

TO BE PUBLISHED IN THE NEXT GAZETTE OF PAKISTAN
EXTRA ORDINARY PART-II

GOVERNMENT OF PAKISTAN
(MINISTRY OF COMMERCE & TEXTILE)
COMMERCE DIVISION

NOTIFICATION


Islamabad, the 4th March, 2019

S.R.O. _____ (I)/2019,--- In exercise of the powers conferred by sub-section (1) of section 132 of the Trade Marks Ordinance, 2001 (XIX of 2001), the Federal Government is pleased to direct that the following amendments in the Trade Marks Rules, 2004 shall be made w.e.f. 09-03-2019, which were as required by the said sub-section, previously published vide its Notification No. S.R.O. 36 (KE)/2018, dated the 29th March, 2018, namely:-

In the aforesaid Rules, for the First Schedule the following shall be substituted, namely:--

“First Schedule
[See rule 4]

Sr.	Form	Description.	Fee Rs.
(1)	(2)	(3)	(4)
1	TM-1	On application not otherwise charged to register a trade mark for a specification of goods or services included in one class (section 22).	3000
2	TM-2	On application to register a trade mark for a specification, of goods or services included in one class from convention country under section 25.	3000
3	TM-3	On application under section 82, read with the first schedule to the ordinance, to register a collective mark for a specification of goods or services included in one class.	3000
4	TM-4	On application under section 83 read with the second schedule to the ordinance, to register a certification trade mark for a specification of goods or services included in one class.	3000
5	TM-5	On notice of opposition under section 28(2), for each application opposed.	9000
6	TM-6	On a counter-statement in answer to a notice of opposition under section 28(4) for each application opposed or in answer to all application under any of section 73, 80 and 96 in respect of each trade mark; or in answer to a notice of opposition under section 37 or 97, for each application or conversion opposed.	1500
7	TM-7	On notice of intention to attend hearing under any of sections 28, 37, 73, 80, 96 and 97 by each party to the proceeding concerned.	600


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8	TM-8	On notice of opposition to application for registration of collective mark or certification trade mark under the first schedule (section 82) and the second schedule (section 83).	9000
9	TM-9	On a counter-statement in answer to as notice of opposition under the first schedule (section 82) and the second schedule (section 83 for registration of collective mark or certification trade mark. Registration of a collective/certification trade mark.	1500
10	TM-10	Notice of intention to attend hearing of an opposition to an application for registration of a collective mark or a certification trade mark (rule 40 & 43).	600
11	TM-11	For one registration of a trade mark not otherwise charged, in respect of an application for a specification of good or services including series of trade marks, collective mark, certification mark and textile mark, including in one class.	9000
12	TM-11	For each addition to the registered entry of a trade mark of a note that the mark is associated with a newly registered mark.	300
13	TM-12	For renewal under section 35 of the registration of a trade mark at the expiration of the last registration, not otherwise charge including renewal of series of trade marks, collective mark, certification marks and textile mark.	15000
14	TM-12	Additional fee under rule 52(1) for late payment of renewal.	900
15	TM-13	On request for restoration under section 35(6) of a trade mark removed from the register.	3000
16	TM-14	On application under section 32(4) to divide pending trade mark application.	900
17	TM-15	On a request under section 27(6) to state grounds of decision.	1500
18	TM-16	On request not otherwise charged, for correction of clerical error or for permission to amend application. Section 27(7).	600
19	TM-17	On application for certificate of the Registrar under section 69(3). (a) For each mark proposed to be assigned. (b) For every additional mark.	900 300
20	TM-19	On the application for approval of the Registrar section 69(3). (a) For first mark. (b) For every additional mark.	900 300
21	TM-20	On the application under section 69(2) for directions of the Registrar for advertisement of assignment of trade marks in use, without goodwill. (a) For the first mark assigned. (b) For every additional mark.	600 300


