# Protect Your Mark with Trademark Registration in india by Mukesh Kumar

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When we talk of trademark of a particular organization, company, brand the name, phrases, words, symbol, a picture or device which is associated with the goods or the products manufactured by them strikes the mind. A service mark has nearly the same relevance as a trademark and often these term are used interchangeably, a key fact that it distinguishes them is that service mark is for safeguarding the services provided by one entity from the other.

A trademark acquired is a kind of right granted to the company and it can use it to forbid others from using similar mark. The trademark is now its fixed intangible asset. Although, it does not stop others to stand in competition by producing or delivering similar goods or services. The Patent Office or the Trademark office registers and grants the trademarks to these bodies who have filed an application to get a trademark registered, after following a particular legal procedure.

There are a few considerations to be kept in mind before filing a request for trademark like :

1) What mark or symbol to opt for to be registered

2) How does it relate to the commodity or the service you want to get trademarked

3) Whether you want to file the application for an existing mark or would be using it legitimately in future

However, many a times people because of lack of awareness or ignorance are not able to make the right decision whether they should file for a patent, a copyright or a trademark. It is important to clearly understand the difference between them and proceed in the right direction.

Patents are meant to protect your inventions in a certain sphere or process or your unprecedented contribution in some research.

Patents refer to intellectual property. The purpose is to protect new inventions, processes, and some designs. Trademarks and registration come into picture when you want to protect those signifiers or logos of the products or services,that have been patented. At the website patenttrademarkregistration dot com, free trademark search for the registered patents can be done. If an attempt is made to use the trademark symbol, this is known as infringement and is subject to a strict legal action and/or penalty.

Copyrights are applicable to protect creative work like a painting, writing, lyrics, music composition, covers, books, manuscripts, performance arts etc. The owner can replicate and distribute or showcase of his copyrighted work. There are a few intangible assets that can be copyright or trademarked. Some intangible discoveries such as a software, anti virus, firewall or a mobile app can be patented or copyright depending on certain criteria like the way it has came into being. Creations such as software can be protected by patents and copyrights. For a copyright royalty and licensing payment is enforced by law. The process to register a trademark does not follow the suite.

A trademark attorney is a person who practices the trademark law and is an officially registered member of the Bar Council/Association of the country. The applicant can choose to hire their services for filing the trademark application and can get help in ensuring compliance with all the pre requisites of the trademark registration process and answer all the legal questions and issues concerning trademark raised by the USPTO. To avoid getting into complexities and intricacies, the

trademark attorney can handle the process and be answerable on your behalf.

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