patent Cooperation Treaty (PCT) – The International Patent System

What is a patent?

A patent is a legal right protecting an invention, which provides a new and inventive technical solution to a problem. The owner of a patent has the right to stop others from commercially exploiting the protected invention, for example by making, using, importing or selling it, in the country or region in which the patent has been granted.

Patent protection helps to differentiate your inventive products and services in the marketplace as it inhibits competitors from simply copying them. In turn, this helps to drive higher sales and support increased profit margins, allowing investment costs to be recovered.

Patent protection may be obtained for products, for example a new bottle opener, or processes, for example a new process for making a chemical compound. Patents may be used to protect inventions in any field of technology, from everyday kitchen utensils to nanotechnology chips. In fact, most patents aren't granted for ground-breaking scientific breakthroughs, but for improvements to existing technologies, for example improvements that allow a product to work more efficiently or cost-effectively. Moreover, a product such as a smartphone

may contain a number of inventions, each of which is protected by a separate patent.

A brief overview of the PCT system

The PCT system provides a cost-effective process for seeking patent protection multinationally which has numerous benefits for applicants. With just one PCT application, you can seek patent protection in up to 151¹ countries instead of filing a separate application directly in each different country.

The patent application process under the PCT System is split into two phases. In the “international phase”, you file your application with either your national patent office or the International Bureau of WIPO. It is checked to make sure it complies with certain formalities, and an International Search is performed to provide an initial assessment of the potential patentability of your invention. Unless you decide to withdraw your application, it is published along with the International Search Report. During this phase, you can also request an optional supplementary international search and/or an International Preliminary Examination.

1. As of November 2016.

Process



Source: WIPO, April 2016

Timeline



Your application then proceeds to the “national phase”, in which you send a translation of your application (where necessary) to the patent office of each of the countries or regions in which you wish to seek patent protection. Each office determines whether to grant you a patent in accordance with its own law, but relying significantly on the relevant documents discovered during the international phase.

So the PCT System itself does not grant patents; that is up to each country or region. However, it does provide important advantages in terms of cost, timing, information on the potential patentability of your invention and ease of management that cannot be achieved by filing separate patent applications directly in each desired country or region.

Who uses the PCT system?

The PCT is used by the world’s major corporations, research institutions and universities as well as by individuals and small and medium-sized enterprises.

Key advantages of using a PCT application

1. Keep your options open. The PCT system allows you to delay deciding which countries to seek patent protection in. The delay is normally 18

months longer than under the traditional patent system of direct filing in each country. Because of this extra time you may have a clearer idea of the commercial value of your invention, and because of the information you will receive during the PCT international phase you will have a clearer idea of the likely scope of patent protection that you may obtain for it. You will thus be better placed to decide where you need patent protection, reducing the risk that you miss commercial opportunities by failing to choose a country that you later find you require.

2. Postpone costs. While one set of fees is payable when you file your PCT application, you can wait until the end of the international phase to pay the much more significant costs of pursuing protection in the national phase: translation of your patent application into various languages, retention of local patent attorneys to represent you in the countries in which you enter the national phase, and official fees payable to the individual patent offices where you are seeking patents. Postponing payment of these fees by 18 months can be very advantageous for businesses and individuals. It means you can evaluate the information on the patentability of your invention that you receive during

the international phase to help you decide whether it is worth paying to seek protection in each country or region.

3. **Gain valuable information.** Your PCT application will automatically trigger an International Search of prior inventions and technical documents, and you will get a written opinion based on that search. This is valuable information concerning the potential patentability of your invention – it can help you make an informed decision about whether to seek patent protection. For example, if the search report and written opinion reveal published documents which would make it difficult or impossible to obtain patent protection, you can decide to discontinue the pursuit of patents and so avoid all the national phase costs. And you also have the opportunity to amend your PCT application through the optional International Preliminary Examination.

4. **Satisfy all formal application requirements.** The PCT system establishes one set of formal requirements with which PCT applications must comply, and national laws are prohibited under the Treaty from applying national formality requirements to PCT applications. In other words, by complying with the formal requirements of the PCT system, your application will

avoid the need to meet the different formal requirements normally required of each country (or region) in which you seek patent protection.

Key elements of the PCT system

Filing

Who may file a PCT application?

You may file a PCT application if you, or one of your co-applicants, are a resident or national of a country that is a member of the PCT system (PCT Contracting State).