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22	TM-21	On the application for extension of time for applying for directions under section 69(2) for advertisement of assignment of trade mark in use without goodwill, in respect of one devolution of title. (a) Not exceeding one month. (b) Not exceeding two months. (c) Not exceeding three months.	600 1200 1800
23	TM-22	On application under paragraph 12 of the second schedule to the ordinance for consent of the Registrar to the assignment or transmission of a certification trade mark.	600
24	TM-23	On the application under section 70(2)(a) to register a subsequent proprietor in a case of assignment or transmission of a single trade mark. (a) If made within six month from the date of acquisition of proprietorship. (b) If made after expiration of six month from the date of acquisition of proprietorship.	6000 7500
25	TM-24	On the application under section 70(2)(a) to register a subsequent proprietor of more than one trade mark registered in the same name, the devolution of title being the same in each case. If made within six month from the date of acquisition of proprietorship. (a) For the first mark. (b) For additional mark. If made after expiration of six month from the date of acquisition of proprietorship. (a) For the first mark. (b) For additional mark.	6000 1500 7500 1500
26	TM-25	On application under section 72(4) for extension of time for registering a company as subsequent proprietor of trade mark on one assignment. (a) Not exceeding two months. (b) Not exceeding four months. (c) Not exceeding six month.	600 1200 1800
27	TM-26	On application under any of section 73, 80 and 96 for recertification of the register of trade mark from the register.	2250
28	TM-27	On application under rule 69 for leave to intervene in proceeding Under any of sections, 73, 80 and 96 for rectification of the register or removal of trade mark from the register.	1500
29	TM-28	Application for registration of registered licensee. (a) For first mark. (b) For every additional mark.	3000 750
30	TM -29	On application under section 70(4) (a) and rule 64 to vary the entry of a registered licensee. (a) For first mark. (b) For every additional mark.	1500 750

31	TM-30	On application under section 70(4) (b) and rule 65(1) for cancellation of the entry of a registered licensee. (a) For the first mark. (b) For every additional mark of the same proprietor for which the same registered licensee is registered, included in the application.	1500 300
32	TM-31	On application under section 70(4) and rule 65(1) to cancel the entry of a registered licensee. (a) For the first mark. (b) For every additional mark of the same proprietor for which the same registered licensee is registered, included in the application.	1500 300
33	TM-32	On notice under rule 66 of intention to intervene in one proceeding for the variation or cancellation of entries of a registered licensee of trade marks.	300
34	TM-33	On application under section 96(4) to change the name or description of a proprietor or registered user where there has been no change in the proprietorship or in the identity of the registered licensee. (a) For the first mark. (b) For every additional mark.	750 1500 300
35	TM-34	On application under section 96(4) to alter one or more entries of the trade or business address of a registered proprietor or a registered licensee of a trade mark where the address in each case is the same and is altered in the same way. (a) For the first entry. (b) For every additional entry.	600 150
36	TM-35	Application by registered proprietor of trade mark for the cancellation of entry thereof in the register. (Section 38)	600
37	TM-36	Application by registered proprietor of trade mark to strike out goods from those for which the trade mark is registered. (Section 38)	600
38	TM-37	Request by registered proprietor of a trade mark that a disclaimer or memorandum relating thereto may be registered. [rule 34(f) and 34(9)]	600
39	TM-38	On application under section 37 for leave to add to or alter a registered trade mark. (a) For the first registration. (b) For each additional registration.	3000 300
40	TM-39	On notice of opposition under section 37(2) to an application for leave to add to or alter registered trade mark for each application opposed.	1500
41	TM-40	On application under section 97(2) for conversion of specification.	450


