



GRATA
INTERNATIONAL



**TRADEMARK REGISTRATION
IN GRATA INTERNATIONAL
COUNTRIES**

ARMENIA

Ani Baburyan



1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

The following signs represented graphically may be registered as trademarks:

1. words, phrases, names, or slogans;
2. letters or figures;
3. pictures, images or symbols;
4. three-dimensional images, in particular the shape of goods or of their packaging (container);
5. holograms, colors, combinations of colors or compositions;
6. sounds;
7. any combinations of signs referred to in subparagraphs 1 to 6.

2) THE REGISTRATION PROCESS

The state registration of a trademark shall be carried out on the basis of the filed application in accordance with procedure which is submitted to the Intellectual Property Office.

Examination on the filed application is conducted:



Preliminary examination, which is conducted within 10 working days after setting the date of submission of the application. As a result of the preliminary examination, a decision to publish the application and conduct a substantive examination is made;



Publication, which is carried out basis on the decision on application publication and conduction of substantive examination, within 15 working days after the day of the decision. The application is published in the official bulletin of "Industrial Property";



Substantive examination of the application, which is conducted within three months from the date of publication of the application. During the substantive examination, the existence of absolute and relative grounds for refusal provided for in Articles 9 and 10 of the Law is checked;



Registration. If, based on the results of the examination in the manner prescribed by law, a decision is made to register or partially register a trademark, then within 20 working days from the date of submission to the intellectual property office of a payment receipt of state fee in the established amount, a registration certificate is issued.

3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

The Law of RA on Trademarks does not provide accelerated r registration provisions.

4) TRADEMARK REGISTRATION TIMELINE

The general period of receiving, registering, considering and issuing a trademark application is

6 months.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

The term of validity of a trademark registration is **10** years starting from the date of application filing.

A trademark registration period may be extended several times for a period of **ten years** for all goods and services (or) services or for a part of them.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

Yes, it can be used the designation submitted for registration as a trademark. However, you should make sure that you are not using someone else's trademark that is identical or similar to the point of confusion with your declared one.



7) TERMS OF TRADEMARK USE

The owner of the trademark is obliged to use the trademark. Any interested party may challenge the registration of the trademark in court due to its non-use during the three years preceding the date of filing a claim in court.

8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER



The trademark is protected in the territory of the state where it is registered. Thus, a trademark registered in the Republic of Armenia has legal protection only in the territory of the Republic of Armenia.

This means that your trademark can be used in foreign countries even be registered there by any other person. If there is a certificate, the owner protect the right to a trademark in ways not prohibited by law.

BELARUS

Anton Mazol



1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

Verbal marks, letter notations, numeric designations, pictorial designations, three-dimensional designations, colour, combined designations.

2) THE REGISTRATION PROCESS

1. Submission of an application on paper to the patent office or through the AIS "Electronic Application Submission";
2. Preliminary examination of the trademark registration application;
3. Examination of the proposed designation;
4. Registration of the trademark in the State Register of Trademarks and Service Marks of the Republic of Belarus;
5. Issuance of a trademark registration certificate.

3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION



In an accelerated procedure, the patent office can carry out accelerated preliminary examination, examination of the proposed designation, trademark registration, and issuance of the certificate. Additional fees to the mandatory patent fee are required for each stage of trademark registration.

4) TRADEMARK REGISTRATION TIMELINE

Standard trademark registration takes **1** year from the date of filing the application.

Accelerated trademark registration takes **1-2** months from the date of filing the application.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

The registration of a trademark remains valid for **10** years from the date of application.

In the final year of trademark registration, it can be renewed indefinitely in successive 10-year increments upon application by the rights holder.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

Yes, using a trademark during its registration is allowed, but one should consider the risks of trademark registration refusal, infringement of another trademark's exclusive rights, and the potential for brand squatting.

7) TERMS OF TRADEMARK USE

Trademarks can be applied to goods, their packaging, labels, documentation related to the introduction of goods into civil circulation, during the provision of services or performance of work, in advertising materials, and online.