Where may I file a PCT application?

At the national patent office of the country where you are a national or resident (as long as that State is a PCT Contracting State), at your regional patent office if applicable and permitted, or directly at WIPO.

What is the effect of a PCT application?

A PCT application that satisfies the requirements for an international filing date has the effect of a national patent application in all PCT Contracting States.

Can a PCT application claim priority to a previously filed application?

The principle of priority is very useful as it means you do not have to file your application in several countries at the same time. Once you file an application in one country

which is party to the Paris Convention for the Protection of Industrial Property, you are entitled to claim the priority of that filing for a period of 12 months, and the filing date of that first application is considered the “priority date”. During those 12 months, the filing date of your first application is considered to have “priority” over other applications filed after that date in all member countries of the Paris Convention. A PCT application may be filed as a first filing or, alternatively, it may claim priority from an appropriate application filed up to 12 months beforehand, in which case the PCT application will be treated as if it were filed on the same date as the earlier application.

International Search and Written Opinion

What is the International Search?

The International Search is a high-quality search of the relevant “state of the art” against which the patentability of your invention will be assessed (“state of the art” or “prior art” refers to all information that was publicly available on a given date).

What is the Written Opinion?

The Written Opinion is a detailed analysis of the patentability of your invention, taking into account the prior art documents identified in the search.

When do I receive these documents?

The International Search and Written Opinion are normally sent to you within 16 months of the priority date of your application (i.e., its filing date or the filing date of an earlier application from which it claims priority, if applicable).

International publication

What is International Publication?

Your application, with its International Search Report, will be published shortly after the expiration of 18 months from the priority date of your application. On publication, your invention will become publicly known.

Can I prevent International Publication?

You can prevent your PCT application from being published if you withdraw it before publication. Strict time limits apply to being able to withdraw it from publication.

International Preliminary Examination

What is International Preliminary Examination?

International Preliminary Examination is an optional examination procedure which allows you to make amendments to your PCT application after having received the International Search Report, and to put

forward arguments to distinguish your invention from the prior art cited in that Report. At the end of procedure, an International Report on Patentability is issued, which contains a second patentability opinion on your amended application.

When do I trigger the International Preliminary Examination?

It must be requested within three months of the date of transmittal to the applicant of the International Search Report or 22 months of the priority date, whichever is later.

When do I receive the International Report on Patentability?

In accordance with the PCT Regulations, you should receive it approximately 28 months after the priority date.

National phase

When does the national phase start?

For most Contracting States you must fulfill the requirements to enter the national phase within 30 months from the priority date.

What requirements must I fulfil?

These requirements include paying national patent office fees, appointing a local patent attorney and, frequently, filing a translation of the application.

What happens in the national phase?

The patent office for each of your chosen countries or regions will begin a procedure governed by the applicable national law which will result in a decision to grant or refuse to grant a patent in the country or region. In doing so, those patent offices are assisted by the existence of the PCT work products from the international phase, including the International Search Report, the Written Opinion of the International Searching Authority and potentially an International Preliminary Examination Report. Furthermore, the offices don't have to spend time on a formality examination as the PCT formal requirements are uniformly accepted.

Additional information

Additional information on the PCT, including the various fees involved in the application procedure, is available at: www.wipo.int/pct/en.

For detailed PCT user guidance, please refer to *The PCT Applicant's Guide* at: www.wipo.int/pct/en/appguide.

Process

Stage 1

Applicant

*Basic application/registration
("basic mark")*



Office of Origin

*Certifies the international application
and forwards it to WIPO*



Stage 2

WIPO

*Formal examination; registers the mark in
the International Register and publishes the
international registration in the Gazette.
Issues a certificate of registration and
notifies the designated Contracting Parties*



Stage 3

Offices of the designated Contracting Parties

*Scope of protection of the international
registration will be determined by
substantive examination under each
Contracting Party's domestic law within
12/18 months*

Madrid – The International Trademark System

What is a trademark?

A trademark is a sign, such as a word or a logo, which distinguishes products or services of one enterprise from those of another. The holder of a trademark registered in a given country has the right to stop third parties from using the same or similar trademarks commercially in that country in relation to the same or similar products or services as those for which the trademark is registered.

