

STATUTORY INSTRUMENTS SUPPLEMENT

to The Uganda Gazette No. 67, Volume CXVI, dated 13th October, 2023

Printed by UPPC, Entebbe, by Order of the Government.

S T A T U T O R Y I N S T R U M E N T S

2023 No. 85.

THE TRADEMARKS REGULATIONS, 2023

ARRANGEMENT OF REGULATIONS

PART I—PRELIMINARY

Regulation

1. Title and commencement
2. Interpretation

**PART II—FEES, FORMS, DOCUMENTS, ADDRESS, AGENTS
AND CLASSIFICATION OF GOODS**

3. Fees
4. Forms
5. Size of documents
6. Signature of documents by partnerships, companies and associations
7. Service of documents
8. Address
9. Address for service
10. Trademark agents
11. Register of trademark agents
12. Classification of goods and services

PART III—UNREGISTRABLE TRADEMARKS

13. Unregistrable trademarks
14. Name or representation of a person on a trademark
15. Name or description of goods or services on a trademark
16. Preliminary advice by Registrar as to distinctiveness

Regulation

PART IV—APPLICATION FOR REGISTRATION OF A TRADEMARK

17. Application for registration of a trademark
18. Representation of mark
19. Specimens of trademarks in exceptional cases
20. Separate applications
21. Series of trademarks
22. Transliteration and translation of languages

*Procedure on receipt of application for registration
of trademark*

23. Search by Registrar
24. Decision of Registrar

Publication of application

25. Publication of application
26. Publication of series of trademarks
27. Publication on advertisement under sections 12 and 91 of the Act

Opposition to registration

28. Opposition
29. Notice of opposition
30. Counterstatement
31. Evidence in support of opposition
32. Evidence in support of application
33. Evidence in reply by opponent
34. Further evidence
35. Exhibits
36. Hearing
37. Extension of time
38. Security for costs
39. Costs in uncontested case

Non completion

40. Non completion of registration within twelve months

Defensive trademarks

41. Application for registration of defensive trademark

Regulation

Certification marks

42. Application for registration of certification mark

Entry in the register

43. Entry in register
44. Associated marks
45. Death of applicant before registration
46. Certificate of registration

Renewal

47. Renewal of registration
48. Notice before approval of trademark from register
49. Publication of nonpayment
50. Removal of trademark from register
51. Record of removal of mark
52. Notice and publication of renewal and restoration

PART V—ASSIGNMENTS AND TRANSMISSIONS

53. Joint application for entry of assignment or transmission
54. Application for entry of assignment or transmission by subsequent proprietor
55. Particulars to be stated in application
56. Case accompanying application
57. Proof of title
58. Application for entry of assignment without goodwill
59. Entry in register on assignment or transmission
60. Separate registrations
61. Certificate or approval as to certain assignments and transmissions
62. Registrar's directions for publication of assignment without goodwill of trademark in use

PART VI—PERMITTED USERS

63. Application for entry of permitted user
64. Entry and notification
65. Registered proprietor's application to vary entry
66. Application by registered proprietor or user to cancel entry

67. Application under section 50 (1) (c) of the Act to cancel entry
68. Notification and hearing
69. Registered user's application under section 90 (2) of the Act

PART VII—ALTERATIONS AND RECTIFICATION OF
ENTRIES IN REGISTER

70. Alteration of address in register
71. Application rectify or remove a trademark from register
72. Intervention by third parties
73. Application for correction of register under section 90(1) of the Act
74. Publication of certain applications
75. Certificates of validity to be noted
76. Alteration of registered mark
77. Rectification of certification of certification trademark entries by court
78. Alteration of certification trademark regulations

PART VIII—MISCELLANEOUS

79. Extension of time
80. Exercise of discretionary power by Registrar: hearing
81. Exercise of discretionary power by Registrar: dispensing with evidence
82. Amendment of documents and correction of procedural irregularities
83. Certificates by Registrar
84. Marks registered without limitation of colour
85. Certificates for use in obtaining registration abroad
86. Person before whom declaration is to be taken
87. Notice of seal or signature of officer taking declaration to prove itself
88. Searches
89. Appeals to the court
90. Applications to court
91. Order of court
92. Revocation of S.I. No. 58 of 2012
93. Cessation of publication of trademarks by Registrar General
94. Savings

SCHEDULES

First Schedule — Fees

Second Schedule—Forms

Third Schedule — Classification of Goods and Services

S T A T U T O R Y I N S T R U M E N T S

2023 No. 85.

The Trademarks Regulations, 2023.

(Under section 97 of the Trademarks Act, 2010 Act No. 17 of 2010)

IN EXERCISE of the powers conferred on the Minister responsible for Justice by section 97 of the Trademarks Act, 2010, these Regulations are made this 4th day October, 2023.

PART I—PRELIMINARY.

1. Title and commencement

(1) These Regulations may be cited as the Trademarks Regulations, 2023.

(2) These Regulations shall come into force on the 2nd day of February, 2024.

2. Interpretation

In these Regulations, unless the context otherwise requires—

“Act” means the Trademarks Act, 2010;

“Minister” means the Minister responsible for justice;

“office” means the office of the Registrar of Trademarks;

“permitted user” means use of trademark by any third party with permission of the proprietor of trademark;

“series of trademarks” means a number of trademarks which resemble each other as to the material particulars and differ only as to matters of non-distinctive character not substantially affecting the identity of the trademark;

“specification” means the designation of goods or services in respect of which a trademark or a registered user of a trademark is registered or proposed to be registered;

“trademark agent” means an Advocate of the High Court registered by the Registrar as required by Regulation 11;

“registered user” has the same meaning as “permitted user”.

PART II—FEES, FORMS, DOCUMENTS, ADDRESS,
TRADEMARK AGENTS AND CLASSIFICATION OF GOODS.

3. Fees

The fees to be paid in relation to trademarks shall be the fees specified in the First Schedule to these Regulations.

4. Forms

The forms contained in the Second Schedule to these Regulations shall be used in all cases to which they are applicable, but may be modified or amended to the extent necessary in the circumstances of a particular case.

5. Size of documents

Subject to any directions that may be given by the Registrar, any application, notice, counterstatement, paper having representations affixed, or any other document authorised or required by the Act or these Regulations to be made, left or sent to the Registrar or to the court shall be on foolscap paper of a size approximately thirteen inches by eight inches, and shall have on the left-hand part of the document a margin of not less than one and one-half inches.

6. Signature of documents by partnerships, companies and associations

(1) A document purporting to be signed for or on behalf of a partnership shall contain the names of all the partners in full and shall be signed by all the partners or by any qualified partner stating that he or she signs on behalf of the partnership, or by any other person who satisfies the Registrar that he or she is authorised to sign the document.

(2) A document purporting to be signed for or on behalf of a body corporate shall be signed by a director or by the secretary or other principal officer of the body corporate, or by any other person who satisfies the Registrar that he or she is authorised to sign the document.

(3) A document purporting to be signed for or on behalf of an association of persons may be signed by any person who is duly authorised for the purpose.

7. Service of documents

(1) An application, notice, statement, paper having representations affixed or other document authorised or required by the Act or these Regulations to be made, left or sent to the office or the court or any other person may be sent through the post by a prepaid or official paid letter.

(2) An application or document sent shall be taken to have been made, left or sent at the time when the letter containing it would be delivered in the ordinary course of post.

(3) In proving that an application or document was sent, it shall be sufficient to prove that the letter was properly addressed and put into the post.

8. Address

(1) Where a person is required by the Act or these Regulations to furnish the Registrar with an address, the address given shall in all cases be the full address of that person, for the purpose of enabling any other person to easily find the place of trade or business of the person whose address is given.

(2) The address shall include the telephone number, the email address, the name of the street and the plot number.

