



Frequently Asked Questions

<https://bkacs.com/>

Q61. In which class pharmaceutical, medical and veterinary items covered?

Trademark Class 5 covers:

- Pharmaceuticals, medical and veterinary preparations;
- Sanitary preparations for medical purposes;
- Dietetic food and substances adapted for medical or veterinary use, food for babies;
- Dietary supplements for human beings and animals; Plasters, materials for dressings;
- Material for stopping teeth, dental wax;
- Disinfectants;
- Preparations for destroying vermin;
- Fungicides, herbicides.

Q62. Can I register my clothing brand?

Yes you can register your clothing brand. Trademark Class 25 covered Clothing, Footwear Headwear and other accessories.

Q63. How to download trademark registration certificate online?

Trademark registration certificate can be downloaded from the Official Trademark Registry Website. It can be downloaded by the applicant or the general public.

Steps to download the trademark registration certificate:

- Step 1: Go to the official trademark registry site;
- <https://ipindiaservices.gov.in/eregister/eregister.aspx>
- Step 2 Click on the Trademark Application /Registered Mark option;
- Step 3 Select the National/ IRDI Number;
- Step 4 Enter the Trademark Application number and captcha code and click on the view button;
- Step 5 Click on the Trademark number;
- Step 6 Click on the View Registration Certificate option;
- Step 7 The trademark Certificate will be displayed in a new tab. Click on the download icon, it will be saved in pdf form.

Q64. What happen when a trademark owner failed to renew the registration ?

Trademark is valid for 10 years only. An application for TM renewal must be filed six months prior to expiry of the 10 years period. If the trademark owner fails to renew the trademark registration within the stipulated time , the trademark becomes abandoned. Once the trademark is abandoned, it becomes available for other to use and filed the application for the same mark.

Q65. What is the meaning of trademark application status “Abandoned”?

When the applicant failed to respond within stipulated time period prescribed in the act, the status of the application shows as “Abandoned”.

Trademark registry abandoned the application on the following grounds:

1. If trademark registry come across to any defect in the application, an examination report is sent to the applicant with objection under section 9 or section 11. If the applicant failed to respond or failed to attend the hearing called by the registry, then in such scenario your application status be shown as Abandoned;
2. A trademark registration is valid only for 10 years. After the expiry of this it needs to be renewed. If owner of the trademark fails to renew the trademark within 1 year after the expiry date, it is likely to be abandoned by the trademark Registry and afterwards any person can claim for such mark;
3. If a trademark application is opposed then in such a case counter statement against such opposition must be filed in form TM O within 2 months, delay in filing of documents can lead to the status of Abandoned.

Q66. How do I find out who opposed my trademark Application?

Whenever a Trademark Application is opposed, applicant received a notice from the Trademark registry. You can also check it from E-Register –

Following are the steps to know who had opposed your Trademark Application:

Step 1: Go to the official trademark registry site;

<https://ipindiaservices.gov.in/eregister/eregister.aspx>

Step 2 Click on the Trademark Application /Registered Mark option;

Step 3 Select the National/ IRDI Number;

Step 4 Enter the Trademark Application number and captcha code and click on the view button;

Step 5 Click on the Trademark number;

Step 6 In case your Trademark application is opposed, Status will appear as “OPPOSED” on the top left side of the master page.

Step 7 On the master page, when you go down to the page it will show the details of Opponent name and address, details information can also be downloaded from there.

Q67. Can Opponent check the supporting document filed with reference to the opposition by the applicant?

Yes, all the supporting documents filed with reference to the application/ opposition/ or Counter Statement are available in the official trademark registry site . You just need to enter the Application number and thereafter you can check the notices and evidences submitted by the parties.

<https://ipindiaservices.gov.in/eregister/eregister.aspx>

Q68.What is the permissible size of the logo while filing the application for trademark in Form TM A ?

While filing the application for registration of trademark in FORM TM A, if applicant wants to go with the device then the permissible size for the logo is 8cm x 8cm.

Q69. What is covered under Class 7 ?

Machines, machine tools, power-operated tools; Motors and engines, except for land vehicles; Machine coupling and transmission components, except for land vehicles; Agricultural implements, other than hand-operated hand tools; Incubators for eggs; Automatic vending machines.

Q70. Which type of material covered under Class 19?

This Class includes, in particular:

- semi-worked woods for use in building, for example, beams, planks, panels;
- wood veneers;
- building glass, for example, glass tiles, insulating glass for building, safety glass;
- glass granules for marking out roads;
- granite, marble, gravel;
- terra-cotta for use as a building material;
- roofing, not of metal, incorporating photovoltaic cells;
- gravestones and tombs, not of metal;
- statues, busts and works of art of stone, concrete or marble;
- letter boxes of masonry;
- geotextiles;
- coatings being building materials;
- scaffolding, not of metal;
- transportable buildings or structures, not of metal, for example, aquaria, aviaries, flagpoles, porches, swimming pools.

Thank You!

We will guide you to get all the documents and Trademark Registration in India online seamlessly. Please click on the following link to connect with our consultants.

<https://bkacs.com/>

<https://bkacs.com/>