Trademarks are often a key factor in consumers' purchasing decisions. From a consumer's perspective, trademarks are useful because they give information about the commercial origin and quality of different products and services. From a trademark owner's perspective, trademarks provide the principal means for a business to prevent others from unfairly exploiting its goodwill and reputation.

Typically, trademarks consist of words, logos, names, numerals or symbols. "Non-traditional" trademarks may even consist of a mere color alone (without any figurative shape), three-dimensional marks or a particular sound, provided they meet the legal requirements for obtaining trademark protection in the jurisdiction in question.

A brief overview of the Madrid System

The Madrid System provides a cost-effective process for obtaining and maintaining trademark protection in multiple jurisdictions.

With a single international trademark application, you can indicate all the territories where you wish to obtain protection and you can have an international registration with effect in all those territories – up to 114² countries. This international procedure is more cost-effective and time-efficient than filing separate national or regional applications directly with each desired jurisdiction.

The subsequent management of your international registration is also easier; with one request, you can record changes to your name or address or changes in ownership, with effect for all the countries covered by your international registration. You can renew your international registration directly with WIPO, and this renewal will have effect in the countries concerned. And you can expand protection of your international registration to cover further territories through "subsequent designation".

2. As of November 2016.

Over the past 125 years, the Madrid System has helped businesses protect well over a million trademarks worldwide, facilitating their access to their export markets.

Who uses the Madrid System?

Along with the world's major corporations, Madrid system users include small and medium-sized enterprises. In fact, some 80 percent of users are small IP rights holders with a portfolio of just one or two registered trademarks.

Key advantages of the Madrid System

- 1. Choose where you want to protect your brand.** The Madrid System allows you to obtain simultaneous protection for your trademark in up to 114³ countries, representing more than 80 percent of world trade. And you can use the Madrid System to obtain trademark protection under the European Union Trade Mark System. The Madrid System includes most developed countries and many developing and transition countries, and it is growing all the time.
- 2. Save time and money applying for trademark protection.** Using the Madrid System is easier and cheaper than applying for trademark protection separately in lots of different countries. You can obtain trademark protection in many countries through a single application in one language (English, French or Spanish) and with fees in one currency.
- 3. Save time and money managing your trademarks.** The Madrid System also makes it cheaper and easier to manage your international trademark portfolio, as renewals or changes to your international registration can be recorded for all relevant countries with a single procedure through one centralized system.
- 4. Expand your trademark protection when you want to.** The Madrid System lets you extend your international registration to cover further countries later on. So as your business strategy evolves, you can protect your brand in new target markets, empowering your business to expand.

3. As of November 2016.

Key elements of the Madrid System

Filing

Who may apply for an international trademark?

You may apply for an international trademark if you are a national of a country that is a member of the Madrid System or if you are domiciled in or have a business in such a country.

The “basic mark” – prior national or regional application or registration

In addition, you need to have filed an application for, or registered, the same trademark in your national or regional IP office before you file your international application. This is called the “basic mark”.

Where may you file an international trademark application?

You must file your international trademark application at your national or regional IP office where you have your basic mark; this office will be your “office of origin”. Your office of origin will then forward your international application to WIPO.

Formal examination

What is formal examination?

WIPO will check that your international application meets the formal requirements of the Madrid System. If so, your trademark will be recorded in the International Register and published in the *WIPO Gazette of International Marks*. WIPO will then send you a certificate of your international registration and will notify the IP office in each country where you wish to protect your trademark (the territories that you have designated in your application).

Is my trademark then protected in the countries I have chosen?

Not yet. The certificate from WIPO means that the international registration has passed the formalities examination, but the scope of protection will have to be determined by the IP office of each of your designated countries through substantive examination.

Substantive examination

What is substantive examination?

The IP office in each country that you have designated determines whether it can grant protection to your mark in accordance with its domestic law (for example, that it is distinctive and not in conflict with prior rights). If the international registration passes the substantive examination then

RUSS-SUCHARD & C^{ie}, fabricants
NEUCHÂTEL (Suisse)



Chocolats et cacaos

La marque ci-dessus a été enregistrée en Suisse
le 1^{er} novembre 1880 sous le N^o 86

*Suchard was the first
international trademark
registered under the Madrid
Agreement Concerning the
International Registration
of Marks, in 1893.*

the IP office will grant protection to your international registration; if not, the IP office will refuse protection.

Is there a fixed time limit for substantive examination?