Entities in Belarus have the right to use a trademark that has been lawfully introduced into civil circulation within the Eurasian Economic Union, either directly by the rights holder or with their consent by another party.

To use a trademark for which another person holds exclusive rights, written consent from that person is necessary.



8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

The rights holder has the right to assert the following demands in case of infringement of their rights:

- cease the use of the trademark;
- reimburse the rights holder for any losses incurred;
- remove counterfeit goods, labels, and packaging from circulation and destroy them;
- delete the trademark or any confusingly similar designations from documentation, advertising, and signage;
- pay compensation to the rights holder ranging from 1 to 50000 base amounts (approximately 12 to 60000 euros) instead of reimbursing losses.

AZERBAIJAN

Nargis Tagiyeva



1) DESIGNATIONS REGISTRABLE AS A TRADEMARK



Words, proper names, letters, numbers, pictorial elements, shape or packaging of goods, any combination of colors and all of the above can be registered as trademarks.

2) THE REGISTRATION PROCESS

1. Submission of an application to the Intellectual Property Agency;
2. Preliminary and substantive examinations of the trademark application;
3. Decision of the Intellectual Property Agency on registration of the trademark/refusal of registration;
4. Submission of an application for the registration of the trademark in the state registry, publication of information in the official bulletin and issuance of the certificate (within 4 months from the date of the decision on registration).

3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

Yes, based on the application of the trademark owner and subject to payment of an additional state fee, the trademark examination may be carried out within **1 month**.

4) TRADEMARK REGISTRATION TIMELINE

The standard trademark registration timeline is

8-12
months

from the date of filing the application.

The accelerated trademark registration timeline is

3-5
months

from the date of filing the application.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

The registration of a trademark is valid for **10** years from the date of filing the application.

This period may be extended for **10 years** for an unlimited number of times at the request of the owner.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

Yes, a trademark can be used while the registration is pending.

7) TERMS OF TRADEMARK USE

Registration of a trademark can be canceled in case of its non-use within continuous 5 years from the date of registration or within 5 years prior to the date of any person's application on its non-use.



8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

The trademark owner, in case of infringement of his/her rights, is entitled to demand:

- cessation of the use of the trademark;
- compensation for the damage caused;
- payment of compensation;
- prohibition to use a trademark consisting of reproduction, imitation, transliteration and translation of words and creating a false impression of his/her trademark;
- cancellation of the registration of an identical or confusingly similar trademark (within 5 years from the date of publication of information on registration in the official bulletin).

CHINA

Claire Zhao



Milana Brmanova

1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

Characters, graphics, letters, numbers, three-dimensional symbols, colour combinations, sounds, and combinations of the above elements.

2) THE REGISTRATION PROCESS

1. The Applicant files trademark registration application to China National Intellectual Property Administration (CNIPA);
2. CNIPA proceed formality examination;
3. CNIPA proceed substantive examination;
4. CNIPA issue Notification of Refusal or Notification of Preliminary Approval followed by publication;
5. Filing Review of Refusal in case Notification of Refusal is issued;
6. Opposition is allowed if Notification of Preliminary Approval is issued;
7. Trademark Registration.

3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

No.

4) TRADEMARK REGISTRATION TIMELINE

1. CNIPA proceed formality examination in around **2~3 weeks** from the application filing date;
2. CNIPA complete substantive examination in **6 months** from the application filing date;
3. CNIPA publish the trademark for opposition for **3 months** if the trademark goes through the substantive examination smoothly;
4. CNIPA issue the Certificate of Registration within **1~2 months** after publication.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

10
years.

Renewal application may be filed within 12 months before the expiration date. There is 6 months grace period after the expiration date.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

Yes.

7) TERMS OF TRADEMARK USE

3
years.

8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

1. Strengthen daily trademark management;
2. File Administrative complaint;
3. File Litigation to Court;
4. File Customs recordal to seek for initiative protection;
5. File Complaint to Online sales platforms.

