**Application to Register a Change in Ownership (TM 22)**

(Circular No. 3/2008, dated 1 February 2008)

i. Effective Date when Subsequent Proprietor/Applicant for Registration Took Ownership

The effective date when the subsequent proprietor/applicant for registration took over ownership (i.e. the date entered in Part 4 of Form TM 22) should not predate the date from which the proprietor’s rights in the mark accrue. For a trade mark application filed before 1 July 2004, the earliest assignment effective date is the trade mark application date or the priority date, if any. For a trade mark application filed on or after 1 July 2004, the earliest assignment effective date is the trade mark application date.

ii. Address for Service of Subsequent Proprietor/Applicant for Registration

The address for service entered in Part 5 of the Form TM 22 is effective for all proceedings in respect of the trade mark including the subject application for change of ownership. As such, there is no need to lodge Form TM 1 together with Form TM 22 for this purpose.

Form TM 1 will be required only if:-

there is a change of agent whilst the TM 22 is being processed; or

the agent will not be continuing to act for the subsequent proprietor / applicant for registration after TM 22 is recorded.

Such Form TM 1 appointing the agent solely for "Assignment" matters (Part 3 of Form TM 1) will not be processed until a subsequent Form TM 1 appointing an agent for "Application for registration / Registration" is received.

iii. Correction of Errors in Relation to a Recorded Change of Ownership

Once a change in ownership has been recorded according to the request, should the owner need to correct any errors in the recorded details, Form TM 27B is required. Should the assignment(s) need to be re-recorded and re-examined, the relevant Form TM 22 with fees will need to be re-lodged.

iv. Covering Letter

To ensure that the transactions are recorded accurately, please lodge a covering letter stating :-

a) the sequence of events;

b) the exact nature of the transaction, and

c) the trade mark numbers involved.
When e-filing, a covering letter can be attached via the "covering letter" button for eTM 22 and 27B.

**Modes of Payment to the International Bureau of the World Intellectual Property Organisation for Madrid Protocol Matters**

With effect from 1 January 2008, there will be some amendments to the Administrative Instructions for the Application of the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating Thereto ("AI"). The amendments are necessary for the implementation of a more broad-based electronic communications platform for the benefit of users of the Madrid system.

The AI can be found [here](#) and the International Bureau's ("IB") notification of the amendments can be found [here](#).

Please note that under the new Section 19 of the AI, fees payable to the IB must be made

i. by debit to a current account with the IB,
ii. by payment into the Swiss postal account or to any of the specified bank accounts of the IB, or
iii. by credit card, where, in the context of an electronic communication envisaged in Section 11, an electronic interface for online payment has been made available by the IB.

The previous modes of payment by cash at the IB and by a banker's cheque would no longer be available.

Please note that while Section 19 now provides that in the context of electronic communications, fees due to the IB may be paid by credit card only in relation to specific types of transaction or request in respect of which a dedicated electronic interface has been provided, the IB has advised that this mode of payment by credit card would not be applicable to the filing of international applications.

If you are filing an international application through IPOS on and after 2 January 2008, please note that our previous primary mode of payment to the IB via a banker's cheque is no longer available in light of the changes in the AI. Instead, your payment in Swiss Francs to the IB can be made by either options (i) or (ii) as stated above.

Current Account

If you conduct regular monetary transactions with the IB, you may opt to open a current account with them. Please [see](#) for details.

Bank Transfer

We envisage that the majority of applicants and agents are likely to use bank transfers under (ii) as the preferred mode of payment. Details of WIPO's postal account and bank account are as follows:

**WIPO bank account**

IBAN No. CH51 0483 5048 7080 8100 0
Credit Suisse, CH-1211 Geneva 70
Swift/BIC: CRESCHZZ80A

WIPO postal account
IBAN No. CH03 0900 0000 1200 5000 8
Swift/BIC: POFICHBE

The above account details are found on page 6 of the Form MM2(E).

To confirm that the payment has been made, the applicant must indicate the payment details of the bank's transfer transaction in the appropriate space provided in IB's Form MM2(E) Application for International Registration Governed Exclusively by the Madrid Protocol at the time of filing. You must also provide us with a photocopy of the bank's transaction advice.

If you have any queries regarding the above, please do not hesitate to call our Customer Service Officer at 6339 8616 or email us at ipos_enquiry@ipos.gov.sg.