If any of the IP offices of the countries you have designated finds grounds for refusal, the office must send a provisional refusal within a period of 12 or 18 months from the date that it was notified by WIPO that it had been designated in your international registration. The usual time limit is 12 months, but Madrid System members may declare that it should be 18 months instead. The Madrid System website shows which members have made such declaration. If you do not hear anything after the expiry of the 12- or 18-month time limit, your international registration is considered protected in that territory.

What can I do if an office has refused protection for my international registration?

If an IP office refuses protection for your international registration, either totally or partially, this decision will not affect possible protection in any of the other countries that you designated which are served by other IP offices. You can contest a refusal at the IP office concerned in accordance with its domestic procedure.

Additional information

Additional information on the Madrid System, including information on the various fees involved, is available at: www.wipo.int/madrid/en.

For detailed Madrid user guidance, please refer to *Making the Most of the Madrid System*, which is available on the WIPO website.

Process

Timeline

Industrial designs
are the object of



Industrial design applications
filed with the



International Bureau issues

International registrations
published in



International Designs Bulletin (IDB)

Send a statement of grant (optional) or a refusal

Protection is usually granted from the international filing date

Registrations are identified in the IDB

Contracting Parties
(Hague Members)

Registrations are valid in the Contracting Party's jurisdiction

(months)

Claimed priority date
(maximum of six months from the filing date)

Filing/registration date
(registration and filing date are usually the same)

6 < Publication online in the IDB

If the Contracting Party does not reject the application within a 6- or 12-month time limit, the international registration is considered valid in its jurisdiction and takes effect there as a grant of protection.

12
(18)

Hague – The International Design System

What is an industrial design?

An industrial design protects the appearance or the ornamental or aesthetic aspect of an article. An industrial design may consist of three-dimensional features, such as the shape of an article, or two-dimensional features such as patterns, lines or color. Industrial designs are also known as registered designs or design patents, or even simply designs.

The owner of an industrial design has the right to stop others from commercially exploiting articles with the same or substantially the same design, for example by making, using, importing or selling them, in the country covered by the industrial design. In this manner, industrial design protection may be used to inhibit competitors from copying your designs, thus differentiating your products in the market. As the appearance of products can be a key factor in consumers' purchasing decisions, protecting your product's appearance may be crucial to its commercial success, driving sales and supporting increased profit margins.

In order to be registered, an industrial design must normally be new or original, depending upon the applicable law. Industrial designs can protect the appearance of a very wide variety of products such as

jewelry, textiles, toys, electrical devices and graphical user interfaces.

A brief overview of the Hague System

The Hague System allows applicants to apply for industrial design protection simultaneously in many countries or regions by filing a single application with WIPO, avoiding the need to file many separate applications at national or regional IP offices. The Hague System also allows the industrial design to be managed centrally through WIPO, so changes or renewals that affect a number of registered designs in different countries or regions can be recorded through a single procedural step.

While the Hague System covers the international application and management processes, the enforcement or validity of the industrial design is subject to the domestic legislation of each country or region in which protection is sought.

Who uses the Hague System?

The Hague System is used principally by major corporations and individuals or small or medium-sized enterprises.

Key advantages of the Hague System

1. **Save time and money when you apply for registration.** The Hague System provides great convenience and savings by allowing design registration in many countries to be achieved through a single application. These benefits are further enhanced by the fact that the application is in just one language (English, French or Spanish) and subject to just one set of fees, deadlines and administrative procedures.
2. **Maintain your design protection cheaply and easily.** The Hague System also saves time and money in the subsequent management of registered designs, as maintenance processes such as renewal fees and recording different changes can be carried out with a single procedure through one centralized system.

Key elements of the Hague System

Filing

Where can protection be obtained?

You can obtain protection in countries or regions which are members of the same Act(s) of the Hague Agreement as the country (or region) through which you are entitled to use the Hague System. There are currently two Acts of the Hague Agreement in operation, as not all member countries or regions are signatories of both Acts, with 65⁴ members between them.

Who can use the Hague System?

You can make an international application under the Hague system if you are a national of a member country or region, or if you are domiciled in or have a business in a member country or region. Under the 1999 Act of the Hague Agreement, this is also true for anyone habitually residing in a member country or region.

