

Notice Regarding Submitting Notification of Trademark Use

Section 18C of the Patent, Design, and Trademark Act 2022 (1965 A.D.) (“PDTA”) and Section 11 of the Trademark Operation Manual 2072 (2015 A.D.) (“Trademark Manual”) provide that owners of registered trademarks must commence the use of the trademarks within one (1) year from the date of the registration thereof and notify to the Department of Industry (“DOI”), which acts the intellectual property office in Nepal, along with the proof of the use. Failing that, the DOI at its discretion may cancel the registration of such trademarks for non-use.

The DOI, on December 13, 2022, issued a notice (“Notice”) in line with the provisions of PDTA and Trademark Manual regarding submitting notification of use of registered

trademarks to the DOI. Through the Notice, the DOI has called the attention of all trademark owners to notify it about the use of their registered trademarks along with evidence within the prescribed timeline. The DOI has cautioned trademark owners through the Notice that it will initiate proceedings against those registered trademarks for which a notification of use is not submitted within the statutory timeline.

In light of the notice from the DOI, we would like to request our clients to comply with the statutory requirements of notifying and submitting evidence of use of registered trademarks within the statutory timeline in order to avoid vulnerability of them being cancelled by the DOI.

For further information about the subjects covered in this Alert, please contact:



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