Company Registration India - a Place to Make Logo Registration by Mukesh Kumar

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Logo is not simply a mark but it's a key for commercialization and growth of industry. It is a connecting link between the manufacturer and consumer. Reputation of a product is not built by the manufacturer but it is the trademark or logo which signifies the quality performance of a product and depending on the satisfaction which a consumer derives from that particular product, the demand for the product gets affected. A consumer may not even know who the manufacturer is but it is the logo which influences a consumer's decision to buy or not to buy a particular product. Logos establish goodwill between the source of a product or service and the consumer and enable the consumer to make quick purchasing decision based on logo generally known as trademarks.

Process of Logo Registration:

1) An application for registration of logo is filed with the office of registrar of trademarks along with the prescribed fees by the person who claims to be the proprietor of the mark or his authorized agent.

2) It is advisable to search for the availability of the trademark on website www.mca.gov.in in order to avoid rejections.

3) Then the application is examined by the registrar to ensure that the application is not in conflict with earlier registered marks or marks pending for registration. It is at the discretion of the registrar to accept the application and then to proceed with its publication or to direct the same to proceed for publication before acceptance.

4) However, if after examination, the registrar is having certain objections, he may call the applicant for hearing before acceptance of the application. If the applicant does not appear during hearing, the application will be deemed to be abandoned.

5) If the applicant is not satisfied with the decision of the registrar, he has an option to approach the intellectual property appellate board.

6) The mark is published in Trademark journal for three months and during this three months time any person can oppose the grant of registration by filing a notice of opposition.

7) If an opposition comes, a notice is sent to both the parties for hearing which is organized by the hearing officer and the parties are asked to produce evidences and finally decision is given on the merits of the case.

8) If opposition is allowed, the application is rejected but if the opposition is fixed, then application proceeds for registration.

9) Once registered, the logo is to be renewed after every ten years by paying the requisite renewal fees..

For a logo to be registered as a trademark, it should be capable of graphical representation. It should also be capable of distinguishing the goods and services of one manufacturer from those of others. The non use of trademark for five years is a ground for cancellation of registration of trademark.

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