Contents of the application

Your application, which can be filed electronically through the E-filing interface or on paper, should contain one or more representations (or “reproductions”) of the design(s) that you want to protect, and should indicate which member countries or regions you want protection in. In one

4. As of November 2016.

application you can protect up to 100 different designs, as long as each design belongs to the same class of the International Classification of Industrial Designs, for example “tools and hardware” (Class 8).

Where can the application be filed?

Most applications are filed directly at WIPO. However, some member countries (or regions) permit or require applications to be filed at their IP office.

Language

You can file your application in English, French or Spanish.

Claiming priority

Your international application can claim priority from another appropriate registered design filing made within the preceding six months. This means that the international application will be treated as if it had been filed on the same date as the earlier filing.

No prior national application or registration

There is no need to file a national or regional registered design application in order to use the Hague System.

Formal examination and publication

Formal examination

WIPO checks that the international application complies with the necessary formal requirements, for example regarding the payment of fees and the quality of design reproductions.

Publication

If the formal requirements have been met, WIPO records the details of the application in the International Register. The registration is then published in the publicly searchable *International Designs Bulletin*. Publication takes place on average six months after an international application is filed.

Substantive examination

Following publication of the registration, the IP office of each country or region in which you are seeking protection will determine whether or not your design will be protected under its national law.

If an IP office determines that the registration does not comply with the applicable national law for reasons other than formal reasons, it will reject the application. The IP office must notify WIPO of this within six or, in certain situations, 12 months of the date of publication of the international registration.

Swatch is one of the biggest users of the Hague System.



What can I do if my registration is rejected?

If an IP office rejects your application, this decision will not affect your application or registration in other IP offices. You can contest a refusal at the IP office concerned in accordance with its national procedure.

Post registration

Duration of protection

International registrations are valid for an initial period of five years. They may be renewed for additional periods of five years up to 15-25 years, depending on the country or region.

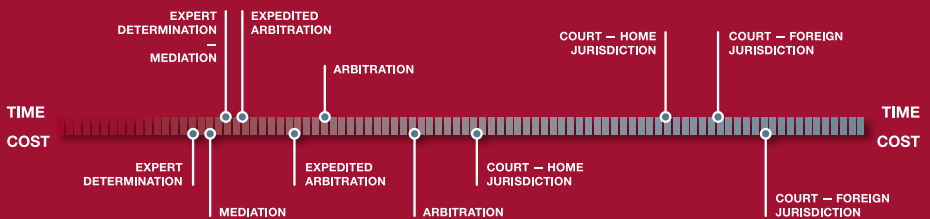
Additional information

Additional information, including a schedule of fees and an automatic fee calculator, is available at: www.wipo.int/hague/en.

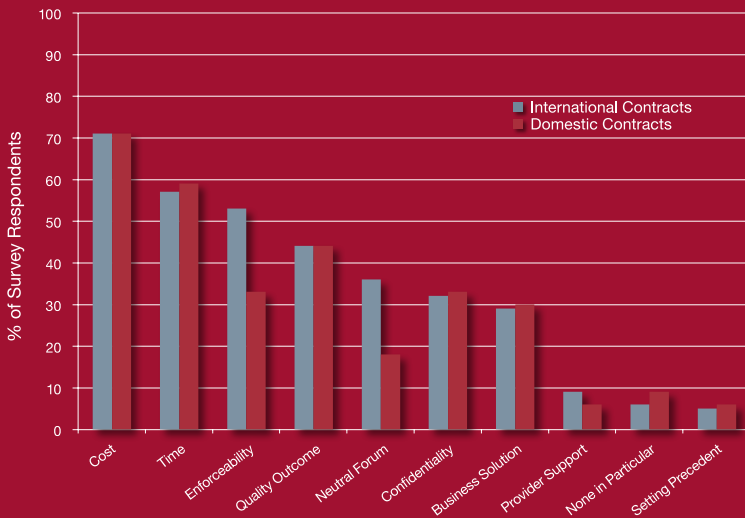
For detailed information, please refer to *Guide to the International Registration of Industrial Designs under the Hague Agreement*, which is available on the WIPO website.

IP dispute resolution – timeline

TIME / COST



Top ten priorities in choice of dispute resolution clause



Source of graphs:
 WIPO International Survey on Dispute Resolution
 in Technology Transactions

WIPO Arbitration and Mediation Center

What is Alternative Dispute Resolution?