CYPRUS

Cleo Loizou



1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

In order for a trademark to be registered, it must comprise of elements, such as for example words, drawings, numbers, colors, sounds, the shape of the product or of its packaging, which meet certain prerequisites.

2) THE REGISTRATION PROCESS

In order to register a trademark in Cyprus, we will need a power of attorney and a filled application form, called Form TM2. The application must be filed separately for each class of products or services.



Once the application is filed, the Cypriot Trademark Registrar will examine the petition and publish it in the Official Gazette for 3 months. During these 3 months anyone with a solid reason may file for trademark opposition. If no opposition is registered, the Cypriot Registrar will issue a registration certificate with a copy of the trademark.

3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION



No, but conducting a thorough pre-filing search can help you avoid conflicts and objections that can delay the process.

4) TRADEMARK REGISTRATION TIMELINE

The whole procedure will usually take approximately

6-7 months.

If there is an objection, then the process may be longer and is often followed by a Court hearing or Arbitration, between two or more opposing parties.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

Trademarks in Cyprus are valid for

10 years from the initial registration date

and can be renewed for 10 years after the first 10 years.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

Yes, a mark can be used at any stage, even before the application is filed. However, such use does not guarantee registration of the mark.

7) TERMS OF TRADEMARK USE

The use of the trademark should be within the scope of the goods or services specified in the registration.



8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

Proactive measures, such as monitoring and proper trademark use, coupled with reactive measures, like enforcement actions and litigation, provide a framework for trademark protection.

GEORGIA

Nanuka Chkuaseli



1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

Symbol or combination of symbols, words, names, letters, numbers, sounds, image, colors, shape of goods or its packaging.

2) THE REGISTRATION PROCESS

1. Preliminary search - conducting a preliminary search is recommended to ensure there are no identical or similar trademarks already registered or pending registration;
2. Filing the application to the Intellectual Property Office of Georgia (Sakpatenti);
3. Formal examination: preliminary within 1 month from the date of application;
4. Substantive examination: within 6 months from the date of completion of formal examination;
5. Publication;
6. Opposition period - within 3 months after publication third parties can file oppositions against the trademark application;
7. Registration.

3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

In addition to the standard procedure, the applicant can request an accelerated registration procedure. In this case, the processing of the application is completed within ten working days.

4) TRADEMARK REGISTRATION TIMELINE

The standard registration period for a trademark is **11-12 months** from the date of filing the application.

The accelerated registration period for a trademark is **10 working days** from the date of filing the application.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

Trademark registrations in Georgia are valid for **10 years** from the filing date.

Registrations can be renewed indefinitely for subsequent **10-year periods** upon payment of renewal fees.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

Yes, it is possible to use a trademark in Georgia while its registration is pending. Georgian trademark law recognizes the concept of "pending trademark rights" which means that from the date of filing the trademark application, the applicant has certain rights and protections even before the trademark is fully registered.

7) TERMS OF TRADEMARK USE

Upon registration, the trademark owner obtains the exclusive right to use the trademark in connection with the goods or services for which it is registered.

To maintain trademark registration and prevent it from becoming vulnerable to cancellation for non-use, the trademark must be used in Georgia. Any interested party may challenge the registration of the trademark in court due to its non-use during the 5 years preceding the date of filing a claim in court.



8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

Trademark owners can take legal action against third parties who use their trademark without authorization, which constitutes trademark infringement. Remedies for infringement can include injunctions to stop the unauthorized use, damages for losses suffered, and seizure or destruction of counterfeit goods.

Trademark owners can record their trademarks with Georgian Customs to facilitate the interception and seizure of counterfeit goods entering or leaving the country. Customs can take action to prevent the import or export of goods that infringe registered trademarks.

