

TRADEMARK

1. What is the method of conducting the search?

Official search only. Possible for word and device marks.

2. How much time is required to complete the search?

7-9 working days.

3. What is the filing system?

Multi-Class Filing System.

4. Are there any goods or services for which the mark cannot be registered?

NO.

5. Can priority be claimed under Paris Convention?

YES.

6. Can I file international registration under Madrid Agreement?

YES.

7. Can I file international registration under Protocol to Madrid Agreement?

YES.

8. Can a trademark be registered under personal name?

YES.

9. Can a trademark be registered in a joint application?

Yes, the trademark can be registered in the name of more than one applicant.

10. If I file a single application, will it cover any number of classes of goods and/or services?

YES.

11. How long will it take for a trademark application to mature to registration in the normal course?

24 to 48 months.

12. Can the trademark application be opposed and what is the opposition period?

There is no provision for filing opposition. A trademark is only published in the Official Gazette to announce its registration. Any opposition can be made through cancellation action to be filed in the court.

13. What is the duration of trademark protection?

10 years as from the filing date.

14. When can I renew my trademark application?

Within 6 months before expiry. Renewal shall be effective from the day following the expiry of registration term. It can also be requested during the grace period of six (6) months after expiration, upon payment of a late renewal fee.

15. Is use required for maintaining the registration in force?

Yes, the registered trademark is vulnerable to cancellation by any interested party if there has been no effective use of the mark for a period of 3 consecutive years after the filing date.

16. Can records such as change of name, address, merger, assignment and license be made against pending applications?

Yes, may be recorded for pending applications and registrations.

17. Are the rights granted by registration assignable?

Yes, the right of a mark property shall entitle its owner to the right of assignment.

18. Is it mandatory to claim goodwill upon assignment?

No, applications and registrations may be assigned with or without the goodwill of the business concerned.

19. What monetary value is to be mentioned in the assignment? Is there any tax based on the indicated value?

One (1) dollar is the minimum value to be mentioned in the assignment and there is no tax based on the indicated value.

20. What is the time period of the license?

Can be decided by parties.