9. Address for service

(1) The Registrar shall require an applicant, opponent or trademark agent, or a registered proprietor or registered user of a trademark, who does not reside or carry on business within Uganda to give an address for service within Uganda, and that address shall be treated as the actual address of that person for all purposes connected with the matter in question.

(2) A registered proprietor or permitted user of a trademark, or any person who intends to be registered as such, shall give an address for service for entry in the register in Form TM 1, and that address shall be entered by the Registrar.

(3) The application in Form TM 1 under this regulation shall be signed by the applicant or the registered proprietor or permitted user, as the case may be, or by an agent expressly authorised by the applicant for the purpose of the application, unless in exceptional circumstances the Registrar otherwise allows.

(4) In any case in which no address for service is entered in the register, the Registrar shall treat the trade or business address of the registered proprietor or registered user entered in the register as the address for service for all purposes connected with the registration.

(5) A written communication addressed to an applicant or a registered proprietor or registered user at an address given by him or her, or treated by the Registrar, as his or her address for service shall be deemed to be properly addressed.

(6) Where, at any time, the Registrar doubts the continued availability of an address for service entered in the register, the Registrar shall request the person for whom it is entered, by letter addressed to his or her trade or business address in the register to confirm the address for service.

(7) If within three months after making the request under sub regulation (6) the Registrar receives no confirmation of the address, the Registrar shall strike the application off the register.

10. Trademarks agents

(1) Except as otherwise required by these Regulations—

(a) an application, request or notice which is required or permitted by the Act or these Regulations to be made or given to the Registrar or the court;

- (b) all other communications other than the communication refused to in (a) between an applicant or a person making the request or giving the notice and the Registrar, or the court; and
- (c) all communications between the registered proprietor or a registered user of a trademark and the Registrar or the court or any other persons, may be signed, made or given by or through a trademark agent.

(2) An applicant, a person making a request or giving a notice, a proprietor, or a registered user, may appoint a trademark agent to act for him or her in any proceeding or matter before or affecting the Registrar or the court under the Act and these Regulations by signing and sending to the Registrar or the court as the case may be an authority to that effect in Form TM 2 or in such other written form as the Registrar or the court may consider sufficient.

(3) In the case of the appointment of a trademark agent, service upon the trademark agent of any document relating to the proceeding or matter shall be taken to be service upon the person appointing the trademark agent and all communication directed to be made to that person in respect of the proceeding or matter may be addressed to his or her trademark agent, and all attendances upon the Registrar relating to the proceeding or matter may be made by or through the agent.

(4) In any particular case the Registrar may require the personal signature or presence of an applicant, opponent, proprietor, registered user or any other person.

11. Register of trademark agents

(1) The Registrar shall keep a register of trademark agents in Uganda.

(2) A person who seeks to be registered as a trademarks agent in Uganda shall make an application using Form TM 3 in the Second Schedule and shall pay the fees prescribed in the First Schedule.

(3) The Registrar shall, upon receipt of the application, enter on the register, the name of the applicant as a trademark agent.

(4) The registration of a trademark agent shall expire at the end of the calendar year in which the registration is effected.

(5) A trademark agent may renew his or her registration using the procedure in this regulation.

12. Classification of goods and services

(1) For the purposes of the registration of trademarks and the registration of trademarks users made under the Act, goods and services are classified in accordance with the Third Schedule to these Regulations.

(2) For the purposes of classifying goods and services in accordance with the Third Schedule, reference shall be made to the current edition of the International classification of goods and services for registration of marks under the Nice Agreement of 15th June, 1957 and to the current edition of the International Classification of Figurative Elements of Marks under the Vienna Agreement of 12th June, 1973.

(3) Where the current edition of the International classification of Goods and services or the current edition of the International classification of Figurative Elements of Marks is amended, the Minister shall, on advise of the Registrar, to the extent that the amendments necessitate an amendment to the Third Schedule, amend the Third Schedule.

(4) If any doubt arises as to the class in which any particular description of goods or services belongs, the matter shall be determined by the Registrar.

PART III—UNREGISTRABLE TRADEMARKS

13. Unregistrable trademarks

(1) Subject to any other law, the Registrar may refuse to accept any application upon which any of the following appear—

- (a) the words “patent”, “patented”, “by letters patent”, “registered”, “registered trade mark”, “registered design”,

“copyright”, “certified”, “guaranteed”, “to counterfeit this is a forgery” or words to like effect;

- (b) the words “Red Cross” or “Geneva Cross” and representations of the Geneva and other crosses in red, or of the Swiss federal cross in white on a red ground or silver on a red ground, or such representations in a similar colour or colours;
- (c) representations of the armorial ensigns of Uganda or any device so nearly resembling them as to be likely to lead to mistake, or of the national flag, or any words, letters, or devices likely to lead persons to think that the applicant has government patronage or authorisation; and
- (d) the name of a country and a representation of armorial bearings, insignia, a decoration or a flag of any state, administration, city, town, place, society, body corporate, institution or person.

(2) Where there appears in an application a representation of a cross in any colour, not being one of those mentioned in sub regulation (1)(b), the Registrar may require the applicant as a condition of acceptance to undertake not to use the cross device on red, or in white on a red ground or silver on a red ground, or in any similar colour or colours.

(3) Where the name of a country a representation of arms, insignia, a decoration or a flag appears on a mark, the Registrar may call for such justification, including such consent as he or she may consider necessary as the circumstances of the case may require.

14. Name or representation of a person on a trademark

Where the name or representation of a person appears as a trademark, the Registrar shall, if he or she requires, before proceeding to register the mark, be furnished with consent from that person or, in the case of a person recently dead, from his or her legal representatives, and in default of that consent the Registrar may refuse to register that mark.

15. Name or description of goods or services on a trademark

(1) Where the name or description of any goods or services appears on a trademark, the Registrar may refuse to register the mark in respect of any goods or services other than the goods or services so named or described.

(2) Where the name or description of any goods or services appears on a trademark, which name or description in use varies, the Registrar may permit the registration of the mark for those and other goods or services and in that case the applicant shall state in his or her application that the name or description will be varied when the mark is used upon goods or services covered by the specification other than the named or described goods or services.

16. Preliminary advice by Registrar as to distinctiveness

(1) A person who proposes to apply to register a trademark in Part A or Part B of the register in respect of any goods or services, may apply to the Registrar in Form TM 4.

(2) Where a person makes an application for advice as to whether the trademark appears to the Registrar *prima facie*, to be inherently adapted to distinguish within the meaning of section 9 of the Act, or inherently capable of distinguishing within the meaning of section 10 of the Act, as the case may be, in relation to those goods or services, the application shall be in Form TM 4; and shall be accompanied by duplicate representations.

(3) A person shall make a separate application in relation to goods or services comprised within different classes of goods specified in the Third Schedule to these Regulations.

PART IV—APPLICATION FOR REGISTRATION OF A TRADEMARK

17. Application for registration of a trademark

(1) An application to the Registrar for the registration of a trademark shall be signed by the applicant or by his or her agent.

(2) The application for registration of a trademark shall be made in Form TM 5.

(3) In the case of an application for registration in respect of all the goods or services included in a class, or of a large variety of goods or services, the Registrar may reject the application unless he or she is satisfied that the specification is justified by the use of the mark which the applicant has made, or intends to make if it is registered.

18. Representation of mark

(1) Every application for the registration of a trademark shall contain a representation of the mark suitable for reproduction, which shall be affixed in the space provided on the application form for that purpose.

(2) The applicant shall submit with every application for registration of a trademark an additional representation of the mark in Form TM 6 which shall correspond in the exact manner to that affixed to the application form and noted with all such particulars as may from time to time be required by the Registrar and the particulars shall, if required, be signed by the applicant or his or her agent.