Alternative Dispute Resolution (ADR) embraces various ways of resolving disputes between two or more parties without resorting to conventional court litigation. Court litigation can be a challenging process, potentially causing a range of negative consequences even for the winning party. To avoid such consequences, disputing parties are increasingly turning to ADR. For most IP disputes, one or more types of ADR – such as mediation, arbitration and expert determination – may be suitable. If well managed, ADR can save time and money as well as providing the following range of benefits:

Consensual process. ADR is normally a less adversarial process than court litigation. In practice, this can mean it is easier for parties to preserve or even create a positive working relationship with one another when disputes are resolved through ADR.

A single procedure. Through ADR, parties can agree to resolve an IP dispute spanning a number of countries in one procedure, avoiding the expense and complexity of multi-jurisdictional litigation and the risk of inconsistent results in different countries.

Party autonomy. Parties to ADR have greater control over dispute resolution proceedings. For example, they may select the most appropriate mediator, arbitrator or expert and the place and language of the proceedings for their dispute, as well as the applicable law for arbitrations. This increased autonomy may be used by the parties to ensure a faster and less costly process, and one which is tailored to their needs.

Neutrality. ADR can be neutral to the law, language and institutional culture of the parties, avoiding any perceived home advantage for one of the parties.

Confidentiality. ADR proceedings are private. Under the WIPO Rules, the existence and results of proceedings are confidential, as is any evidence or other documentation submitted in the course of them. This allows parties to focus on the merits of the dispute without concern for its public impact. This may be of particular importance where commercial reputations and trade secrets are involved.

Finality of awards. Unlike court decisions, which can generally be contested through one or more rounds of litigation, arbitral awards are not normally subject to appeal.

Enforceability of awards. The United Nations Convention for the Recognition and Enforcement of Foreign Arbitral Awards of 1958 (the New York Convention) generally provides for the recognition of arbitral awards on a par with domestic court judgments without review on the merits. This greatly facilitates the enforcement of awards across borders.

A brief overview of the WIPO Arbitration and Mediation Center

The WIPO Arbitration and Mediation Center (the WIPO Center) is a neutral, international and non-profit dispute resolution provider. With offices in Geneva, Switzerland, and in Singapore, it offers ADR options, including mediation, arbitration, expert determination and domain name dispute resolution, to enable private parties to efficiently settle their domestic or cross-border commercial disputes. The WIPO Center specializes in IP and technology disputes and caters to the specific needs arising in such disputes. It handles disputes arising out of contractual situations, such as patent or software license agreements, as well as disputes that do not arise from a contract, such as patent infringements. The WIPO Center is also the global leader in the provision of domain name dispute resolution services under the WIPO-initiated Uniform Domain Name Dispute Resolution Policy (UDRP).

Through active case management, the WIPO Center offers efficient ADR options, providing the opportunity for parties to get back to business as quickly as possible.

Who uses the WIPO Center's services?

Multinational corporations, small and medium-sized enterprises, R&D institutions, universities and individuals from around the world use the WIPO Center's services. The WIPO Center also develops and administers special procedures with national IP offices and other stakeholders.

Parties may elect to use WIPO ADR in advance of a dispute arising by including a WIPO ADR clause in their contract. Equally, they may agree to use WIPO ADR after a dispute has arisen. To facilitate the referral of a dispute to WIPO ADR procedures, the WIPO Center offers an online clause generator. This user-friendly tool enables parties to develop tailored clauses and submission agreements on the basis of WIPO model clauses and submission agreements.

Key advantages of the WIPO Center's services

In addition to the advantages of ADR listed above, the WIPO Center offers:

1. **Specialized mediators, arbitrators and experts.** Parties can draw upon a database of over 1,500 independent international WIPO mediators, arbitrators and experts skilled in IP and ADR. Moreover, the WIPO Center adds further neutrals to meet the needs of a case where required.
2. **Fees and costs.** The WIPO Center is a non-profit dispute resolution provider. It administers the financial aspects of proceedings for the parties actively and transparently, for example by setting the neutrals' fees in close consultation with the parties and the neutrals, and by agreeing and fixing costs with the parties in advance. The WIPO Center is committed to assisting the parties in cost-effective dispute resolution.
3. **IP-specific needs.** WIPO ADR Rules feature provisions to address specific needs found in IP disputes, such as provisions on confidentiality and technical evidence.

