

FAQs on Trademark Registration in India

1. What is the sense of a trademark?

Ordinarily, a trademark is a logo or a label that you can employ to modify your goods from those of your opponents in the market. The word trademark is the statutory term for the IP (intellectual property). You can also tell that a trademark is a name, logo, word, symbol, image, design or compound of these elements. A trademark acknowledges the brand owner of a particular good or service.

2. What is trademark registration?

There is a comprehensive registration process in India approved under the Trademarks act, 1999. With the guidance of trademark registration or logo registration or brand registration, one can safeguard the brand or logo by restricting other personalities from practising the name.

3. Is the registration of trademark compulsory in India?

No, registration of a Trademark is not compulsory in India but it is Prudent to do so.

4. How can one obtain trademark registration done in India? What is the method for trademark registration?

Stepwise model by which an entity or person can register a trademark.

- Keep or proceed up with a name/logo/mark for the particular product or company's name;
- Decide on which name/mark/logo/device you expect to register as a trademark.
- Trademark search – the first action in this course can be practised via
- Trademark search to make certain whether there are any twin trademarks previously registered or not. It would help you to succeed on any grounds of dismissal or rejection of a trademark application. A trademark search can be done online as well.

5. Is it likely to have a descriptive trademark registered in India?

No, It is not possible to register such a trademark.

6. Is it obliged to file a statement of use of the trademark at the time of applying?

Yes, a statement of use including whether the mark has been in use or is proposed to be used is required to be filed at the time of filing a trademark in India.

7. What is the difference between the symbol® and symbol ™?

The symbol® can only be used alongside a registered trademark in superscript technique as is shown. Using this symbol ® without perceiving the related trademark registered is prohibited. On the other hand, the symbol ™ may be used alongside an unregistered trademark principally to show authorisation over the trademark before proper registration of the trademark. Therefore, the symbol ™ is usually used beside an unregistered trademark in superscript style, particularly through the time-span prevailing between the filing of the same and before its registration.

8. What is the fees for trademark registration?

The government fees for Trademark registrations are as under:

- Where applicant is Individual/Start-up/Small Enterprise the fees for E-Filing would be 4500 whereas for the physical filing fees would be 5000.
- In all other cases fees for E-Filing would be 9000 and for physical filing fees would be 10000

9. Is trademark registration an online process?

Yes the Trademark can be registered online through the e-filing gateway available at the official website. However it can also be filed physically at the front office counter of the respective office or can be sent by post.

10. What are the documents required for trademark registration?

The most important documents for trademark registration as follows:

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- Soft copy of the trademark.

In the case of an individual or a HUF

- Identity proof
- Address proof,
- Citizenship and;
- Business registration document (if available).

In the case of Company/LLP

- Shops Establishment License;
- Certificate of Incorporation and;
- Address proof of the company.

In case of Partnership firm

- The Partnership Deed.

11. What is the timeline for the trademark registration?

Trademark Registration is a long method and it catches throughout 18-24 months to receive registration in a sincere case, without any objections or defences. However, the trademark application number is usually assigned within one or 2 days after filing.

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