(3) The Registrar, if dissatisfied with any representation of a mark may, at any time, require another representation satisfactory to him or her to be submitted before proceeding with the application.

19. Specimens of trademarks in exceptional cases

(1) Where a drawing or other representation or specimen cannot be given in the manner prescribed in regulation 18, a specimen or copy of the trademark may be sent either of full size or on a reduced scale, and in such form as the Registrar may think most convenient.

(2) The Registrar may, in exceptional cases, deposit in the office a specimen or copy of any trademark which cannot conveniently be shown by a representation, and may refer to the specimen or copy in the register in such manner as he or she may think fit.

20. Separate applications

An application for the registration of the same mark in different classes shall be treated as a separate and distinct application, and in all cases where a trademark is registered under the same official number for goods or services in more than one class, the registration in respect of the goods or services included in each separate class shall be taken to be a separate registration, for purposes of the Act.

21. Series of trademarks

Where an application is made for the registration of a series of trademarks under section 30(1) of the Act, a representation of each trademark of the series shall be included in the application form in the manner prescribed in regulation 18, in duplicate, if any, and in each of the accompanying Form TM 6.

22. Transliteration and translation of languages

(1) Where a trademark or application contains a word or words in characters other than Roman numerals, there shall, unless the Registrar otherwise directs, be endorsed on the application form, and on each of the accompanying Form TM 6, a sufficient transliteration and translation to the satisfaction of the Registrar of each of the words, and every such endorsement shall state the language to which the word belongs and shall be signed by the applicant or his or her agent.

(2) Where a trademark contains a word or words in a language other than English, the Registrar may ask for an exact translation of the word or words together with the name of the language, and the translation and name, if the Registrar so requires, shall be endorsed and signed as specified in sub regulation (1).

*Procedure on receipt of application for registration
of a trademark*

23. Search by Registrar

(1) Upon receipt of an application for the registration of a trademark in respect of any goods or services, the Registrar shall cause a search to be made, among the registered marks and pending

applications, for the purpose of ascertaining whether there are on record in respect of the same goods or services or description of goods or services, any marks identical to the mark applied for, or so nearly resemble it as to render the mark applied for likely to deceive or cause confusion.

(2) The Registrar may cause the search under sub regulation (1) to be renewed at any time before the acceptance of the application.

(3) After a search and upon consideration of the application and any evidence of use or distinctiveness or of any other matter which the applicant may be required to furnish, the Registrar may—

- (a) accept the application absolutely;
- (b) object to the application;
- (c) accept the application subject to such conditions, amendments, disclaimer, modifications or limitations as he or she may think right to impose.

(4) If the Registrar objects to the application, the Registrar shall inform the applicant of the objections in writing, and unless within one month the applicant applies for a hearing or makes a considered reply in writing to those objections, the applicant shall be deemed to have withdrawn the application.

(5) If the Registrar accepts the application subject to any conditions, amendments, disclaimer, modifications or limitations, the Registrar shall communicate to the applicant in writing the acceptance.

(6) If the applicant objects to the conditions, amendments, disclaimer, modifications or limitations communicated to him or her under subregulation (5) the applicant shall within one month from the date of the communication apply for a hearing or communicate his or her considered objections in writing; if the applicant does not do so, he or she shall be taken to have withdrawn the application

(7) If the applicant does not object to the conditions, amendments, disclaimer, modifications or limitations, he or she shall immediately notify the Registrar in writing, and alter the application accordingly.

24. Decision of Registrar

(1) The decision of the Registrar at a hearing or without a hearing if the applicant has duly communicated his or her considered objections or considered reply in writing, and has stated that he or she does not desire to be heard, shall be communicated to the applicant in writing.

(2) In a case where the Registrar makes any requirements to which the applicant does not object, the applicant shall comply with the requirements before the Registrar issues the statement in writing.

(3) The date when the statement is sent to the applicant shall be taken to be the date of the Registrar's decision for the purposes of appeal.

(4) The Registrar may call on an applicant to insert in an application such disclaimer as the Registrar may think fit, in order that the public generally may understand what the applicant's rights, shall be if the mark is registered.

Publication of application

25. Publication of application

(1) An application for the registration of a trademark required or permitted by section 11(1) and (2) of the Act shall be published in the Gazette.

(2) In the case of an application with which the Registrar proceeds only after the applicant has lodged the written consent to the proposed registration of the registered proprietor of another trademark or another applicant, the words "By consent" shall appear in the publication.

(3) If no representation of the trademark is included in the publication of the application, the Registrar shall in the publication refer to the place where a specimen or representation of the trademark is deposited for exhibition.

26. Publication of series of trademarks

Where an application relates to a series of trademarks differing from one another in respect of the particulars mentioned in section 30(1) of the Act, the Registrar may, if he or she thinks fit, insert with the advertisement of the application a statement of the manner in which the several trademarks differ from one another.

27. Publications on advertisements under sections 12 and 91 of the Act

Publications and advertisements under sections 12(11) and 91(2) and (3) of the Act shall, with the necessary modifications, be made in the same manner as advertisements relating to an application for registration.

Opposition to registration

28. Opposition

A person may, within sixty days from the date of any advertisement in the Gazette of an application for registration of a trademark, give notice in Form TM 7 to the Registrar opposing the registration.

29. Notice of opposition

(1) The notice of opposition shall include a statement of the grounds upon which the opponent objects to the registration.

(2) If registration is opposed on the ground that the mark resembles marks already on the register, the numbers of those trademarks and the Gazette publication number and date of application which they have been advertised shall be set out.

(3) The notice shall be accompanied by a duplicate of the notice and the Registrar shall immediately send the duplicate to the applicant.

30. Counterstatement

(1) Within forty two days from the receipt of the duplicate of the notice, the applicant shall send a duplicate to the Registrar a counterstatement in Form TM 8 setting out the grounds on which the applicant relies as supporting the application for registration of a trademark.

(2) The applicant shall also set out what facts, if any, alleged in the notice of opposition he or she admits.

(3) The counterstatement shall be accompanied by a copy of the duplicate.

31. Evidence in support of opposition

Upon receipt of the counterstatement and the duplicate the Registrar shall immediately send the duplicate to the opponent and within forty-two days from the receipt of the duplicate, the opponent shall leave with the Registrar such evidence by way of statutory declaration as the Registrar may desire to adduce in support of the opposition and shall deliver to the applicant copies of the statutory declaration.

32. Evidence in support of application

If an opponent leaves no evidence, the opponent shall, unless the Registrar otherwise directs, be taken to have abandoned the opposition; and if the opponent leaves evidence, then, within forty-two days from the receipt of the copies of the declarations, the applicant shall leave with the Registrar such evidence by way of statutory declaration as the applicant desires to adduce in support of the application and shall deliver to the opponent copies of the statutory declaration.

33. Evidence in reply by opponent

Within one month from the receipt by the opponent of the copies of the applicant's declaration, the opponent may leave with the Registrar evidence by statutory declaration in reply, and shall deliver to the applicant copies of the statutory declaration and that evidence shall be confined to matters strictly in reply.

34. Further evidence

No further evidence shall be filed on either side but, in any proceedings before the Registrar, the Registrar may at any time, if he or she thinks fit give leave to either the applicant or the opponent to file any evidence upon such terms as to costs or otherwise as the Registrar may think fit.

35. Exhibits

(1) Where there are exhibits to declarations filed in an opposition, copies or impressions of the exhibits shall be sent to the other party on that party's request and expense, or, if the copies or impressions cannot conveniently be furnished, the originals shall be left with the Registrar in order that they may be open to inspection.

(2) The original exhibits shall be produced at the hearing unless the Registrar otherwise directs.

