

OFFICE OF ORIGIN



Madrid's "Central Attack" – Transformation Procedures at the Indonesian TMO

Dear Esteemed Clients and Colleagues,

Recently we have been receiving inquiries from many of our Clients on the transformation of mark from International application into national application.

As you already know, besides of the obvious advantages of pursuing international registration through the Madrid system, unfortunately, there is the threat of "central attack" where their home filing may be abandoned, cancelled, or invalidated.

In view of the circumstances, we are hereby pleased to be of assistance to you and or your Clients should transformation of application from International to National application is required to maintain the application in Indonesia as one of the designated countries.

For your information, this is a new procedure at the Indonesian TMO, which will be officially introduced in the e-Filing system on December 15, 2019 and thus, will only be effective from as early as December 16, 2019.

The process would be similar to that of filing a new application. Applicants must comply with all requirements that would also apply for filing a new National application, however will benefit from the same filing date as the original international registration.

Please do note that transformations will only be possible within 3 (three) months period computed from the date of the Cancellation of the International Registration issued by WIPO. Beyond the said period, transformation will no longer be possible and should the Applicant intends to seek protection for its mark in Indonesia, the Applicant would need to file a new trademark application to the Indonesian TMO.

Should you happen to be experiencing this "central attack" situation, you may kindly provide us with a copy of the cancellation notice issued by WIPO for preliminary advice on the deadline and necessary steps to ensure that transformation of the application is possible and still within the given time period. Please also not hesitate to reach us at info@harvespat.com for further details on transformation procedures and fees involved.

We hope the above is of interest and remain at your disposal. Thank you.

Imagesource : <https://unsplash.com/photos/XFTiwzPwz0>