KAZAKHSTAN

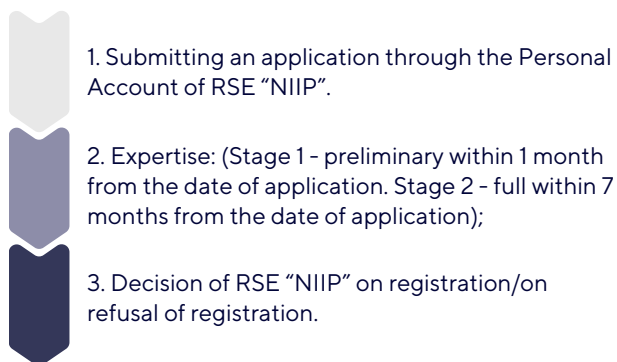
Timur Berekmoinov



1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

Verbal, pictorial, alphabetic, digital, three-dimensional, sound, holographic, olfactory and other designations or combinations thereof.

2) THE REGISTRATION PROCESS



3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

In an accelerated procedure, the total period for conducting an examination is reduced to 3 months:



4) TRADEMARK REGISTRATION TIMELINE

The standard registration period for a trademark is

7-8
months

from the date of filing the application.

The accelerated registration period for a trademark is

3-4
months

from the date of filing the application.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

The trademark registration is valid for **10** years from the date of filing the application.

After the expiration of this period, it can be renewed an unlimited number of times for **10 years** at the request of the owner.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

Yes, you can use the designation that you have submitted for registration as a trademark. However, you should make sure that you are not using someone else's trademark that is identical or similar to the point of confusion with your declared one.

7) TERMS OF TRADEMARK USE

The trademark owner is obliged to use the trademark. Any interested person may challenge the registration of the trademark in court due to its non-use during the three years preceding the date of filing a claim in court.

8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

The trademark owner is entitled to make the following claims in case of infringement of his rights:

- cessation of trademark use;
- compensation for damages;
- seizure and destruction of counterfeit goods;
- removal of the trademark or confusingly similar designation from documentation, advertising, and signage;
- payment of compensation to the trademark owner (instead of damages).



1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

Verbal, pictorial, alphabetic, numeric, volumetric and other designations or combinations thereof. Visually indistinguishable, as well as sound and olfactory signs are not subject to registration.

2) THE REGISTRATION PROCESS

1. The application shall be submitted to the authorized body - the State Agency for Intellectual Property and Innovation under the Cabinet of Ministers of the Kyrgyz Republic;
2. Examination (stage 1 - preliminary within 10 days from the date of filing, stage 2 - full within 7 months from the date of filing);
3. Decision on registration/denial of registration;
4. Publication of information on registration in the official bulletin of the authorized body within 1 month from the date of registration in the trademark register of the authorized body;
5. Issuance of the certificate of registration within 1 month from the date of publication of information on the trademark in the official bulletin.

3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

Not available.

4) TRADEMARK REGISTRATION TIMELINE

Registration timeline is **9-10** months from the date of filing an application.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

The registration of a trademark is valid for **10** years from the date of registration.

Registration may be extended for unlimited **10 year periods** at the request of the owner.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?



Yes, you may use the designation that you have submitted for registration as a trademark. However, you should make sure that you are not using someone else's trademark that is identical or similar to the point of confusion with your declared one.

7) TERMS OF TRADEMARK USE

The owner of the trademark is obliged to use the trademark. Any interested party has the right to apply to the court with an application for early termination of legal protection of the trademark in case of its non-use within 3 continuous years. In this case, the court shall consider such an application only if the pre-trial settlement procedure has been observed.

8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

The owner of a trademark is entitled to make the following claims in case of infringement of his rights:

- cessation of trademark use;
- compensation for damages;
- seizure and destruction of counterfeit goods;
- removal of the trademark or confusingly similar designation from documentation, advertising, and signage;
- payment of compensation to the trademark owner (instead of damages).

MONGOLIA



Bolormaa
Volodya



Norovsuren
Bayarsaikhan

1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

Trademarks may be expressed in words, figures, letters, numbers, three-dimensional shapes, colors, combination of colors, sound, scent or any combination thereof.