36. Hearing

(1) Upon completion of the evidence the Registrar shall give notice to the parties of a date when the Registrar will hear the arguments in the case; and that date shall be at least fourteen days after the date of the notice, unless the parties consent to a shorter notice.

(2) Within seven days from the receipt of the notice any party who intends to appear shall notify the Registrar in Form TM9 .

(3) A party who receives the notice under sub regulation (1) and who does not, within seven days from receipt of the notice, notify the Registrar in Form TM 9, may be treated as not desiring to be heard and the Registrar may act accordingly.

37. Extension of time

Where in opposition proceedings, any extension of time is granted to any party, the Registrar may if he or she thinks fit, without giving that party a hearing, grant reasonable extension of time to any party in which to take any subsequent step.

38. Security for costs

Where a party giving notice of opposition or an applicant sending a counterstatement after receipt of a copy of the notice, does not reside or carry on business in Uganda, the Registrar may require him or her to give security, in such form as the Registrar may deem sufficient, for the costs of the proceedings before the Registrar, of such amount as the Registrar thinks fit, and at any stage in the opposition proceedings, may require further security to be given at any time before giving his or her decision in the case.

39. Costs in uncontested case

Where an opposition is uncontested by the applicant, the Registrar in deciding whether costs should be awarded to the opponent shall consider whether proceedings might have been avoided if reasonable notice had been given by the opponent to the applicant before the notice of opposition was lodged.

Non completion

40. Non completion of registration within twelve months

(1) Where registration of a trademark is not completed within twelve months from the date of the application by reason of default on the part of the applicant, the Registrar shall give notice in writing to the applicant at the applicant's trade or business address of the non-completion.

(2) Where the applicant has authorised a trademark agent for the purpose of the application, the Registrar shall instead send the notice to the agent and shall send a duplicate of the notice to the applicant.

(3) If after fourteen days from the date when the notice was sent, or such further time as the Registrar may allow, the registration is not completed, the application shall be taken to be abandoned.

Defensive Trademarks

41. Application for registration of defensive trademark

(1) An application for the registration of a defensive trademark under section 47 of the Act shall be made, addressed and sent to the Registrar in Form TM 10, and shall be accompanied by a statement of the case setting out particulars of the facts on which the applicant relies in support of the application, verified by a statutory declaration made by the applicant or some other person approved for the purpose by the Registrar.

(2) The applicant may send with the declaration, or subsequently, such other evidence as the applicant may desire to furnish, whether after request is made by the Registrar or otherwise, and the Registrar shall consider the whole of the evidence before the decision on the application.

(3) In all other respects, and where they are appropriate, it is not otherwise stated and where appropriate, these Regulations shall apply to applications for the registration of a defensive trademark as they apply to applications for the registration of ordinary trademarks.

Certification marks

42. Application for registration of certification mark

(1) An application for the registration of a certification mark under section 13 of the Act shall be made to the Registrar in Form TM 11, and it shall be accompanied by two duplicates of the application in copies of Form TM 11, and by six additional representations of the trademark in Form TM 6.

(2) The applicant shall send to the Registrar with the application or when required by the Registrar, a case setting out the grounds on which the applicant relies in support of the application together with the draft regulations for governing the use of the mark and Form TM 12, all of which shall be in duplicate.

(3) The Registrar may communicate to the applicant any observation the Registrar may have to make on the sufficiency of the case or the suitability of the draft regulations, and the applicant may modify either of those documents.

(4) If the Registrar decides to accept the application, the regulations for governing the use of the mark approved by the Registrar, as well as the form of application, shall be open to public inspection.

(5) If the Registrar decides to refuse to accept the regulations or to accept the regulations subject to conditions, limitations, amendments or modifications, the Registrar shall inform the applicant of his or her objections in writing and shall, if required, hear the applicant.

(6) A person may, within sixty days from the date of any publication in the Gazette of an application for the registration of a certification mark, give notice to the Registrar in Form TM 13 of opposition under section 12 of the Act, and regulations 28 to 39 shall apply with the necessary modifications in the proceedings on it with the substitution of Form TM 14 for Form TM 8 and the substitution of Form TM 15 for Form TM 9 and in the case of doubt a party may apply to the Registrar for directions.

(7) These Regulations shall apply to applications for registration of certification marks as they apply to applications for the registration of trademarks, except that the applicant shall not be deemed to have abandoned his or her application if in the circumstances of regulation 23(2) and (3), the applicant does not apply for a hearing or reply in writing.

Entry in the Register

43. Entry in register

(1) As soon as possible after the expiration of sixty days from the date of the advertisement in the Gazette of any application for the registration of a trademark, the Registrar shall, subject to any opposition and the determination of the opposition, and subject to

section 16(1) and (2) of the Act, and upon payment of the prescribed fee, enter the trademark in the register.

- (2) The entry of a trademark in the register shall indicate—
 - (a) the date of registration;
 - (b) the goods or services in respect of which the trademark is registered together with the particulars of trade, business, profession, occupation or other description of the proprietor;
 - (c) particulars of any undertakings of the proprietor entered on the form of application;
 - (d) particulars affecting the scope of the registration or the rights conferred by the registration; and
 - (e) such other particulars as may be determined by the Registrar.

(3) In the case of an application for registration of a trademark which the Registrar accepts only after the applicant has lodged the written consent to the proposed registration of the registered proprietor of another trademark or of another applicant for registration, the entry in the register shall state that it is “By Consent” and shall give the number of the previous registration or the application for registration, as may be applicable.

44. Associated marks

(1) Where a mark is registered as associated with any other mark or marks, the Registrar shall note in the register in connection with the first- mentioned mark the numbers of the marks with which it is associated and shall also note in the register in connection with each of the associated marks the number of the first-mentioned mark as being a mark associated with it.

(2) An application by a registered proprietor under section 29(3) of the Act to the Registrar to dissolve the association between two or more associated trademarks shall be made in Form TM 17 and shall include a statement of the grounds of the application.

45. Death of applicant before registration

In case of the death of an applicant for the registration of a trademark after the date of the application, and before the trademark applied for has been entered in the register, the Registrar may after the expiration of the prescribed period of advertisement and the determination of opposition to the application may, on being satisfied of the applicant's death, enter in the register, in place of the name of the deceased applicant, the name, address, and description of the person owning the trademark, if the ownership is proved to the satisfaction of the Registrar.

46. Certificate of registration

Upon the registration of a trademark, the Registrar shall issue to the applicant a certificate of registration and shall affix to the certificate a copy of the mark, which may be a representation of the mark supplied by the applicant under regulation 18.

Renewal

47. Renewal of registration

(1) At any time within three months before the expiration of the last registration of a trademark, a person may using form TM 18, and accompanied by a fee for renewal of registration of a trademark, apply to the Registrar for renewal of a trademark.

(2) Where the person filing for renewal is not the registered proprietor, that person shall sign a statement in the form that he or she is directed by the registered proprietor and pay the fee where applicable and shall give his or her address.

(3) For purposes of (2) the Registrar may before renewing registration—

- (a) require the person filing for renewal to furnish, within ten days the authority by the registered proprietor to renew the registration and to pay the fee and if the person does not furnish the authority, he or she may return the fee; or

- (b) inform the registered proprietor that the renewal form and fee have been received and that the registration is to be renewed.

48. Notice before removal of trademark from register

At a date not less than one month and not more than two months before the expiration of the registration of a mark, if no fee upon Form TM 18 has been received, the Registrar shall notify the registered proprietor in writing of the approaching expiration date.

49. Publication of nonpayment

If at the date of the expiration of the last registration of a mark the renewal fee has not been paid, the Registrar shall publish the fact in the Gazette, and if within one month after that advertisement the renewal fee upon Form TM 18, together with an additional fee in Form TM 19, is received, the Registrar may renew the registration without removing the mark from the register.

