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

NOTIFICATION

Islamabad, the 44L 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:--

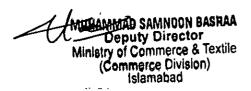
"First Schedule [See rule 4]

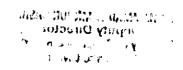
Sr.	Form	Description.	Fee Rs.
(1)	(2)	(3)	(4)
1	TM-I	On application not otherwise charged to register a trade mark for a specification of goods or services included in one class (section 22).	3000
2	TM-2	On application to register a trade mark for a specification, of goods or services included in one 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	9000
		of collective mark or certification trade mark under the	
1		first schedule (section 82) and the second schedule	
		(section 83).	
9	TM-9	On a counter-statement in answer to as notice of	1500
		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.	
10	TM-10	Notice of intention to attend hearing of an opposition	600
'		to an application for registration of a collective mark	•••
		or a certification trade mark (rule 40 & 43).	
11	TM-11	For one registration of a trade mark not otherwise	9000
' '	1 141-11	charged, in respect of an application for a specification	7000
		of good or services including series of trade marks,	
		collective mark, certification mark and textile mark,	
12	703 4 1 1	including in one class.	300
12	TM-11	For each addition to the registered entry of a trade	300
		mark of a note that the mark is associated with a newly	
		registered mark.	15000
13	TM-12	For renewal under section 35 of the registration of a	15000
		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.	
14	TM-12	Additional fee under rule 52(1) for late payment of	900
	<u> </u>	renewal.	
15	TM-13	On request for restoration under section 35(6) of a	3000
		trade mark removed from the register.	
16	TM-14	On application under section 32(4) to divide pending	900
		trade mark application.	
17	TM-15	On a request under section 27(6) to state grounds of	1500
		decision.	
18	TM-16	On request not otherwise charged, for correction of	600
		clerical error or for permission to amend application.	
		Section 27(7).	
19	TM-17	On application for certificate of the Registrar under	
		section 69(3).	
		(a) For each mark proposed to be assigned.	900
		(b) For every additional mark.	300
20	TM-19	On the application for approval of the Registrar section	
		69(3).	
		(a) For first mark.	900
		(b) For every additional mark.	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.	600
		(b) For every additional mark.	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.	600
		(b) Not exceeding two months.	1200
		(c) Not exceeding three months.	1800
23	TM-22	On application under paragraph 12 of the second	600
		schedule to the ordinance for consent of the Registrar	
		to the assignment or transmission of a certification	
		trade mark.	
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	6000
		acquisition of proprietorship.	
		(b) If made after expiration of six month from the	7500
		date of acquisition of proprietorship.	
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.	6000
		(b) For additional mark.	1500
		If made after expiration of six month from the date of	
		acquisition of proprietorship.	
		(a) For the first mark.	7500
		(b) For additional mark.	1500
26	TM-25	On application under section 72(4) for extension of	
20	1111 23	time for registering a company as subsequent	
		proprietor of trade mark on one assignment.	
		(a) Not exceeding two months.	600
		(b) Not exceeding four months.	1200
		(c) Not exceeding six month.	1800
27	TM-26	On application under any of section 73, 80 and 96 for	2250
2 /	1141-20	recertification of the register of trade mark from the	2230
		register.	
28	TM-27	On application under rule 69 for leave to intervene in	1500
20	1 101-27	proceeding Under any of sections, 73, 80 and 96 for	1300
		rectification of the register or removal of trade mark	
		I =	
29	TM-28	from the register. Application for registration of registered licensee.	
27	1 171-20	(a) For first mark.	3000
			750
20	TN4 20	(b) For every additional mark.	
30	TM -29	On application under section 70(4) (a) and rule 64 to	
		vary the entry of a registered licensee.	1500
		(a) For first mark.	
		(b) For every additional mark.	750

