

Association News

Brazilian Business Leaders Speak Up for Madrid

From April 4 – 8, delegates from INTA and MARQUES travelled to cities in Brazil and Argentina to meet with representatives of nearly 30 companies to discuss the Madrid Protocol.

INTA has officially supported the Madrid Protocol since the board of directors passed a resolution in 1990 urging U.S. adherence to the treaty. The Madrid Protocol permits the registration of a mark in several countries with one application, in one place, in one language, with only one fee and one renewal date. The World Intellectual Property Organization (WIPO) has administered the Protocol since 1996, and to date, 66 countries have acceded to the Protocol, including China, the European Community, Japan and the United States. Thus far, Cuba is the only country that has acceded to the Madrid Protocol in Latin America.

Meetings were held separately in Rio de Janeiro, Sao Paolo and Buenos Aires to discuss the cost saving possibilities that would be available to local companies should Brazil and Argentina join the treaty. José Graça-Aranha, director, Information and Promotion Division, Sector of Trademarks, Industrial Designs and Geographical Indications of WIPO, joined the delegation to provide a brief description of the system by which the Madrid Protocol operates. MARQUES chairperson Tove Graulund, of Arla Foods, Denmark and Gerhard Bauer of DaimlerChrysler, Germany elaborated with an account of their experiences as representatives of corporations that have used the Protocol to register marks throughout the world.



Preparing the Madrid Protocol manifesto – Maurício de Sousa shown with Tove Graulund, Caren Fitzgerald, José Graça-Aranha and Gerhard Bauer

While meeting with a group of 12 local exporting companies in Sao Paulo, respected Brazilian comic writer Maurício de Sousa of Maurício de Sousa Produções, who is often referred to as the “Disney” of South America, enthusiastically supported the Protocol.

Due to the high cost of registering marks in several countries under the national registries, many exporting companies must place limits on the number of countries where they can effectively protect their marks. Convinced that the Madrid Protocol would help pave the way for Brazilian exporting companies to promote and protect marks in new markets, Mr. de Sousa encouraged his fellow participants to take immediate action and draft a manifesto proclaiming their support of the Madrid Protocol. The manifesto was signed by other notable Brazilian exporters including Boticario Group, Nestlé Brasil, Suzano Bahia Sul and Unilever Brasil, which are now leading an initiative to gather additional signatures. Ultimately, the manifesto will be sent to the Brazilian government to demonstrate the

unified support of Brazilian companies of the Madrid Protocol.

In addition to Ms. Graulund, Mr. de Sousa and Mr. Graça-Aranha, INTA and MARQUES were also represented by Caren Fitzgerald, INTA External Relations Coordinator for the Americas, Damaso Pardo de Perez Alati, Grondona, Benites Arntsen & Martinez De Hoz in Argentina and Eduardo Magalhães Machado of Montauray Pimenta, Machado & Lioce in Brazil.

By Caren Fitzgerald, External Relations Coordinator for the Americas, INTA

Maurício de Sousa

Brazilian comic writer Maurício de Sousa, of Maurício de Sousa Produções, is often referred to as the “Disney” of South America. Mr. de Sousa supports the Madrid Protocol because it will help Brazilian exporting companies promote and protect marks in new markets.

What type of business do you own?

We provide artistic services, produce comic books, television shows and films, and create theme parks, musical projects, and institutional programs.

How many marks do you own in Brazil?

About 330 registered marks (word, composite and figurative marks) in different classes at INPI (the Brazilian Industrial Property Office). All our characters are duly protected through copyright with the corresponding entity in Brazil (making sure the author is Maurício de Sousa),

and only a percentage of the total are registered trademarks because of the costs involved. We have certainly decided to register those that are more commonly licensed.

Do you export your products? If so, do you protect your trademarks in all the countries where you export?

Our company, as a service provider, is currently found in magazines, newspapers, television and products with our marks in countries such as Portugal, Italy, Spain, Indonesia, South Korea and the United States. Through licensing agreements, our characters have been exported to more than 30 countries in recent years. If we also consider publications, licensed products, Brazilian exports such as films, public advertisements, institutional magazines (of specialized UN agencies), international congresses, plays and car-

toons, the “Turma da Monica” has been present in 93 countries, in fourteen different languages. Currently, our trademarks are registered in 22 countries.

Do you think your company will benefit when Brazil joins the Madrid Protocol?

Without a doubt. We would plan our costs for legal protection on a much broader basis, with less costs and much wider coverage.

Will you use the Madrid Protocol when Brazil becomes a party to the Protocol?

I will be one of the first.

