

Notice Regarding Trademark Registration

On May 14, 2023, Department of Industry (“DOI”), which acts as the intellectual property office of Nepal, issued a notice (“Notice”) requesting applicants to compulsorily submit prescribed documents at the time of filing an application for trademark registration.

DOI has issued the Notice on account of large pending applications, resulting in the delay of the publication of the Industrial Property Bulletin for opposition purposes. As per this Notice, this situation has prevailed primarily due to many applicants’ failure to submit the prescribed documents after the applications have been filed in DOI.

Thus, in order to minimize the workload and speed up the registration process, DOI, through the Notice appeals that the documents as prescribed by the Patent Design and Trademark Act 2022 (1965 A.D.) and the Trademark Operational Manual 2072 (2015 A.D.) be compulsorily submitted along with the application for trademark registration.

The list of documents to be submitted at the time of filing an application for foreign trademark registration are as follows:

- Application for trademark registration;
- Original or notarized priority document/Home Registration Certificate (“HRC”);
- Original or notarized Power of Attorney; and
- Receipt for payment of registration fees.

In light of this notice, we would like to inform our clients that the submission of either a priority document or a HRC along with the application for trademark registration is mandatory at the time of filing an application.

By way of clarification, DOI has relayed to us that applicants may either submit a HRC or a Foreign Trademark Registration Certificate to meet the ‘HRC’ requirement.

DISCLAIMER: INFORMATION CONTAINED IN THIS DOCUMENT IS ONLY FOR GENERAL INFORMATION PURPOSE AND SHALL NOT BE CONSIDERED TO BE LEGAL OPINION.

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