2) THE REGISTRATION PROCESS

The trademark registration procedure in Mongolia typically involves the following steps:



Application Submission: Submit a trademark application to the Intellectual Property Office of Mongolia (IPOM) with the necessary details, including the applicant's information, trademark image, and list of goods/services the trademark will cover;



Examination: The IPOM will examine the application for compliance with formal requirements and conduct a search to ensure there are no conflicting trademarks;



Publication: If the application passes the examination, it will be published in the Official Gazette for public opposition. Other parties have a designated time frame to oppose the registration if they believe it conflicts with their rights;



Opposition Period: During the opposition period, which usually lasts a few months, third parties can file oppositions against registering your trademark if they believe it infringes upon their rights;



Registration: If no opposition is raised during the opposition period, or if oppositions are resolved in the client's favor, the trademark will be registered.

3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

In an accelerated procedure, the total period for conducting an examination is reduced to **6 months**. After the publication of trademark applications, interested parties have three months from the initial filing date to file objections. For applications with an urgent service fee, judgments and conclusions will be issued within three months of the opposition period ending.

4) TRADEMARK REGISTRATION TIMELINE

Exact procedures and requirements can vary and assessment is concluded within

9-12 months

with the possibility of a **6-month** extension if necessary.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

Trademarks in Mongolia are typically valid for ten years from the registration date. They can be renewed for ten-year periods by submitting renewal applications and paying the required fees.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

Trademarks submitted for registration can be used. However, it's important to exercise caution and ensure it doesn't infringe on existing trademarks. This means avoiding any names or designs identical to, or confusingly similar to, someone else's registered trademark.

7) TERMS OF TRADEMARK USE

A trademark is considered used in the following cases:

1. When it appears on the goods themselves, their packaging, containers, or in the advertising of services associated with the trademark;
2. When trademarked goods are offered for sale, supplied, stored for sale, or when the services are provided;
3. When goods bearing the trademark are imported or exported;
4. When the trademark is used in official documents, presentations, on the internet, or in advertising materials.

The owner of a registered trademark may use the symbol ® (circled R) with the trademark to indicate its registered status.



8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

The owner of a registered trademark shall exercise the following exclusive rights: to use the trademark, to license the trademark, to sell or transfer the trademark, to prevent infringement, to prevent dilution, to seek damages. If you believe the above exclusive rights have been violated, you can file a complaint with the Dispute Resolution Board of the IPOM. And if you disagree with the Board's decision, you have the right to appeal to court within 30 days of receiving it.

RUSSIA

Vladislava Novokreshchenova



Alexey Khasanov

1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

Verbal, pictorial, alphabetic, numeric, three-dimensional, audible, holographic, olfactory, changeable and other designations or combinations thereof may be registered as trademarks.

2) THE REGISTRATION PROCESS

The registration process includes the following administrative procedures:



3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

Acceleration of trademark registration is possible on condition of ordering a special service of Rospatent, which provides for a preliminary search of the applied-for designation in respect of all 45 classes of ICTU within 10 working days. After the search is completed (lasts 10 days), the total remaining period until the Rospatent's decision is received will be about 1-2 months. The whole term will amount to 3-3.5 months.

4) TRADEMARK REGISTRATION TIMELINE

A trademark is registered, on average, for about

6-8 months.

The period of 6-8 months is calculated from the date of filing the application to the date of the decision on it. According to the Administrative Regulations, the term

for providing a state service in terms of acceptance, registration, examination of the application and issuance of a trademark certificate is eighteen months and two weeks. Due to various circumstances (e.g., requests for examination), the term for examination of an application may be extended or suspended.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

The exclusive right to a trademark is valid for **10** years from the date of filing an application

for state registration of the trademark with the Rospatent. The right to a trademark may be renewed an unlimited number of times during the last year of registration. The term of validity of a trademark is extended for 10 years.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

Yes, you can. Before doing so, you should make sure that you do not use a designation applied for registration as a trademark that is identical or confusingly similar to another person's trademark.



