



# SINGAPORE

## TRADEMARK HANDBOOK

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**Disclaimer:** This IP HANDBOOK is intended to provide general guidelines only and not advice with regard to specific cases. The information given is non-exhaustive. Please also note that the relevant law and its interpretation are subject to change.

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## Legislation

The Trade Marks Act (2005 Revised Ed) (Cap. 332), Trade Marks (International Registration) Rules, Trade Marks (Amendment) Rules 2013, Trade Marks (Border Enforcement Measures) Rules, Trade Marks (Application of Section 75 to Foreign States) Notification.

## Definition

A Trade Mark is a sign used by a person in the course of business or trade to distinguish his goods or services from those of other traders. It has to be capable of being represented graphically. It can include any letter, word, name, signature, numeral, device, brand, heading, label, ticket, shape, colour, aspect of packaging or a combination of these. It need not be visually perceptible.

## Criteria

To register your trade mark, it must:

- be capable of being represented graphically
- be capable of distinguishing your goods or services from others
- be distinctive
- not be descriptive of the goods or services, or customary in current language or established practices of the trade
- not be confusingly similar to an existing trade mark on the register

## Membership

√ - Paris Convention

√ - Madrid Protocol

Singapore is a member of the Paris Convention from 1995, whereby applications from convention countries will be subject to the same priority date in Singapore. The application for priority has to be made within six months of the first application in a convention country.

## Rule of Priority

"First to Use" is the rule followed by Singapore in determining priority of trademarks.

## Duration and Renewal

A trademark application once registered is valid for 10 years from the date of application. It may be renewed every 10 years thereafter with payment of a renewal fee.

## Procedures

### ▼ Application

Every applicant is required to submit an application with Intellectual Property Office of Singapore.

### ▼ Examination

A formalities examination will be conducted by the Registry of Trade Marks following a search for specifications and prior marks. After a favourable search report is given, the application will be examined to determine whether the mark is registrable in accordance to the law.

### ▼ Publication

The application will be published in the trademarks journal where interested parties may oppose the registration within two months of the publication.

### ▼ Opposition

Third parties can oppose to an application within two months from the date of publication.

### ▼ Registration

If the opposition to the registration is resolved in favour of the applicant, or if there are no opposition, the trademark will be registered and a registration certificate will be issued.

## Filing Requirements

The following information and/or documents are required to file an application for a trademark application in Singapore:-

- Application form (TM4).
- Power of Attorney (TM1).
- One clear print for a black-and-white mark; one (1) clear picture under JPEG format.
- A list of goods or services (which closely follow the Nice International Classification).
- The full name, address and nationality of the applicant, company, country/state of incorporation.
- For marks that contain non-English words, a certified transliteration and translation.