4. **Flexibility.** The parties are free to determine where they want the procedure to take place, the language and applicable timelines and also the neutral(s).

The WIPO Center's services

Mediation. An informal consensual process in which a neutral intermediary, the mediator, assists the parties in reaching a settlement based on the parties' interests. The mediator cannot impose a settlement, but any settlement agreement has contractual force. Mediation does not exclude any possible court or arbitration options at a later time. Under the WIPO Rules, a party that wishes to propose referring a dispute to WIPO Mediation can unilaterally submit a Request for Mediation to the WIPO Center.

Arbitration. A consensual procedure in which the parties submit their dispute to one or more chosen arbitrators for a binding and final decision (an "award") based on the parties' respective rights and obligations and enforceable under arbitral law. As a private alternative, arbitration normally forecloses court options.

Expedited arbitration. An arbitration procedure that is carried out in a short time and at a reduced cost. The arbitral tribunal normally consists of a sole arbitrator.

Photos: iStock.com/© shobudave/© Pawpixel / © kickimages
/ © Vertigo3d/© scarrai/© technotr/© lucascavalheiro



Expert determination. A consensual procedure in which the parties submit a specific matter (e.g. a technical question) to one or more experts who make a determination on the matter. The parties can agree for the determination to be legally binding.

Domain Name Dispute Resolution

The UDRP is the principal domain name dispute resolution policy administered by the WIPO Center. Based on recommendations made by WIPO, the UDRP provides trademark owners worldwide with an effective administrative transfer remedy against clear cases of bad-faith registration and use of domain names infringing their rights, a practice commonly known as cybersquatting. This policy applies to all international domains, such as .com and .xyz, and has also been adopted by a significant number of country-code domains.

This cost-effective two-month procedure is conducted fully online. To assist their case preparation, WIPO parties can take advantage of the WIPO Legal Index and the WIPO Jurisprudential Overview, in addition to model forms. Cases are decided by panelists appointed by the WIPO Center or by the parties from a special WIPO list. Transfer decisions are normally implemented directly by domain name registrars. Interested counsel may subscribe through the WIPO Center's

website to receive a daily notification of newly published decisions.

Additional information

Additional information on the WIPO Arbitration and Mediation Center and its services is available at: www.wipo.int/amc.

The WIPO Center information brochure and other publications are available at: www.wipo.int/amc/en/publications.

Subscribe to the quarterly WIPO ADR Highlights newsletter at:
<https://www3.wipo.int/newsletters/en>.



WIPO's IP and technology databases

WIPO offers free online access to global databases that make it easy for anyone, anywhere to use the wealth of information in the IP system. Two of WIPO's key IP databases are PATENTSCOPE and the Global Brand Database.

PATENTSCOPE – a brief overview

PATENTSCOPE is WIPO's global patent search system. It offers a powerful, fully searchable database with flexible, multilingual interfaces and translation tools to assist users in finding and understanding patent documents.

PATENTSCOPE – key features

Coverage. All international patent applications filed under the PCT (Patent Cooperation Treaty) are published in PATENTSCOPE. In addition, published patent documents from more than 40 participating national and regional patent offices are also searchable through PATENTSCOPE.

Multilingual interface. The PATENTSCOPE interface is available in nine languages.

Highly configurable search. PATENTSCOPE offers a wide range of search operators that can be used to combine search terms, including Boolean, proximity, range and wildcard operators.

Cross-language search. PATENTSCOPE's Cross Language Information Retrieval system (CLIR) allows you to search a term or a phrase and its variants in 13 languages – just type your search term or phrase in one language and the system will search for the translated term or phrase, and for variants of it, in 12 other languages too.

Search result analysis. PATENTSCOPE provides a comprehensive set of tools for managing search results, including how they are presented, sorted and further searched.

Machine translation. PATENTSCOPE allows you to obtain machine translations of patent documents of interest in a large number of languages.

PCT national phase entries. PATENTSCOPE facilitates access to information about PCT national phase entries by compiling and indexing the relevant information from the national registers of various jurisdictions.

RSS feeds. PATENTSCOPE allows you to set up RSS notifications based on your search query, helping you to monitor patenting activity and to receive updates in your area of interest.

IPC statistics. PATENTSCOPE includes International Patent Classification (IPC) data, allowing you to visualize global trends in PCT applications; for example, you can see who the main actors are in a particular technological field.