7) TERMS OF TRADEMARK USE

A trademark may be used in any manner not contrary to the law, including:

- on goods, labels, packaging of goods;
- in the performance of work, rendering of services;
- in documentation related to the introduction of goods into civil turnover;
- in offers to sell goods, perform work, etc.;
- in announcements, on signs and in advertising;
- on the Internet.

The owner of the exclusive right to a trademark is obliged to use it permanently, otherwise the legal protection may be terminated after 3 years.

8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

Protection of the trademark owner's right is usually carried out through the court. The owner may demand: seizure and destruction of counterfeit goods, removal of information about the illegally placed trademark, reimbursement of losses or compensation in the amount of 10,000 to 5,000,000 rubles.

TURKEY

Gülendam Tüylüoğlu



1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

In Turkish law, registrable designations include: words, including personal names, shapes, letters and numerals, shapes of goods or their packaging, slogans, colors, sounds, providing that the designation enables the goods or services of one undertaking to be distinguished from the goods or services of other undertakings and the subject matter of the protection afforded to the proprietor of the trade mark can be shown in the register in such a manner as to enable a clear and unambiguous understanding of the subject matter.

2) THE REGISTRATION PROCESS

The trademark registration process in Türkiye involves the following steps:

1. Filing the application with the Turkish Patent and Trademark Office (TÜRKPATENT);
2. Formal examination by TÜRKPATENT;
3. Publication in the Official Trademark Bulletin;
4. Opposition period (two months) where third parties can oppose the registration;
5. Substantive examination and decision by TÜRKPATENT;
6. Registration and issuance of the certificate if no opposition or after overcoming any opposition.

3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

Currently, Turkish law does not provide an official accelerated process for trademark registration. The standard registration process must be followed.

4) TRADEMARK REGISTRATION TIMELINE

The entire trademark registration process in Turkey typically takes between

6-12 months,

depending on the workload of the Turkish Patent and Trademark Office and whether there are any oppositions.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

A registered trademark **10** years from the date in Turkey is valid for of application.

It can be renewed indefinitely for successive ten-year periods. Renewal requests must be filed **within six months** before the expiration date. If this period is missed, renewal can also be made within six months after the expiry of the protection period by paying an additional fee. The renewal shall be deemed effective from the date of expiry of the term of protection, regardless of whether the renewal application was submitted before or after the expiry of the term.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

Yes, it is possible to use a trademark while the registration is pending. However, the protection rights are limited until the trademark is officially registered.



7) TERMS OF TRADEMARK USE

To maintain a trademark, it must be used genuinely within five years of registration and should not remain unused for five consecutive years. Non-use without legitimate reasons may lead to the cancellation of the trademark. The trade mark must be used within the scope of commercial activities relating to the relevant goods or services. The use of the trade mark must not infringe the trade mark rights of another person or organization.

8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

Trademark owners can protect their rights by:

- monitoring for potential infringements;
- taking legal action against infringers through civil or criminal proceedings;
- seeking provisional measures such as injunctions;
- utilizing customs measures to prevent counterfeit goods from entering the market;
- recording the trademark with the Customs Authority for additional protection.

TAJIKISTAN

Kamoliddin Mukhamedov



1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

Word, pictorial, volumetric and other designations or combinations thereof may be registered as trademarks.

A trademark may be registered in any color or color combination.

2) THE REGISTRATION PROCESS

Registration consists of 2 stages:

Stage 1

- Filing of the application is carried out through the Patent Attorney;
- Examination (formal examination within 1 month from the date of filing of the application, full examination approximately 1 year from the date of filing of the application);
- Publication of information on the formally examined application.



Stage 2

- Registration (within 1 month from the date of the decision on registration and payment of the prescribed mandatory fee);
- Publication (immediately after registration of the trademark in the Register);
- Issuance of the certificate (within one month from the date of registration of the trademark in the Register).

