



**TRADEMARK**

**PATENT**

**DESIGN**

**COPYRIGHT**

**DOMAIN NAME**

**TRADEMARK**

## **REGISTRATION**

### **Information:**

#### **MEMBERSHIP**

WIPO, ARIPO, Berne Convention, Paris Convention, Patent Law Treaty (Signature), Madrid Agreement (Marks), Madrid Protocol, Patent Cooperation Treaty

#### **CLASSIFICATION**

9th edition – single class application.

Class 33 and alcoholic goods in class 32 cannot be registered

#### **CLAIMING PRIORITY**

Possible

#### **SEARCH**

Possible for word and device marks

#### **EXAMINATION**

On formal, absolute, and relative grounds

#### **EXTENSION OF TIME**

Possible for filing oppositions, counter oppositions, and responding to office actions

#### **VALIDITY**

10 years as from the filing date

#### **RENEWAL**

For unlimited period of 10 years each

#### **GRACE PERIOD**

6 months from the protection's expiry date

#### **USE**

Vulnerable to cancellation by any interested party if there has been no effective use of the mark for a period of 5 consecutive years after registration date

**Requirements:**

1. A Power of Attorney duly notarized by a Notary Public;
  2. A certified copy of the Extract from the Commercial Register or Articles of Incorporation or any equivalent document duly legalized up to the Sudanese Consulate;
  3. Twenty prints of the mark; and
  4. A certified copy of home or foreign application, if priority is claimed.
- The Power of Attorney could be filed belatedly at an extra cost.

**Time frame:**

- 1) Filing up to Examination: 4 months
- 2) Examination up to Publication: 4 months
- 3) Opposition Period: 8 months from the publication date
- 4) End of opposition period up to issuance of registration certificate: 2-4 months
- 5) Total estimated time frame: 18-20 months

*The above time frame is for a normal/smooth processing of a trademark application, in case of no objections by the trademark examiner or no oppositions from a third party.*

**RENEWAL**

**Filing Requirements:**

1. A Power of Attorney duly notarized by a Notary Public.

**CHANGE OF NAME OR ADDRESS**

**Filing Requirements:**

1. A Power of Attorney duly notarized by a Notary Public;
2. Certificate of change of name/address, legalized; and
3. Certificate of registration for endorsement.

**ASSIGNMENT**

**Filing Requirements:**

1. A Power of Attorney duly notarized by a Notary Public;
2. Deed of assignment, legalized;
3. Forms Nos. T. M. 11 and T. M. 12, legalized ;
4. Certificate of incorporation of the assignee with certified English translation, legalized; and
5. Certificate of registration for endorsement.

- Trademarks may be assigned with or without the goodwill of the business concerned.
- May be recorded for registrations only.
- Separate POAs must be submitted by assignee and assignor.

## **MERGER**

### **Filing Requirements:**

1. A Power of Attorney duly notarized by a Notary Public; and
  2. Certificate of merger, legalized.
- May be recorded for registrations only.

## **LICENSE**

### **Filing Requirements:**

1. A Power of Attorney duly notarized by a Notary Public;
  2. License agreement, legalized;
  3. Certificate of incorporation of licensee, legalized; and
  4. Certificate of registration for endorsement.
- License recordal is not compulsory but advisable in order to be effective against third parties.
  - May be recorded for registrations only.
  - Separate POAs must be submitted by licensor and licensee.

# **PATENT**

### **Information:**

EQUIVALENT SEARCH

Not available

EXAMINATION

As to form, novelty, inventive step and industrial applicability

PUBLICATION

Not available

OPPOSITION

No provisions

ANNUITIES

Due annually on the anniversary of the filing date and payable prior to grant.

6 - month grace period for late payment with a surcharge

PROTECTION TERM

20 years from the filing date

**Requirements:**

1. A Power of Attorney duly notarized by a Notary Public;
2. An Extract from the Commercial Register or from the Memorandum of Association, if the applicant is a company or body corporate, duly legalized up to the Sudanese Consulate;
3. An Assignment Deed duly legalized up to the Sudanese Consulate, if the applicant is not the inventor;
4. Two copies of specifications, claims, abstract and drawings, if any; and
5. A copy of the PCT application as published with the Search Report and Preliminary Examination Report, in case of entering a National Phase under the PCT Scheme.

**CHANGE OF NAME OR ADDRESS****Filing Requirements:**

1. Power of Attorney, legalized (If new name);
2. Certificate of change of name/address, legalized; and
3. Certificate of incorporation, legalized.

**ASSIGNMENT****Filing Requirements:**

1. Power of Attorney, legalized (From assignor and/or assignee);
2. Deed of Assignment, legalized; and
3. Certificate of incorporation of assignee, legalized.

**MERGER****Filing Requirements:**

1. Power of Attorney, legalized (If new entity formed);
2. Certificate of merger, legalized ; and
3. Certificate of incorporation if new entity formed, legalized.

**LICENSE****Filing Requirements:**

1. Power of Attorney, legalized (From licensor and/or licensee);

2. License agreement, legalized; and
3. Certificate of incorporation of licensee, legalized.

## DESIGN

### Information:

#### DURATION

5 years from filing date

#### EXAMINATION

As to form only

#### APPLICATION WITH MULTIPLE FIGURES

Admissible for up to 50 figures

#### RENEWAL

Allowed for two consecutive terms of 5 years each

#### REGISTRATION TIME FRAME

Approximately one year

### Requirements:

1. A Power of Attorney duly notarized by a Notary Public;
2. An Extract from the Commercial Register or from the Memorandum of Association, if the applicant is a company or body corporate, duly legalized up to the Sudanese Consulate;
3. Full description of the design with photographic pictures of the industrial design in color (if possible); and
4. A certified copy of the priority document, in case of claiming priority.

- All documents, except for the copy of the priority document, must be submitted at the time of filing.

## COPYRIGHT

### Information:

MEMBER OF BERNE CONVENTION

Yes

#### REGISTRATION

Possible for nationals and foreigners

#### REGISTRATION TIME FRAME

1 month

#### DURATION

In general, the duration is the artist's life with the addition of 50 years following the artist's date of passing

#### WORKS PROTECTED

Written works; Works of fine arts whether drawing, photography, painting, engraving, sculpture, or decoration and works of similar nature; Songs and musical works; Dramatic works; Photographic works and cinema and television films; All kinds of maps and manuscripts related to geography, topography or science

#### LIMITATIONS ON PROTECTIONS

Works which have been vested to public ownership; Official documents; Daily news or any occurrences of similar nature published in newspapers, magazines, periodicals, radio or television; Collections that contain parts or extracts of works formerly published

#### PENALTIES

The amount of the fine is fixed by the Court, depending on the benefits that the defendant gained from the violation

#### Requirements:

1. A Power of Attorney duly notarized by a Notary Public;
2. Legalized home registration certificate of Copyright; and
3. Two copies of the literary or artistic work.

## DOMAIN NAME

#### Requirements:

1. Filing of the Application form with prescribed fees;
2. Supplying of the appropriate certificates, if needed; and
3. A power of Attorney duly notarized by a Notary Public.