50. Removal of trademark from register

Where, at the expiration of one month from the advertisement for non payment mentioned in regulation 49, the fees mentioned in that regulation have not been paid, the Registrar may remove the mark from the register as from the date of the expiration of the last registration, but may, upon payment of the renewal fee in Form TM 18 together with an additional fee in Form TM 19, restore the mark to the register if satisfied that it is just to do so, and upon such conditions as he or she may think fit to impose.

51. Record of removal of mark

Where a trademark has been removed from the register, the Registrar shall cause to be entered in the register, a record of the removal and of the cause of the removal.

52. Notice and publication of renewal and restoration

Upon the renewal or restoration and renewal of a registration, a notice to that effect shall be sent to the registered proprietor and the renewal or restoration and renewal shall be published in the Gazette.

53. Joint application for entry of assignment or transmission

Where a person becomes entitled by assignment or transmission to a registered trademark, that person may, cojointly with the registered proprietor, apply to the Registrar in Form TM 21 to register his or her title.

54. Application for entry of assignment or transmission by subsequent proprietor

Where a person becomes entitled in a registered trademark by assignment or transmission and no joint application as mentioned in regulation 53 is made, that person shall apply to the Registrar in Form TM 22 to register his or her title.

55. Particulars to be stated in application

(1) An application for entry of assignment or transmission shall contain the name, trade or business address and description of the person claiming to be entitled, together with full particulars of the instrument, if any, under which that person claims, and the instrument shall be produced for inspection by the Registrar, preferably at the time of application.

(2) The full names of all the partners in a partnership shall be indicated in the application.

(3) The Registrar may in any case require and retain an attested copy of any instrument produced for inspection in proof of title, but the copy shall not be open to public inspection.

56. Case accompanying application

(1) Where in the case of an application in Form TM 21 or Form TM 22 the person applying for registration of title does not claim under any document or instrument which is capable in itself of furnishing proof of the title, that person shall, unless the Registrar otherwise directs, either upon or with the application, state a case

setting forth the full particulars of the facts upon which the claim to be proprietor of the trademark is based, and showing that the trademark has been assigned or transmitted to him or her.

(2) If the Registrar so requires, the case shall be verified by a statutory declaration which shall include the information in Form TM 23.

57. Proof of title

The Registrar may call on any person who applies to be registered as proprietor of a registered trademark for proof or additional proof of title as the Registrar may require for his or her satisfaction.

58. Application for entry of assignment without goodwill

(1) An application relating to an assignment of a trademark in respect of any goods or services shall state—

- (a) whether the trademark was, at the time of the assignment, used in a business in any of those goods or services; and
- (b) whether the assignment was made otherwise than in connection with the goodwill of that business.

(2) If both the circumstances under sub regulation (1) exist, the applicant shall furnish the Registrar with evidence that the applicant has complied with the directions of the Registrar issued under section 31(8) and regulation 62.

(3) If the Registrar is not satisfied that the directions have been fulfilled, the Registrar shall not proceed with the application.

(4) For the purpose of section 53(4) of the Act, the period within which a corporation may be registered as the subsequent proprietor of a registered trademark, upon application made under regulation 54 or 55, shall be six months from the date of advertisement in the Gazette of the registration of the trademark or such further period not exceeding six months as the Registrar may allow, on application being made to

a person in Form TM 24 by the applicant for registration of title or the registered proprietor, as the case may be, at any time before or during the period for which the extension can be allowed.

59. Entry in register on assignment or transmission

Where the Registrar is satisfied as to the title of the person claiming to be registered, the Registrar shall cause that person to be registered as proprietor of the trademark in respect of the relevant goods or services, and shall enter in the register that person's name, trade or business address and description and particulars of the assignment or transmission.

60. Separate registrations

Where following an application under regulation 54 or 55, and as the result of a division and separation of the goods or services of a registration or a division and separation of places or markets, different persons become registered separately under the same official number as subsequent proprietors of a trademark, each of the resulting separate registrations in the names of those different persons shall be taken to be a separate registration for all the purposes of the Act.

61. Certificate or approval as to certain assignments and transmissions

(1) A person who desires to obtain a certificate under section 31(6) of the Act shall send to the Registrar, with the application in Form TM 25, TM 26 or TM 27, as the case may be, a statement of case in duplicate setting out the circumstances, together with a copy of any instrument or proposed instrument effecting the assignment or transmission.

(2) The Registrar may call for evidence or further information as may be considered necessary, and the statement of case shall be amended if required to include all the relevant circumstances and shall if required be verified by a statutory declaration.

(3) The Registrar shall, after hearing if required by the applicant or any other person whom the Registrar may consider to be interested in the transfer, consider the matter and issue a certificate or a notification in writing, of approval or disapproval, as the case may be.

(4) Where a statement of case is amended, two copies of the statement in its final form shall be left with the Registrar.

(5) The Registrar shall seal a copy of the statement of case in its final form to the certificate or notification.

62. Registrar’s directions for publication of assignment without goodwill of trademark in use

(1) An application to the Registrar under section 31(8) of the Act shall be made by the assignee in Form TM 28 and shall state on which date the assignment was made.

(2) The application shall give particulars of the Registration in the case of a registered trademark and in case of unregistered trademark, shall show the mark and give particulars the registered trademark that has been assigned with it in accordance with section 31(8) of the Act.

(3) The Registrar may call for any evidence and further information and with regard to an application under subregulation (2) if the Registrar is satisfied with the evidence and further information, the Registrar shall issue directions in writing with respect to publication of the assignment.

(4) A request to the Registrar for an extension of the period within which the application may be made shall be in Form TM 29 and may be made at any time before or during the period for which extension can be allowed.

PART VI—PERMITTED USERS

63. Application for entry of permitted user

An application to the Registrar for the registration under section 49 of the Act of a person as a permitted user of a registered trademark shall be made by that person and the registered proprietor in Form TM 30.

64. Entry and notification

(1) The entry of a permitted user in the register shall state the date on which it is made.

(2) In addition to the trade or business address of the permitted user the entry may include an address for service, if an application by the permitted user in Form TM 1 for the entry of the address of service has been approved.

(3) A notification made in writing of the registration of a permitted user shall be sent to the registered proprietor of the trademark, to the permitted user, and to every other permitted user whose name is entered in relation to the same registration of a trademark, and shall be published in the Gazette.

65. Registered proprietor's application to vary entry

An application by the registered proprietor of a trademark for the variation of the registration of a permitted user of that trademark under section 50(1)(a) of the Act shall be made in Form TM 31 and shall be accompanied by a statement of the grounds on which it is made and, where the permitted user in question consents, by the written consent of that permitted user.

66. Application by registered proprietor or user to cancel entry

An application by the registered proprietor or any permitted user of a trademark for the cancellation of the registration of a permitted user of that trademark under section 50(1)(b) of the Act shall be made in Form TM 32 and shall be accompanied by a statement of the grounds on which it is made.

67. Application under section 50(1)(c) of the Act to cancel entry

An application by any person for the cancellation of the registration of a permitted user under section 50(1) (c) of the Act shall be made in Form TM 33 and shall be accompanied by a statement of the grounds on which it is made.

68. Notification and hearing

(1) The Registrar shall give notice in writing to the applicant on applications made under regulations 65, 66 and 67 to the registered proprietor and each permitted user, who is not the applicant under the registration of the trademark.

(2) A person notified under subregulation (1) who intends to intervene in the proceedings shall, within one month after the receipt of the notification, give notice to the Registrar in Form TM 34 to that effect and shall send with the notice a statement of the grounds of the intervention.