## Documents To Be Furnished For Filing Trade / Service Mark Application

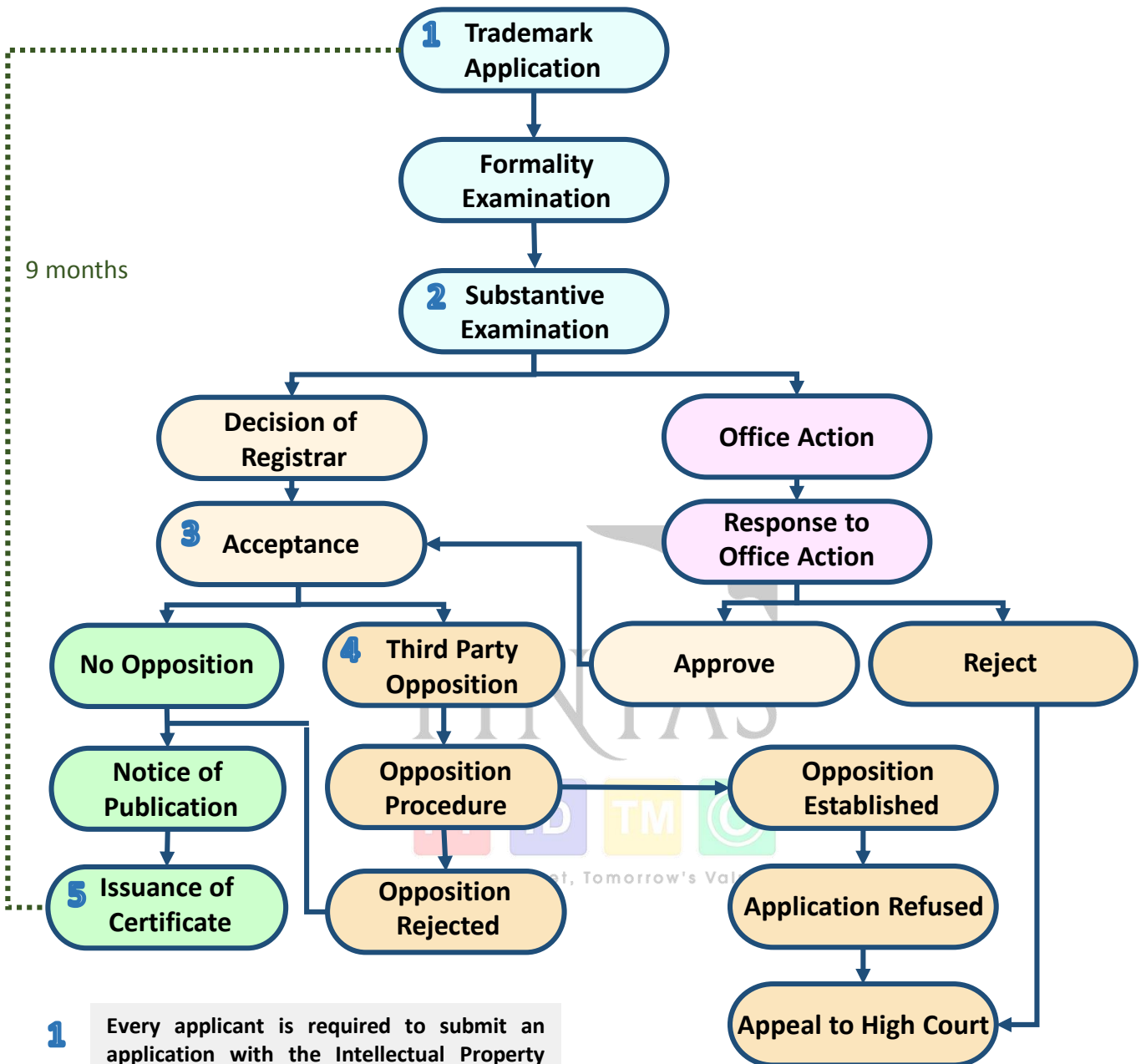
Basic Requirements		
Documents	Remarks	Time of Filing
Image/Representation of the mark	Mark in the form of foreign characters has to be accompanied with transliteration in English (optional), Certified by translator	2 months from filing

Additional Documents for Claiming a Convention Priority		
Documents	Remarks	Time of Filing
Priority documents	Certified copy of the basic application. Documents in any other language has to be provided with its English translation.	2 months from filing

Documents for Filing a Request of Recordals of Assignments & Changes		
Documents	Remarks	Time of Filing
Copy of:- <ul style="list-style-type: none"> <li>• Assignment deed</li> <li>• Document of name change</li> <li>• Document of address change</li> </ul>	<ul style="list-style-type: none"> <li>• Certified</li> <li>• Certified</li> </ul>	Anytime after registration

Documents for Filing an Opposition of Counter-Opposition (Deadline for Applying is during 2 Months Publication Period of the Trade Mark Application to be Opposed)		
Documents	Remarks	Time of Filing
Copy of registrations in various countries	no legalization	On filing date
Copy of advertisements / brochures of the products bearing the mark	no legalization; as many and as early as possible	On filing date

# Trademark Registration Process in Singapore



**1** Every applicant is required to submit an application with the Intellectual Property Office of Singapore.

**2** A formalities examination will be conducted by the Registry of Trade Marks following a search for specifications and prior marks. After a favorable search report is given, the application will be examined to determine whether the mark is registrable in accordance to the law.

**3** The application will be published in the trademarks journal where interested parties may oppose the registration within two months of the publication.

**4** Third parties can oppose to an application within two months from the date of publication.

**5** If the opposition to the registration is resolved in favor of the applicant, or if there are no opposition, the trademark will be registered and a registration certificate will be issued.

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