

TRADEMARKS

As part of statutory compliance education and support endeavour, we are sharing the information related to the issues impacting businesses from time to time. We will continue to provide insights across a range of topics. You can find the compiled resources on our [website](#). Following note on Trademarks is meant to assist you in understanding the basic concepts and processes related to Trademark related Intellectual Property management.

Intellectual Property [IP] – Trademarks

IP is the expression of ideas in either a creative, scientific or business sense. Intellectual Property Rights (IPR) are legal rights aimed at protecting the creations of intellect. IPR protects such ideas and provides exclusive rights to the creators over the use of such creations. IP is a form of intangible asset. From the MSME perspective, Trademark is one of the important categories of intellectual property and has become significant for any business entity in the growing global economy, though its registration is not mandatory. More than 3,00,000 Trademark applications were filed during 2019-20 in India.

What is a Trademark? A trademark is a sign that individualizes the goods or services of a given enterprise and distinguishes them from those of competitors. The unique identity or expression can be a logo, photograph, symbol, image, slogan, word, sound, smell, colour combination or graphics. Trademark can be commercially contracted, sold and franchised.

Trademark symbols: ® symbol signify that the trademark is registered; the ™ symbol is for unregistered trademarks for which the application has been filed; and the SM symbol is used for the service industry.

Registration: Any individual or entity can make application for Trademark Registration. Application can be made online. The process of Trademark Registration is a bit lengthy and it could take around 18-24 months to obtain registration in normal circumstances. Trademark Registration is territorial in nature. Separate applications need to be filed in each country where one wish to register their trademark. However, the Madrid protocol, effective from 8th July 2013 provides one single and cost-effective procedure for the registration of a Trademark in 91 member territories including India. The registration provides exclusive right to use the same as trademark for 10 years which can be further renewed.

Controlling Authority: In India, trademarks are registered by the Controller General of Patents, Designs and Trademarks, Ministry of Industry and Commerce, Government of India. Trademarks and its rights are protected by the Trademark Act, 1999.

More details on Trademarks registration are available on [IPINDIA](#) portal.



GET EXPERT ADVICE. We will assist you in your Trademarks Registration/Renewals. We also do offer customized business solutions. [Get in touch with us.](#)

Disclaimer: The information contained in this update is of a general nature. Users of this information are expected to refer to the relevant existing provisions of applicable Laws.

- **BUSINESS SUPPORT SERVICES TEAM**