(3) The Registrar shall, upon sending a notice under sub regulation (1) send copies of the notice and statement to the other parties so that the intervention may be known to the applicant, the registered proprietor, the permitted user whose registration is in question, and any other permitted user who intervenes.

(4) A party referred to in sub regulation (3) may, within such time or times as the Registrar may appoint, leave evidence in support of his or her case, and the Registrar after giving the parties an opportunity of being heard may accept or refuse the application or accept it subject to any conditions, amendments, modifications or limitations the Registrar may think fit to impose.

69. Registered user's application under section 90(2) of the Act

(1) An application under section 90 (2) of the Act shall be made in Form TM 35 and TM 36 as may be appropriate, by a permitted user of a trademark, or by such person as may satisfy the Registrar that he or she is entitled to act in the name of a permitted user and the Registrar may require such evidence by statutory declaration or otherwise as the Registrar may think fit as to the circumstances in which the application is made.

(2) In the case of the registration of a permitted user for a period, in accordance with section 49(7) (b) (ii) of the Act, the

Registrar shall cancel the entry of the permitted user at the end of the period where some or all of the goods are struck out from those in respect of which a trademark is registered, the Registrar shall at the same time strike them out from those specifications of permitted users of the trademark in which they are comprised.

(3) The Registrar shall notify every cancellation or striking out under subregulation (2) to the permitted users whose permitted use is affected by it and the registered proprietor of the trademark.

PART VII—ALTERATIONS AND RECTIFICATION OF
ENTRIES IN REGISTER

70. Alteration of address in register

(1) A registered proprietor or permitted user of a trademark whose trade or business address is changed so that the entry in the register is rendered incorrect shall immediately request the Registrar in form TM 35 to make the appropriate alteration of the address in the register, and the Registrar shall, if satisfied, alter the register accordingly.

(2) A registered proprietor or permitted user of a trademark whose address of service in Uganda entered in the register is changed, whether by discontinuance of the entered address or otherwise, so that the entry in the register is rendered incorrect, shall immediately request the Registrar in Form TM 35 to make the appropriate alteration of the address in the register, and the Registrar shall, if satisfied, alter the register accordingly.

(3) A registered proprietor or permitted user of a trademark whose registered trade or business address or address for service is altered by a public authority, so that the changed address designates the same premises as before, may make the request to the Registrar, without paying a fee, and shall accompany the request with a certificate of the alteration given by that authority and if the Registrar is satisfied as to the facts of the case, the Registrar shall alter the register accordingly.

(4) In the case of the alteration of the address of a person entered in the register as the address for service of more than one registered proprietor or permitted user of trademarks, the Registrar may, on proof that the address is the address of the applicant and if satisfied that it is just to do so, accept an application from that person which shall be made in Form TM 35 amended so as to suit the case for the appropriate alteration of the entries of his or her address as the address for service in the several registrations, particulars of which shall be given in the form, and may alter the entries accordingly.

(5) An application under this regulation in Form TM 35 shall be signed by the registered proprietor or the permitted user, as the case may be, or by an agent, expressly authorised by the registered proprietor or permitted user for the purpose of the application, unless in exceptional circumstances the Registrar otherwise allows.

71. Application to rectify or remove a trademark from the register

(1) An application to the Registrar under section 46, 48, 88 and 89 of the Act for making, expunging or varying any entry in the register shall be made in Form TM 37 and shall be accompanied by a statement setting out in full the nature of the applicant's interest, the facts upon which the applicant bases his or her case and the relief sought.

(2) Where the application is made by a person who is not the registered proprietor of the trademark in question, the application shall be accompanied by a copy of the application and a copy of the statement, and those copies shall be transmitted immediately by the Registrar to the registered proprietor.

(3) Upon the application being made and a copy of it being transmitted to the registered proprietor, if necessary, regulations 30, 31, 33, 34, 35, 36, 37, 38, and 39 shall apply with the necessary modifications to the further proceeding on the application; but the Registrar shall not rectify or remove the mark from the register only because the registered proprietor has not filed a counterstatement.

(4) In the case of doubt any party may apply to the Registrar for directions.

72. Intervention by third parties

(1) A person other than the registered proprietor alleging an interest in a registered trademark in respect of which an application is made in Form TM 37, may apply to the Registrar for leave to intervene, stating in the application the nature of the interest, and the Registrar may refuse or grant leave, after hearing (if so required) the parties concerned, upon such terms and conditions as the Registrar may deem fit.

(2) Before dealing in any way with the application for leave to intervene, the Registrar may require the applicant to give an undertaking to pay such costs as in the circumstances the Registrar may award to any party.

73. Application for correction of register under section 90(1) of the Act

(1) An application to the Registrar under section 90 (1) of the Act for the alteration of the register by correction, change, cancellation, or striking out goods, or for the entry of a disclaimer or memorandum, may be made by the registered proprietor of the trademark or by such person as may satisfy the Registrar that he or she is entitled to act in the name of the registered proprietor.

(2) The application shall be made in Form TM 37, 38 or 39, as may be appropriate; but an application in Form TM 1 shall be signed by the registered proprietor or other person entitled under this regulation unless in exceptional circumstances the Registrar otherwise allows, and, in the case of Form TM 1 only, it is signed by an agent expressly authorised for the purpose of that application.

(3) In the case of an application under sub regulations (1) and (2), the Registrar may require such evidence by statutory declaration or otherwise as the Registrar may think fit as to the circumstances in which the application is made.

74. Publication of certain applications

Where an application is made in Form TM 38 to enter a disclaimer or a memorandum relating to a trademark, the Registrar, shall before deciding upon the application, shall publish the application in the Gazette in order to enable any person desiring to do so to state, within one month after the publication, any reasons in writing against the making of the entry of the disclaimer or memorandum.

75. Certificate of validity to be noted

(1) Where the court has certified as provided in section 59 of the Act with regard to the validity of a registered trademark, the registered proprietor of the trademark may request the Registrar in Form TM 40 to add to the entry in the register a note that the certificate of validity has been granted in the course of the proceedings, which shall be named in the form.

(2) An office copy of the certificates shall be sent with the request under subregulation(1), and the Registrar shall note it on the register and publish the note in the Gazette.

76. Alteration of registered mark

(1) Where a person desires to apply under section 91 of the Act that his or her registered trademark may be added to or altered, that person shall apply in writing in Form TM 41, and shall furnish the Registrar with four copies of the mark as it will appear when so added to or altered.

(2) The Registrar shall consider the application and shall, if it appears to the Registrar expedient, advertise the application in the Gazette before deciding on it.

(3) Within one month from the date of the advertisement any person may give notice of opposition to the application, in Form TM 40 accompanied by a duplicate of the notice, and may also send with that notice a further statement of any objections in duplicate.

(4) The Registrar shall send the duplicate notice, and the duplicate of any further statement of objections, to the applicant, and regulations 31, 32, 33, 34, 35, 36, 37, 38 and 39 shall apply with the necessary modifications to the further proceedings on the application and in case of doubt, any party, may write to the Registrar for directions.

(5) If the Registrar decides to allow the application, the Registrar shall add to or alter the mark in the register, and if the mark as added to or altered has not been advertised under sub regulation (2), he or she shall advertise it in the Gazette and in any case shall insert in the Gazette a notification that the mark has been altered.

(6) The Registrar may at any time call on the person applying to alter a registered trademark to supply a printing block satisfactory to the Registrar and suitable for advertising the mark with the addition or alteration, if in the opinion of the Registrar an advertisement describing the addition or alteration in words would not be likely to be understood by persons interested in the matter.

(7) Where the Registrar adds or alters the mark, the Registrar shall issue to the applicant, a certificate of registration for the added mark or altered mark

77. Rectification of certification trademark entries by court

An application in accordance with section 14(8) of the Act made by an aggrieved person to court for an order expunging or varying of an entry in the register or relating to a certification trademark, or varying the relevant deposited regulations, shall be made in Form TM 43 and shall include full particulars of the grounds on which the application is made.