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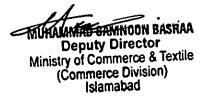
31	TM-30	On application under section 70(4) (b) and rule 65(1)	
31	1 101-30	for cancellation of the entry of a registered licensee.	
		1	1500
		(a) For the first mark.	1500
		(b) For every additional mark of the same	300
		proprietor for which the same registered	
		licensee is registered, included in the	
		application.	· · · · · · · · · · · · · · · · · · ·
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.	1500
		(b) For every additional mark of the same	300
		proprietor for which the same registered	
		licensee is registered, included in the	
	•	application.	
33	TM-32	On notice under rule 66 of intention to intervene in one	300
		proceeding for the variation or cancellation of entries	
		of a registered licensee of trade marks.	
34	TM-33	On application under section 96(4) to change the name	750
		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.	1500
		(b) For every additional mark.	300
35	TM-34	On application under section 96(4) to alter one or more	
55	1101-3-4	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.	600
		(b) For every additional entry.	150
36	TM-35	Application by registered proprietor of trade mark for	600
30	1 101-33	the cancellation of entry thereof in the register.	000
27	TM-36	(Section 38)	600
37	1 171-30	Application by registered proprietor of trade mark to	000
		strike out goods from those for which the trade mark is	
20	TD 4 2.7	registered. (Section 38)	600
38	TM-37	Request by registered proprietor of a trade mark that a	600
		disclaimer or memorandum relating thereto may be	
		registered.[rule 34(f) and 34(9)]	
39	TM-38	On application under section 37 for leave to add to or	
		alter a registered trade mark.	
		(a) For the first registration.	3000
		(b) For each additional registration.	300
40	TM-39	On notice of opposition under section 37(2) to an	1500
		application for leave to add to or alter registered trade	
		mark for each application opposed.	
41	TM-40	On application under section 97(2) for conversion of	450
		specification.	



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42	TM-41	On notice of opposition under section 97(5) to a	
		conversion of the specification or specifications of	
Ì		registered trade mark or registered trade mark-	1500
		(a) For the first mark.	1500
<u> </u>		(b) For every additional mark.	450
43	TM-42	On application under paragraph 10 of the First	
1		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.	900
		(b) For the same or substantially same regulations	150
1		of each additional registration proposed to be	
		altered in the same Way and included in the	
		same application.	
44	TM-43	On application under paragraph 14 of the First	1800
		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	e. *
	,	trade mark of the same registered proprietor where the	
		regulations are substantially the same.	
45	TM-44	Claim to have the registerabilty of the mark applied for	600
		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.	
46	TM-45	Request (for information about applications and	1500
		registered marks. (Section 109)	
47	TM-46	On request for certificate of the Registrar under any of	1500
		section 11 and 12(2) other than certificate under	
		section 33(1).	
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.	900
		(b) For every additional registration.	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	
İ		service as part of his registration. (Section 126, rules 9	
		and 70).	
		(a) For the first entry.	300
		(b) For every additional entry.	150
50	TM-51	On application under section 82 and the First Schedule	3000
		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.	
51	TM-52	On application under section 83 and the Second	3000
-		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.	
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52	TM-53	On application to register a textile mark, other than a	3000
		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	
	. <u>-</u>	the ordinance and under rule 91.	,
53	TM-54	On application to register a textile mark (other than	3000
		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.	
54	TM-55	On request for search under rule 87 In respect of each	1000
		class.	
55	TM-56	On application for extension of time under any of the	1500
		rule 80.	
56	TM-57	On application for restoration of a trade mark	1500
		abandoned for non-compliance of the requirement of	
		the registry. See section 33(5) and 26(3).	
57		On petitions (not otherwise charged) for review of	1500
- '		Registrar's order or for obtaining Registrar's order on	
		any interlocutory matter in a contested proceeding.	
58		For inspecting Register or copies thereof of notice of	300
	}	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.	
59		For permission to search amongst the classified	300
,		representations of trade marks, for each quarter of an	
		hour.	
60		For office copy of documents.	60/- for every
00		To other dopy of documents.	hundred
		,	words subject
			to minimum
			Rs. 300/-
61		For photographic copy of documents.	Cost
٠.			according to
•			agreement
62	TMA-1	On application for registration as a trade mark agent	3000
J_	****** 1	under rule 119.	
63	From	For registration of a person as a trade mark agent	6000
45	0-4	under rule 121.	
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64		For continuance of the name of a person in the Register under rule 122. (a) For the whole life of registered agent, by a single consolidated payment; or.	45000
		 (b) From year to year, - (i) for every year (excluding the first year) to be paid on the 1st of July in each year; or 	1500
		(ii) for the first year, to be paid along with the fee for registration,	900
		in the case of a person registered at any time between the 1 st January and 30 th June following.	600
		N.B. – A year for the purpose of this clause will commence on the 1 st day of July and end on the 30 th day of June following.	
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".

(F. No. 10(7)/2017-AOs-I)

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