42	TM-41	On notice of opposition under section 97(5) to a conversion of the specification or specifications of registered trade mark or registered trade mark- (a) For the first mark. (b) For every additional mark.	1500 450
43	TM-42	On application under paragraph 10 of the First Schedule and paragraph 11 of the Second Schedule to the Ordinance, and rules 40 and 46 alteration of the deposited regulations of a collective mark or a certification trade mark. (a) For the regulations of one registration. (b) For the same or substantially same regulations of each additional registration proposed to be altered in the same way and included in the same application.	900 150
44	TM-43	On application under paragraph 14 of the First Schedule and paragraph 16 of the second schedule to the Ordinance, to expunge or vary the registration of a collective or a certification trade mark or certification trade mark of the same registered proprietor where the regulations are substantially the same.	1800
45	TM-44	Claim to have the registerability of the mark applied for before commencement of the Ordinance, determined in accordance with the provisions of the Ordinance (conversions of application) paragraph 11 of the Fourth Schedule to the Ordinance.	600
46	TM-45	Request (for information about applications and registered marks. (Section 109)	1500
47	TM-46	On request for certificate of the Registrar under any of section 11 and 12(2) other than certificate under section 33(1).	1500
48	TM-47	On request to enter in the Register and advertise a certificate of validity, under rule 112 and rule 86. (a) For the first registration certified. (b) For every additional registration.	900 150
49	TM-50	On application by registered proprietor or a registered licensee of a trade mark or a person about to be so registered, to enter, alter or substitute an address for service as part of his registration. (Section 126, rules 9 and 70). (a) For the first entry. (b) For every additional entry.	300 150
50	TM-51	On application under section 82 and the First Schedule to the ordinance to register a collective mark for a specification of goods or services in any one class from a convention country under section 25.	3000
51	TM-52	On application under section 83 and the Second Schedule to the ordinance to register a certification trade mark for a specification of goods or services in any one class from a convention country under section 25.	3000

52	TM-53	On application to register a textile mark, other than a collective mark or a certification trade mark, consisting of numerals or letters or any combination thereof in one class for specification of goods or services included in one item of the Fifth Schedule of the ordinance and under rule 91.	3000
53	TM-54	On application to register a textile mark (other than collective or a certification mark), consisting exclusively numeral or letters or any combination thereof in one item on the Fifth Schedule to the ordinance under rule 12 from convention country under section 25.	3000
54	TM-55	On request for search under rule 87 In respect of each class.	1000
55	TM-56	On application for extension of time under any of the rule 80.	1500
56	TM-57	On application for restoration of a trade mark abandoned for non-compliance of the requirement of the registry. See section 33(5) and 26(3).	1500
57	---	On petitions (not otherwise charged) for review of Registrar's order or for obtaining Registrar's order on any interlocutory matter in a contested proceeding.	1500
58	---	For inspecting Register or copies thereof of notice of opposition, counter statement or decision in connection with any application rectification of the Register relating to any particular trade mark, or such other document as may be specified by the Federal Government by notification from time to time in the Journal, for every quarter of an hour or part thereof.	300
59	---	For permission to search amongst the classified representations of trade marks, for each quarter of an hour.	300
60	---	For office copy of documents.	60/- for every hundred words subject to minimum Rs. 300/-
61	---	For photographic copy of documents.	Cost according to agreement
62	TMA-1	On application for registration as a trade mark agent under rule 119.	3000
63	From 0-4	For registration of a person as a trade mark agent under rule 121.	6000


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64	---	<p>For continuance of the name of a person in the Register under rule 122:</p> <p>(a) For the whole life of registered agent, by a single consolidated payment; or. 45000</p> <p>(b) From year to year, -</p> <p>(i) for every year (excluding the first year) to be paid on the 1st of July in each year; or 1500</p> <p>(ii) for the first year, to be paid along with the fee for registration,--- 900</p> <p>in the case of a person registered at any time between the 1st January and 30th June following. 600</p> <p>N.B. – A year for the purpose of this clause will commence on the 1st day of July and end on the 30th day of June following.</p>	
65	TMA-2	On application for restoration of the name of a person to the register of trade mark agents under rule 124.	1500
66	TMA-3	On application for an alteration of any entry in the register of trade mark agent under rule 125.	600

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