78. Alteration of certification trademark regulations

(1) An application by the registered proprietor of a certification trademark for an alteration of the deposited regulation shall be made in Form TM 44.

(2) Where the Registrar causes the application to be advertised the time within which any person may give notice to the Registrar on opposition to the application shall be one month from the date of the advertisement.

PART VIII—MISCELLANEOUS

79. Extension of time

(1) If in any particular case the Registrar is satisfied that the circumstances justify an extension of the time for doing any act or taking any proceeding under these Regulations, not being a time expressly provided in the Act or prescribed by regulation 58(4) or 65, the Registrar may extend the time upon such notice to the other parties, and proceedings on it, and upon such terms as he or she may direct, and the extension may be granted though the time has expired for doing the act or taking the proceedings.

(2) An application for extension of time under sub regulation (1) shall be made using form TM 45 in the second schedule and upon payment of fees prescribed in the first schedule.

80. Exercise of discretionary power by the Registrar: hearing

(1) Before exercising adversely to any person any discretionary power given to the Registrar by the Act or these Regulations, the Registrar shall, if so required, hear the person.

(2) An application for a hearing shall be made within one month from the date of notification by the Registrar of any objection to an application or the date of any other indication that the Registrar proposes to exercise a discretionary power.

(3) Upon receiving the application made under sub regulation (2) the Registrar shall give the person applying fourteen days' notice of a time when he or she may be heard.

(4) Within seven days from the date when the notice would be delivered in the ordinary course of post, the person applying shall notify the Registrar whether or not he or she intends to be heard on the matter.

(5) The decision of the Registrar in the exercise of a discretionary power under this regulation shall be notified to the person affected.

81. Exercise of discretionary power by the Registrar: dispensing with evidence

Where under these Regulations a person is required to do any act or thing, or to sign any document, or to make any declaration on behalf of himself, herself or a body corporate, or where any document or evidence is required to be produced to or left with the Registrar, or at the office, and it is shown to the satisfaction of the Registrar that from any reasonable cause that person is unable to do the act or thing, or to sign the document, to make the declaration, or that the document or evidence cannot be produced or left, the Registrar may, upon the production of such other evidence, and subject to such terms as the Registrar may think fit, dispense with any such act or thing, signature, declaration, document or evidence.

82. Amendments of documents and correction of procedural irregularities

A document or drawing or other representation of a trademark may be amended, and any irregularity in procedure which in the opinion of the Registrar may be excused without detriment to the interests of any person may be corrected, if the Registrar thinks fit, and on such terms as the Registrar may direct.

83. Certificates by Registrar

(1) The Registrar may give a certificate, other than a certificate under section 16 of the Act, as to any entry, matter or thing which the Registrar is authorised or required by the Act or these Regulations to make or do, upon receipt of a request for the certificate in Form TM 46 from any person who, if the Registrar thinks fit so to require, can show an interest in the entry, matter or thing to the Registrar's satisfaction.

(2) Except for which regulation 85 applies, the Registrar shall not be obliged to include in the certificate a copy of any mark, unless the Registrar is furnished by the applicant with a copy of the mark suitable for the purpose.

84. Marks registered without limitation of colour

Where a mark is registered without limitation of colour, the Registrar may grant a certificate of its registration for the purpose of obtaining registration outside Uganda either in the colour in which it appears upon the register or in any other colour or colours.

85. Certificates for use in obtaining registration abroad

(1) Where the Registrar issues a document for use to obtain registration abroad, the Registrar shall include in the document a copy of the mark and may require the person requesting for the document to furnish a copy of the mark suitable for the purpose; and if the person fails to do so, the Registrar may refuse to issue the document.

(2) The Registrar may—

- (a) include in the document such particulars concerning the registration of the mark as the Registrar deems fit
- (b) omit from the document reference to any disclaimers appearing in the register, but in which case the document shall be marked: “For use in obtaining registration outside Uganda only”.

86. Person before whom declaration is to be taken

A statutory declaration required by the Act and these Regulations, or used in any proceedings under them, shall be made and subscribed as follows—

- (a) in the United Kingdom, before any justice of the peace, or any commissioner or other officer, authorised by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceeding;
- (b) in any other part of the Commonwealth, before any court, judge, justice of the peace, or any officer authorised by law to administer an oath for the purpose of legal proceedings; and

- (c) if made outside the Commonwealth, before a foreign service officer of Uganda, a Commonwealth consul, diplomatic agent, a notary public, a judge or magistrate.

87. Notice of seal or signature of officer taking declaration to prove itself

A document purporting to have affixed, impressed or subscribed to it or on it the seal or signature of a person authorised by regulation 86 to take a declaration in testimony that the declaration was made and subscribed before that person may be admitted by the Registrar without proof of the genuineness of the seal or signature or of the official character of the person or his or her authority to take the declaration.

88. Searches

(1) A person may request the Registrar to cause a search to be made in respect of specified goods or services classified in any class of the Third Schedule to ascertain whether any mark is on record at the date of the search which resembles a trademark of which duplicate representations accompany the form.

(2) The request in sub regulation (1) shall be made using Form TM 47 in the second schedule and upon payment of fees prescribed in the first schedule.

89. Appeals to court

Where a person intends to appeal to court, the appeal shall be made by motion in the usual way, and no such appeal shall be entertained unless notice of the motion is given within sixty days from the date of the decision appealed against or within such further time as the Registrar shall allow.

90. Applications to court

Every application to the court made under the Act shall be served on the Registrar.

91. Order of court

(1) Where an order has been made by court in any case under the Act, the person in whose favour the order is made, or any one of them, if more than one, as the Registrar may direct, shall immediately leave at the office an office copy of the order, together with Form TM 48 if required.

(2) Where the order of the court requires a rectification or alteration of the register, the Registrar shall give effect to the order.

(3) Where an order is made by the court under the Act, the Registrar may, if he or she thinks that the order should be made public, publish it in the *Gazette*.

92. Revocation of S.I No. 58 of 2012

The Trademarks Regulations No. 58 of 2012 are revoked.

93. Cessation of publication of trademarks by Registrar General

The publication of trademarks by the Registrar General in the Intellectual Property Journal shall cease on the date of commencement of these Regulations.

94. Savings

(1) All trademarks published in the Uganda Registration Services Bureau Intellectual Property Journal shall within 3 months after the coming into force of these Regulations be published in a special supplement of the Gazette in the format in which they appear in the Intellectual Property Journal.

(2) Any action that was commenced under S.I. 58 of 2012 shall be continued under these Regulations.