3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

In an accelerated procedure, the total period for conducting an examination is reduced to

3-4
months.

4) TRADEMARK REGISTRATION TIMELINE

The standard registration period for a trademark is approximately

1
year

from the date of filing the application.

The accelerated registration period for a trademark is

3-4
months

from the date of filing the application.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

The registration of a trademark is valid for **10** years from the date of registration.

After this period, it can be extended for unlimited **10 year periods** at the request of the owner.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

Yes, you can use the designation that you have submitted for registration as a trademark. However, you should make sure that you are not using someone else's trademark that is identical or similar to the point of confusion with your declared one.

7) TERMS OF TRADEMARK USE

The owner of the trademark is obliged to use the trademark. Any interested party may challenge the registration of the trademark in the Board of Appeal due to its non-use during the three years after its registration.



8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

1. Filing an application/complaint with the Antimonopoly Service of Tajikistan;
2. Filing an application/complaint with the Department for Combating Economic Crimes (Intellectual Property Protection Department) of the Ministry of Internal Affairs of Tajikistan;
3. Submission of a statement of claim to the court.

TURKMENISTAN

Ikbal Said Alauddin



Annamenli Rozymyradova

1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

Verbal, pictorial, or three-dimensional signs of any color (color combination) or their combinations.

2) THE REGISTRATION PROCESS

1. Application submission to Turkmenpatent.
2. The standard registration procedure takes a total of 9 months, including 3 months for formal examination and at least 6 months for substantive examination.
3. A decision on the registration or refusal of the trademark is made based on the examination results.

3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

The overall duration of the examination process can be shortened to 1.5 months. The formal examination can be conducted within 10 business days, approximately 2 weeks, from the date of submission of the request. The substantive examination period can be reduced to 20 business days, approximately 1 month, from the completion of the formal examination.

4) TRADEMARK REGISTRATION TIMELINE

1. Standard registration period for a trademark is **9-12** months

(including the time for application review and possible requests for additional documents/information in case of deficiencies to registration requirements);

2. Expedited registration period for a trademark is **1,5-2** months

(including the time for review and decision-making).

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

The term of validity of a trademark is **10** years from the date of application,

and can be renewed during the last year of its validity for each subsequent 10-year period.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

The use of a mark filed for registration as a trademark is permissible, provided that this mark is not identical or confusingly similar to trademarks already registered or applied for by other parties.

7) TERMS OF TRADEMARK USE

The trademark's validity can be terminated early by any interested party, if it has not been used for three consecutive years prior to filing an application to that effect with the Appeals Commission of the Turkmenpatent, and not earlier than three years after its registration.



8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

The owner of a trademark has the right to demand the following remedies against a party unlawfully using their trademark or a similar designation:

1. Cessation of the use of the trademark or similar designation upon the owner's request or by court order;
2. Compensation for damages, including lost profits, or payment of compensation determined by court decision or by agreement between the parties;
3. Removal of the unlawfully used trademark or designation from the goods or their packaging to the extent of confusion.

UAE

Issam Dahman



Sarah Rizwan



1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

Every object that has a distinctive form, including names, words, signatures, letters, symbols, figures, addresses, stamps, drawings, photos, inscriptions, packaging, figurative elements, shapes, color, set of colors or a combination of such elements, or a sign or a set of signs, including 3D marks, hologram marks or any other mark used or intended to be used to distinguish the commodities or services may be registered as the trademark. Additionally, objects related to sound and smell may also be classified as a trademark.

2) THE REGISTRATION PROCESS

1. Submit the application to the Ministry of Economy Portal and pay the service fee;
2. The applicant is officially notified of the decision within a maximum period of 90 days from the date of submitting the application;
3. When the application is accepted, the applicant should publish the trademark registration in the official trademark bulletin;
4. An objection period of 30 days from the publication is allowed;
5. If there is no objection to the trademark, then the final registration fee should be paid and the certificate of registration of the trademark is issued maximum within 30 days after the objection period has lapsed.

3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

Not available in the UAE.

