



DEPARTMENT OF COMMERCE

Patent and Trademark Office

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Madrid Protocol

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice of information collection; request for comments.

SUMMARY: The United States Patent and Trademark Office (USPTO) will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The USPTO invites comments on the information collection renewal of 0651-0051, which helps the USPTO assess the impact of its information collection requirements and minimize the reporting burden to the public. Public comments were previously requested via the *Federal Register* on March 11, 2025 during a 60-day comment period (90 FR 11724). This notice allows for an additional 30 days for public comments.

DATES: To ensure consideration, you must submit comments regarding this information collection on or before [INSERT DATE 30 DAYS AFTER THE DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website, <http://www.reginfo.gov/public/do/PRAMain>. Find this particular information collection by selecting “Currently under 30-day Review–Open for Public Comments” or by using the search function and entering either the title of the information collection or the OMB Control Number (0651-0051). Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION:

- This information collection request may be viewed at <http://www.reginfo.gov>. Follow the instructions to view Department of Commerce, USPTO information collections currently under review by OMB.
- E-mail: InformationCollection@uspto.gov. Include “0651-0051 information request” in the subject line of the message.
- Mail: Justin Isaac, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

SUPPLEMENTARY INFORMATION:

Title: Madrid Protocol.

OMB Control Number: 0651-0051.

Needs and Uses: This collection of information is required by the Trademark Act of 1946, 15 U.S.C. 1051 *et seq.*, which provides for the federal registration of trademarks, service marks, collective trademarks and service marks, collective membership marks, and certification marks. The Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (Madrid Protocol) is an international treaty that allows a trademark owner to seek registration in any of the participating countries by filing a single international application. The International Bureau of the World Intellectual Property Organization in Geneva, Switzerland, administers the international registration system.

The Madrid Protocol Implementation Act of 2002 amended the Trademark Act to provide that: (1) the owner of a U.S. application or registration may seek protection of its mark in any of the participating countries by submitting a single international application through the USPTO and (2) the holder of an international registration may request an extension of protection of the international registration to the United States. The Madrid Protocol came into effect in the United States on November 2, 2003, and is implemented under 15 U.S.C. 1141 *et seq.* and 37 CFR parts 2 and 7. Individuals and businesses that use or intend to use such marks in commerce may file an application to register the marks with the USPTO. Both the register and the

information provided in pending applications for registration can be accessed by the public. This public access allows users to determine the availability of a mark and lessens the likelihood of initiating the use of a mark previously adopted by another.

Since the 60-day *Federal Register* notice was published, the USPTO published a rulemaking that impacted this collection (0651-AD82 - Partial Replacement of an Earlier National Registration or Registrations by an International Registration). This rulemaking results in an increase in respondents for the Replacement Request (Item 4) from 7 to 14. The rulemaking also results in corresponding increases to the total annual respondent burden hours from 96,109 to 96,115, and the total annual respondent non-hourly cost from \$41,700,722 to \$41,701,419. The non-hourly cost is also affected by a change in estimated postage costs, from \$10.75 to \$10.40 per mailed item.

Forms: (MM = Madrid Mark)

- MM2(E) (Application for International Registration Under the Madrid Protocol)
- MM4(E) (Designation Subsequent to the International Registration)
- PTO-1663 (Declaration of Continued Use/Excusable Nonuse of Mark in Commerce Under Section 71)
- PTO-1683 (Combined Declaration of Continued Use/Excusable Nonuse and Incontestability Under Sections 71 and 15)
- PTO-2131 (Application for International Registration)
- PTO-2132 (Application for Subsequent Designation)
- PTO-2133 (Response to Notice of Irregularity)
- PTO-2314 (Replacement Request)
- PTO-2315 (Transformation Request)
- PTO-2316 (Petition to Director to Review Denial of Certification of International Application)
- PTO-2317 (Petition to the Director for an International Application/Registration)

Type of Review: Extension and revision of a currently approved information collection.

Affected Public: Private sector.

Respondent's Obligation: Required to obtain or retain benefits.

Frequency: On occasion.

Estimated Number of Annual Respondents: 91,031 respondents.

Estimated Number of Annual Responses: 91,031 responses.

Estimated Time per Response: The USPTO estimates that the responses in this information collection will take the public approximately 45 minutes (0.75 hours) to 75 minutes (1.25 hours) to complete. This includes the time to gather the necessary information, create the document, and submit the completed item to the USPTO.

Estimated Total Annual Respondent Burden Hours: 96,115 hours.

Estimated Total Annual Respondent Non-hourly Cost Burden: \$41,701,419.

Justin Isaac,

Information Collections Officer, Office of the Chief Administrative Officer, United States Patent and Trademark Office.

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