

Article 5

Filing Date

(1) *[Permitted Requirements]*

- (a) Subject to subparagraph (b) and paragraph (2), a Contracting Party shall accord as the filing date of an application the date on which the Office received the following indications and elements in the language required under Article 8(2):
 - (i) an express or implicit indication that the registration of a mark is sought;
 - (ii) indications allowing the identity of the applicant to be established;
 - (iii) indications allowing the applicant or its representative, if any, to be contacted by the Office;
 - (iv) a sufficiently clear representation of the mark whose registration is sought;
 - (v) the list of the goods and/or services for which the registration is sought;
 - (vi) where Article 3(1)(a)(xvi) or (b) applies, the declaration referred to in Article 3(1)(a)(xvi) or the declaration and evidence referred to in Article 3(1)(b), respectively, as required by the law of the Contracting Party.
- (b) Any Contracting Party may accord as the filing date of the application the date on which the Office received only some, rather than all, of the indications and elements referred to in subparagraph (a) or received them in a language other than the language required under Article 8(2).

(2) *[Permitted Additional Requirement]*

- (a) A Contracting Party may provide that no filing date shall be accorded until the required fees are paid.
- (b) A Contracting Party may apply the requirement referred to in subparagraph (a) only if it applied such requirement at the time of becoming party to this Treaty.

(3) *[Corrections and Time Limits]* The modalities of, and time limits for, corrections under paragraphs (1) and (2) shall be fixed in the Regulations.

(4) *[Prohibition of Other Requirements]* No Contracting Party may demand that requirements other than those referred to in paragraphs (1) and (2) be complied with in respect of the filing date.