

Appendix B

Members of International Trademark Agreements

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

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/en/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
ANDORRA	10 (from date of registration)	10
ANGOLA	10 (from date of application)	10
ANTIGUA and BARBUDA	10 (from date of application)	10
ARGENTINA	10 (from date of registration)	10
ARMENIA (Russian Federation)	10 (from date of application)	10
ARUBA	10 (from date of application)	10
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 application)	10
BELARUS (Russian Federation)	10 (from date of application)	10
BELGIUM (Benelux Nations)	10 (from date of application)	10

Country	Term of Registration (in years)	Renewal Period (in years)
BELIZE	10 (from date of application)	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	10 (from date of application)	10
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 (from date of application)	
CAMBODIA	10 (from date of application)	10
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
COMOROS		
CONGO, DEMOCRATIC REPUBLIC OF	10 (from date of application)	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	10 (from date of application)	10
CUBA	10 (from date of application)	10
CURAÇAO	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
DJIBOUTI	10 (from date of registration)	10
DOMINICA	14 (from date of application)	14
DOMINICAN REPUBLIC	10 (from date of registration)	10
ECUADOR	10 (from date of registration)	10
EGYPT	10 (from date of application)	10
EL SALVADOR	10 (from date of registration)	10
EQUATORIAL GUINEA (OAPI)	10 (from date of application)	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 registration)	10

Country	Term of Registration (in years)	Renewal Period (in years)
GERMANY	10 (starts on application date, ends after 10 years, on last day of the month of the application date)	10
GHANA	10 (from date of application)	10
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)	10 (from date of application)	10
GUINEA-BISSAU (OAPI)	10 (from date of application)	10
GUYANA	7 (from date of application)	14
HAITI	10 (from date of registration)	10
HOLY SEE (Italy)	10 (from date of application)	10
HONDURAS	10 (from date of registration)	10
HUNGARY	10 (from date of application)	10
ICELAND	10 (from date of application)	10
INDIA	10 (from date of application)	10
INDONESIA	10 (from date of application)	10
IRAN	10 (from date of application)	10
IRAQ	10 (from date of application)	10
IRELAND	10 (from date of application)	10
ISRAEL	7 (from date of application for marks applied for on or before August 6, 2003); 10 (from date of application for marks applied for after August 6, 2003)	10
ITALY	10 (from date of application)	10
IVORY COAST	See CÔTE D'IVOIRE	
JAMAICA	10 (from date of application)	10
JAPAN	10 (from date of registration)	10
JORDAN	10 (from date of application)	10
KAZAKHSTAN (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
LESOTHO	10 (from date of application)	10
LIBERIA	15 (from date of registration)	15
LIBYA	10 (from date of application)	10
LIECHTENSTEIN	10 (from date of application)	10
LITHUANIA	10 (from date of application)	10

Country	Term of Registration (in years)	Renewal Period (in years)
LUXEMBOURG (Benelux Nations)	10 (from date of application)	10
MADAGASCAR ¹	10 (from date of application)	10
MALAWI	7 (from date of application)	14
MALAYSIA	10 (from date of application)	10
MALI (OAPI)	10 (from date of application)	10
MALTA	10 (from date of registration)	10
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
MONTENEGRO	10 (from date of application)	10
MOROCCO	10 (from date of application)	10
MOZAMBIQUE	10 (from date of application)	10
NAMIBIA	10 (from date of registration)	10
NEPAL	7 (from date of registration)	7
NETHERLANDS (Benelux Nations)	10 (from date of application)	10
NEW ZEALAND	10 (from date of application)	10
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
PAKISTAN	10 (from date of application)	10
PANAMA	10 (from date of application)	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	10 (from date of registration)	10
POLAND	10 (from date of application)	10
PORTUGAL	10 (from date of registration)	10
QATAR	10 (from date of application)	10
ROMANIA	10 (from date of application)	10
RUSSIAN FEDERATION	10 (from date of application)	10
RWANDA	Unlimited	
SAINT KITTS and NEVIS	10 (from date of application)	10
SAINT LUCIA	10 (from date of application)	10
SAINT VINCENT and the GRENADINES	10 (from date of application)	10
SAN MARINO ²	10 (from date of application)	10
SAO TOME AND PRINCIPE	10	10
SAUDI ARABIA	10 Hejira years, which is approximately 9 yr 8 mo (from date of application)	10 Hejira years
SENEGAL (OAPI)	10 (from date of application)	10
SERBIA	10 (from date of application)	10
SEYCHELLES	7 (from date of application)	14
SIERRA LEONE	14 (from date of application)	14

