



“Protecting your brand”

Trade Mark Registration

Trade Mark

- **Trade Mark (TM)** – (Brand) a sign that is graphically represented and identifies and distinguishes the goods and services of one business from those of another.

TM in a global context

- Choose names that are appealing
- Create unique names
- Avoid generic, misleading names
- Avoid descriptive, obscene names
- Research names – internet search, TM registry search

Trade Mark Registration

- Register in Jamaica first
- Seek legal advice

Benefits of Registration

- **Trade Mark Registration (Protection)**

- Ownership
- License
- Transfer of ownership
- Legal action, i.e. Enforcement
- Consumer confidence
- Assist in overseas registration
- Needed for Madrid Protocol
- Relative grounds of refusal

TM registration in Jamaica

- Protection is **only** in Jamaica
- Seek registration in other countries through:
 1. **Individual country Registration**
 2. **Regional Registration**
 3. **International Registration**
 - **Madrid Protocol**
 - **(Jamaica is not yet a signatory)**

International Registration

- **Individual Countries**
 - Normally through a local agent
 - Apply directly (online where available)
 - Foreign fees
 - Mark must meet requirements



International Registration

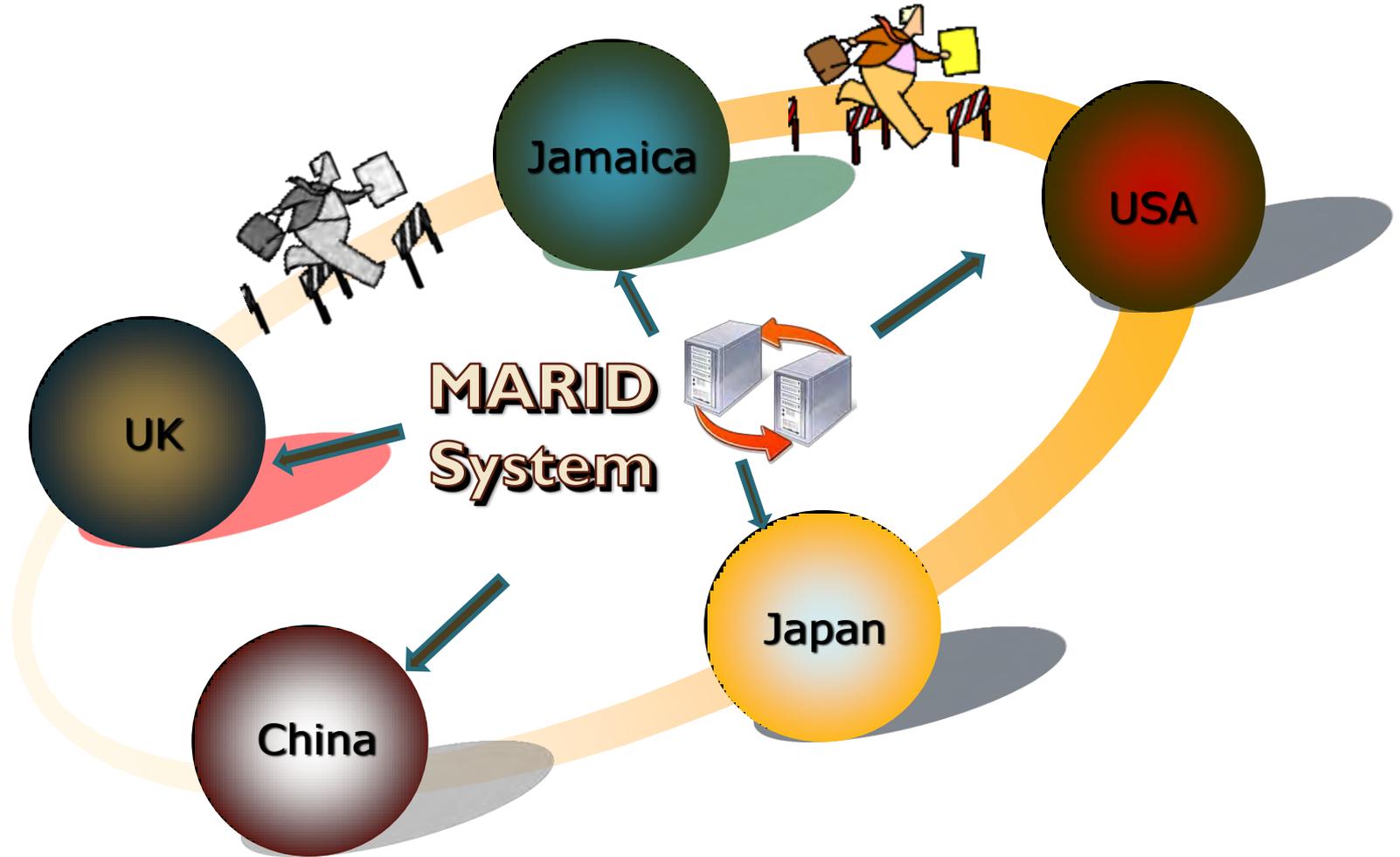
• Regional Registration Systems

- A. CTM (Europe) 27 States
- B. ARIPO (African Reg. Ind. Property Org.) 18 States
- C. OAPI (African Intellectual Property Org.) 17 States

- Apply directly Regional office
- Need representative
- Applicable fees
- Must meet requirements for registration



How does the system work?



Madrid Protocol

- **International registration of Trade Marks**
 - Avoid individual filing
 - Designate the countries for registration
 - **Individual country fees & examination**
 - Avoid agents in each country*
 - Easier to manage (Changes, renewals, etc.)
 - **Dependent on basic application or registration**
- 94 Member States***
- **International Application** submitted to WIPO through Member State IP Office*

Thank You

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