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# International Intellectual Property FAQs

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## **Do U.S. intellectual property rights apply in other countries?**

No. Intellectual property protection is national in its application and must be granted by the respective countries.

## **Can intellectual property be protected internationally?**

Yes. However, because intellectual property rights depend on the national laws of a given country, you must comply with that country's laws and file the appropriate application in each country where protection is sought.

## **Is there an international system for securing a foreign patent?**

No. There is no international patent; however, there are international treaties that address related foreign patents and some regional offices where one patent application can be effective for securing patents in a number of countries. International treaties such as the Paris Convention, which is administered by the World Intellectual Property Organization (WIPO), and the Patent Cooperation Treaty (PCT) address this issue and there are several regional patent offices established to implement IP protection.

## **Where are the regional patent offices?**

Currently, regional patent offices include: the African Intellectual Property Organization (OAPI), African Regional Intellectual Property Organization (ARIPO), Eurasian Patent Organization (EAPO), European Patent Office (EPO) and Patent Office of the Cooperation Council for the Arab States of the Gulf (GCC Patent Office).

## **Can copyrights be protected internationally?**

As a general matter, no. Although some international copyright agreements, such as the Berne Convention and the Universal Copyright Convention, may extend protection to other countries, there is no vehicle for applying for an international copyright registration. Individual countries have national copyright laws that may extend to foreign works, but how and when they apply is often decided on a case by case basis.

## **Does a U.S. trademark registration offer international protection?**

As a general matter, no. However, there are international treaties that address foreign registrations such as the Madrid Protocol, which provides for the filing of one international application to seek registration within the member countries. Individual countries have national trademark laws regarding use and possible confusion and how and when they apply is often decided on a case by case basis.

## **Can you apply for international IP protection from the United States?**

Yes. In some circumstances the international application can be filed directly from the United States. In other cases, the application must be filed by a domestic representative in the foreign jurisdiction. It is

very common for IP attorneys that have an international practice to also have established networks of corresponding attorney in jurisdictions worldwide.

Additional information is available from WIPO, the USPTO and the WTO.

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