4) TRADEMARK REGISTRATION TIMELINE

The standard period for a trademark is **3-4 months** from the date of filing of the application.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

The duration of a trademark is **10 years** commencing from the date of submitting the application. After the expiration of this period the trademark holder can renew it for another **10 years** by submitting a renewal application along with the renewal fees.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

Yes, however, one should be cautious that it might infringe on someone else's intellectual property rights.



7) TERMS OF TRADEMARK USE

An interested party can request the Ministry to deregister a trademark that has not been used for 5 consecutive years, unless there are exceptional circumstances that prevented its use.

8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER



The trademark holder can file a writ petition in civil court for a precautionary measure and can file a lawsuit for claiming compensation if they sustain harm resulting from the infringement of any of their rights.

UZBEKISTAN

Olmoskhon Khamidova



1) DESIGNATIONS REGISTRABLE AS A TRADEMARK

Figurative, verbal, three-dimensional and other designations or their combinations in any color or color combination can be registered as trademarks.

2) THE REGISTRATION PROCESS



3) AVAILABILITY OF ACCELERATED TRADEMARK REGISTRATION

At the request of the applicant, the examination of the application is carried out by the competent authority in an accelerated manner, **within 1 month** from the date the application for accelerated registration is accepted. The request must be submitted to the competent authority simultaneously with the application or **within 3 months** from the date of filing the application.

4) TRADEMARK REGISTRATION TIMELINE

A standard registration consists of:

1. Formal examination;
2. Expertise of the claimed designation.

In practice, the process of trademark registration (in the absence of requests from the state authority and timely payment of applicable State fees) takes

9-12
months.

In case of accelerated registration: from the moment of acceptance of the application for accelerated registration -

1 month.

5) TRADEMARK REGISTRATION DURATION AND RENEWAL

A certificate for a trademark or a certificate of the right to use the appellation of origin of a product is valid for

10 years from the date of filing the application.

The validity period of a trademark certificate or a certificate of the right to use an appellation of origin of a product may be extended at the request of the owner, submitted during the last year of its validity, each time **for 10 years**.

6) IS IT POSSIBLE TO USE A TRADEMARK WHILE REGISTRATION IS PENDING?

According to Article 26 of the Law on trademarks, the exclusive right to use a trademark comes from the moment of its registration.

7) TERMS OF TRADEMARK USE

The owner of the trademark is obliged to use the trademark. Any interested party may challenge the registration of the trademark in court due to its non-use during the 3 years preceding the date of filing a claim in court otherwise.

8) METHODS OF PROTECTING THE RIGHT OF THE TRADEMARK OWNER

The owner of a trademark is entitled to make the following claims in case of infringement of his rights:

- cessation of trademark use;
- compensation for damages;
- seizure and destruction of counterfeit goods;
- removal of the trademark or confusingly similar designation from documentation, advertising, and signage.



About GRATA International



GRATA International is a dynamically developing international law firm which provides services for projects in the countries of the former Soviet Union and Eastern Europe: full coverage of the entire region with network of offices, highly qualified team of professionals suited for cross-border projects. Firm's reputation and expertise are confirmed by testimonials from transnational clients and leading international ratings.

A wide network of office operating under one system and platform delivers great convenience for our clients. Any office can act as a "one-stop-shop" for its clients and provide them with access to services in other cities and countries. If necessary, inter-office teams with relevant experience are assembled to provide solutions to complex tasks. Service quality is assured by a clear system of organisation of this process.

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- Industry & Trade
- Mining
- Oil & Gas
- Pharmaceuticals & Healthcare
- Technology, Media & Telecommunications
- Transport



> 21

countries of presence



> 32

years of experience



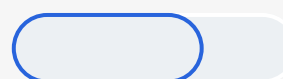
> 200

professionals



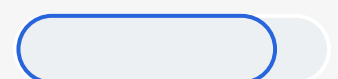
> 15

practice areas



14 600+

clients



38 200+

projects

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