Country	Term of Registration (in years)	Renewal Period (in years)
SINGAPORE	10 (from date of application)	10
SINT MAARTEN	10 (from date of application)	10
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
SWAZILAND	10 (from date of registration)	10
SWEDEN	10 (from date of registration)	10
SWITZERLAND	10 (from date of application)	10
SYRIA	10 (beginning on filing date of application and ending the last day of the month in which the application had been filed)	10
TAJIKISTAN (Russian Federation)	10 (from date of application)	10
TANZANIA (UNITED REPUBLIC OF) - TANGANYIKA	7 (from date of registration)	10
TANZANIA (UNITED REPUBLIC OF) - ZANZIBAR	14 (from date of application)	14
THAILAND	10 (from date of registration)	10
TOBAGO	See TRINIDAD and TOBAGO	
TOGO (OAPI)	10 (from date of application)	10
TONGA	Term dependent on United Kingdom registration	Renewal dependent on United Kingdom registration
TRINIDAD and TOBAGO	10 (from date of registration)	10
TUNISIA	10 (from date of application)	10
TURKEY	10 (from date of application)	10
TURKMENISTAN (Russian Federation)	10 (from date of registration)	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
YEMEN	10 (from date of application)	10
YUGOSLAV REPUBLIC OF MACEDONIA, FORMER	10 (from date of application)	10
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. See *Diaz v. Servicios De Franquicia Pardo’s S.A.C.*, 83 USPQ2d 1320 (TTAB 2007); *British-American Tobacco Co., Ltd. v. Phillip Morris, Inc.*, 55 USPQ2d 1585 (TTAB 2000).

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 application)	10
PARAGUAY	10 (from date of registration)	10
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	10 (from date of registration)	10
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 Union ("EU"), formerly known as the European Community (EC) or European Economic Community (EEC). 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 Union countries include all countries which are members of the European Union namely; Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom of Great Britain and Northern Ireland. 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.europa.eu/en/default.htm>. For an updated listing of members of the EU, see the EU website at <http://userpage.chemie.fu-berlin.de/adressen/eu.html>.

World Trade Organization

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 <http://www.wto.org>.

Country	Effective Date of Membership	Term of Registration (in years)	Renewal Period (in years)
BRUNEI DARUSSALAM	Jan. 1, 1995	10 (from date of application)	10
EUROPEAN UNION	Jan. 1, 1995	10 (from date of application)	10
FIJI	Jan. 14, 1996	14 (from date of application)	14
HONG KONG	Jan. 1, 1995	10 (from date of registration)	10
KUWAIT	Jan. 1, 1995	10 (from date of application)	10
MACAO	Jan. 1, 1995	7 (from date of application)	7
MALDIVES ³	May 31, 1995		
MYANMAR	Jan. 1, 1995	Unlimited (from date of first use)	
SOLOMON ISLANDS	July 26, 1996	Term dependent on United Kingdom registration	Renewal dependent on United Kingdom registration

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 at 1186 TMOG 50 (May 7, 1996). 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.

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)
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* (Anne-Laure Covin, 5th ed. 2008) and *World Trademark Law and Practice* (Ethan Horwitz, 2nd ed. 2008).

The United States Department of State puts out a list of members of treaties currently in force, available at <http://www.state.gov/s/l/treaty/treaties/2007/>.

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

There is a directory of intellectual property offices on the World Intellectual Property Organization's website at <http://www.wipo.int/directory/en/urls.jsp>.

There are links to websites of foreign countries at <http://www.uspto.gov/faq/other.jsp>.

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* (Anne-Laure Covin, 5th ed. 2008).

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* (Anne-Laure Covin, 5th ed. 2008).

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* (Anne-Laure Covin, 5th ed. 2008).