Who uses PATENTSCOPE?

Among others, PATENTSCOPE is used by: Examiners in patent offices to look for prior art for patent applications; inventors looking to see whether an invention has already been patented; researchers interested in seeing which technologies have been developed in a given field; entrepreneurs wanting to understand the identities and activities of their competitors; and patent attorneys looking for specific patent documents.

Additional information

PATENTSCOPE is available at:
<https://patentscope.wipo.int>.

The *PATENTSCOPE User Guide* is available on the WIPO website.

Global Brand Database – a brief overview

The Global Brand Database is WIPO's global database of trademarks, appellations of origin and official emblems. It streamlines trademark searches by allowing you to perform a single trademark search across multiple national and international sources. Moreover, it provides an intuitive, flexible and powerful search function that supports image-based as well as text-based searches.

Global Brand Database – key features

Coverage. The Global Brand Database comprises the WIPO collections of Madrid Trademark Registrations, Lisbon Appellations of Origin and Article 6ter official emblems of countries and international organizations plus the data collections of 32⁵ national and regional IP offices. This makes it the world's largest free, public trademark search facility and eliminates the need to search in each of these collections separately.

Powerful search features. The Global Brand Database offers a powerful and highly configurable search function across 14 data fields together with a range of operators that can be used to combine search terms, including Boolean, proximity and range operators. It also provides “fuzzy”, phonetic and word-stem matches, automatic suggestion of matches, and an easy search of image class by description for the international (Vienna Agreement) or U.S. classification standards.

Image search. The image-search functionality provided by the Global Brand Database is the first such application among free public IP databases. This allows users to upload an image and search for visually similar trademark and other brand-information records from among the millions of images in the collection.

Search result analysis. The Global Brand Database provides a comprehensive set of tools for managing search results, including customizable results browsing, the option to save searches and record sets, and instant graphical data analysis.

Who uses the Global Brand Database?

The Global Brand Database is used by, among others, trademark professionals, brand managers and entrepreneurs who want to know which trademarks, appellations of origin and Article 6ter emblems have been registered in countries or regions of interest, or to find out other data relating to the brand landscape. The system is also used by people looking for an internet domain name that does not conflict with existing trademarks.

Additional information

The Global Brand Database is available at: www.wipo.int/branddb/en.

The Global Brand Database help page is available at: www.wipo.int/branddb/en/branddb-help.jsp#db.

Summary

	PCT	Madrid	Hague	ADR	Databases
What is it?	A system for seeking patent protection in multiple countries by filing one international application.	A system for protecting trademarks in multiple countries by filing one international application.	A system for registering industrial designs in multiple members with a minimum of formalities and expense.	Fast, flexible and cost-effective services for settling IP and technology disputes outside the courts.	Databases that give access to information on intellectual property.
Users	Anyone, including major corporations, research institutions and universities as well as small and medium-sized enterprises and individuals, from developing and developed countries.				
Overview	Replaces multiple national patent applications with a single international application, saving time and money. Provides preliminary, non-binding reports on patentability.	Replaces multiple registrations with just one, saving time and money. Enables you to manage and renew your marks through one centralized system.	Lets you register up to 100 industrial designs with one form. Makes management of your registered designs easier – record changes or renewals through a single step.	ADR options including mediation, arbitration, expert determination and domain name dispute resolution to enable private parties to efficiently settle their domestic or cross-border commercial disputes.	Two of the key databases are the PATENTSCOPE global patent search system and the Global Brand Database of trademarks, appellations of origin and official emblems.
Key elements	Filing, formal examination, international search, international publication, preliminary and non-binding reports on patentability.	Filing and formal examination.	Filing, formal examination and post-registration management.	Global, single neutral procedure, specialized in IP and technology; confidential and flexible.	Global search, multi-lingual search (PATENTSCOPE), image search (Global Brand Database).
Advantages	Harmonized formality requirements, binding on all signatory countries. Postpones the major costs associated with international patent protection. Provides applicants and patent offices with a strong basis for patenting decisions.	Registration and subsequent management in all signatory countries is achieved through a single application.	Design registration in many countries can be achieved through a single application as well as subsequent management.	Expeditious, cost-effective solutions; private and flexible procedures; mediators, arbitrators and experts skilled in IP and ADR; international enforcement.	Free and accessible technology information, facilitating identification of networks, competitors and owners.

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