FIRST SCHEDULE

Regulation 3

FEES

<i>Item</i>	<i>Matter or proceeding</i>	<i>Foreign Applicants US\$</i>	<i>National Applicants Shs</i>	<i>Corresponding forms</i>
1a	On application to register a series of trademarks under section 30 (1) of the Act for specification	150	50,000	TM. No. 5
1b	On application to register a defensive trade mark for specification of goods or services in one class	170	55,000	TM. No. 10
1c	On application under section 13 of the Act to register certification mark in one class	150	50,000	TM. No.11
1d	On application made at the same time under section 13 of the Act to register one certification trademark for a specification of goods or services not all included in one class in respect of every class total fees in no case to exceed Shs. 150,000 in case of a national application and US \$ 900 in case of a foreign application	150	50,000	TM. No.11
2	On request to the Registrar for preliminary advice as to distinctiveness under regulation 16	150	30,000	TM. No. 4
3	On notice of opposition before the Registrar under section 12 of the Act and Regulation 28 for each application opposed by the opponent	250	100,000	TM. No.7
3a	On lodging a counter- statement in answer to a notice of opposition under section 12 of the Act for each application opposed by the applicant or in answer to a notice of opposition under any of the sections 12, 49, 89 and 90 of the Act by applicant or proprietor, respectively or on hearing an opposition under sections 92 or 14 by proprietor and by opponent, respectively	150	50,000	TM. No. 8
3b	In hearing of such opposition under Regulations 36(2) and 46(2) and section 12 of the Act by applicant and by the opponent respectively: or on the hearing of an application under any section 46, 47, 88 and 89 of the Act by applicant and proprietor respectively or on hearing of an opposition under section 91 or 92 by proprietor and by opponent respectively	250	100,000	TM. No. 9

3c	On notice of opposition before the Registrar under Regulation 42(6) of the Act for each application of registration of a certification trademark, opposed by the opponent	250	100,000	TM. No.13
3e	Form of counterstatement in reply to Notice to the Registrar of opposition to an application for registration of a certification trademark under Regulation 42(6) by applicant and by the opponent, respectively	250	100,000	TM. No.14
4	For one registration of a trade mark not otherwise charged for a specification of goods or services included in one class	250	100,000	TM. No.16
4a	Or one registration of series of trade marks under section 30 for specification of goods or services include in one class :-	250	10,000	TM. No.16
	For the first mark and for every other mark of the series	20	100,000	TM. No.16
4b	For registration under section 13 of a certification trade mark for a specification of goods or services included in one class	250	100,000	TM. No. 11
4c	For registration upon application made at the same time of one certification trade mark, under section 13 for specification of goods or services not all included in one class; In respect of every class. Total fee in no case to exceed Shs. 200,000	250	100,000	TM. No.11
4d	For one registration of a defensive trade mark for a specification of goods or services included in one class	300	120,000	TM. No.16
5	Upon each addition to the registered entry of a trade mark of a note that the trade mark is associated with a newly registered mark	30	20,000	TM. No.16
5a	Upon application to dissolve the association between registered trademarks	250	100,000	TM. No. 17
6	On application to register a registered user of a registered trade mark in respect of goods or services within the specification thereof	250	100,000	TM. No.30
6a	On application to register the same registered user of more than one registered trademark of the same registered proprietor in respect of goods or services within the respective specifications thereof and subject to the same conditions and restrictions in each case	250	100,000	TM. No.30
	For the first and every other mark for the proprietor included in the application and statement on the case	30	20,000	TM. No. 30

6b	On application by the proprietor of a single trade mark under section 50 (1)(a) to vary the entries of a registered user thereof	250	100,000	TM. No.31
6c	On application by the proprietor of more than one trade mark under section 50 (1) (a) to vary the entries of a registered user thereof: For every mark:	250	100,000	TM. No.31
	And for every mark of the proprietor for which the same user is registered, included in the application	30	20,000	TM. No.31
6d	On application by the proprietor or registered user of a single trade mark under of section 50 (1) (b) for the cancellation of the entry of a registered user thereof	250	100,000	TM. No.32
6e	On application by a proprietor or a registered user of more than one trade mark under section 50 (1) (b) for cancellation of entries of a registered user thereof	250	100,000	TM. No.32
	For the first mark for which the same user is registered, included in the application	30	20,000	TM. No. 32
6f	On application under section 50 (1)(c) to cancel the entry of a registered user of a single trade mark	250	100,000	TM. No.33
6g	On application under section 50 (1) (c) a registered user of a single trade mark	250	100,000	TM. No.33
	For the first mark and for every other mark of the same proprietor for which the same user is registered, included in the application	40	20,000	TM.No. 33
6h	On notice under section 51 and regulations 68(2) and 72, of intention to intervene in one proceeding for the verification or cancellation of entries of a registered user of trade marks	40	30,000	TM No. 34
7	on request to enter in the register and advertise a certificate of validity under section 59 and regulation 75(1)	-	-	TM No.40
	For the first registration certified in the same certificate	150	50,000	TM No.40
	And for every other registration certified in the same certificate	20	10,000	TM No.40
7a	On application under section 53 (4) for extension of time for registration of a corporation as a subsequent proprietor of trademarks on one assignment:- not exceeding two months	75	35,000	TM No. 45
	not exceeding four months	150	55,000	TM No. 45
	not exceeding six months	250	100,000	TM No. 45

8	On application for a certificate of the Registrar under section 29 (3) and regulation 58: For the first mark proposed to be assigned	250	100,000	TM No. 26
	For every mark of the same proprietor included in that assignment	30	20,000	TM No. 26
8a	On application for approval of the Registrar under section 31 (6) and regulation 58:-For the first mark	250	100,000	TM No. 27 or 25
	And for every mark assigned with the same devolution of title	30	20,000	TM No.27
8b	On application for directions by the Registrar for advertisement of trade marks in use without good will:-	65	35,000	TM No. 28
	For one mark assigned and for every mark assigned with the same devolution of title	30	20,000	TM No. 21
8c	On application for extension of time applying for directions for advertisements of trademarks in use without good will in respect of one devolution of title :-			TM No.45
	not exceeding one month	55	25,000	TM No.45
	not exceeding two months	75	35,000	TM No.45
	not exceeding three months	250	100,000	TM No.45
9	On application to register a subsequent proprietor in case of an assignment or transmission of a single trade mark:-			
	If made within six months from the date of acquisition of proprietorship	75	35,000	TM No. 22
	If made after the expiration of six months from the date of acquisition of proprietorship of the coming into force of these rules	250	100,000	TM No. 22 or 23
	If made after the expiration of twelve months from the date of acquisition of proprietorship.	300	120,000	TM No. 22 or 23
9a	On application to register a subsequent proprietor of more than one trade mark standing in same name, the devolution of the title being the same in each case:-if made within six months from the date of acquisition of proprietorship. For the first mark	75	35,000	TM No. 22 or 23
	And for every other mark	30	30,000	TM No. 22 or 23
	If , made after the expiration of six months from the date of acquisition of proprietorship For the first mark	250	100,000	TM No. 22 or 23

	And for every other mark	20	20,000	TM No. 22 or 23
	If , made after the expiration of twelve months from the date of acquisition.	300	120,000	TM No. 22 or 23
	And for every other mark	20	20,000	TM No. 22 or 23
10	On application to change the name or description of a proprietor or a registered user of a single trade mark where there has been no change in the proprietorship or in the identity of the identity of the user	30	25,000	TM No. 36
10a	On application to change the name or description of a proprietor or a registered user of more than one trade mark standing in the same name where there has been no change in the proprietorship or in the identity of the use, the change being the same in each case: For the first mark	40	25,000	TM No. 36
	And for every other mark of the series	30	20,000	TM No. 36
11	For renewal of registration of a trademark or trade marks at expiration of last registration	250	100,000	TM No. 18
11a	For renewal of registration of a series of trademarks under sections 30 (1) at expiration of last registration:-	250	100,000	TM No. 18
	For the first mark of the series And for every other mark of the series	30	20,000	TM No. 18
11b	For renewal of registration of the same certification trade mark with the same date for goods or services in more than one class in respect of every class:- Total fee in no case to exceed Shs. 300,000 for every number of class	250	100,000	TM No. 18
11c	Additional fee under regulations 49 and 50	65	35,000	TM No. 19
11d	Restoration fee under regulation 50	250	100,000	TM No. 20
12	On application to register for leave to add to or alter a single trade mark	250	100,000	TM No. 41
12a	On application to the Registrar for leave to add or to alter more than one registered trade mark of the same proprietor being identical marks, the additional or alteration to be made in each case being the same:-For the first mark	250	100,000	TM No. 41
	And for every other mark	55	30,000	TM No. 41

12b	On notice of opposition to application for leave to add to or alter registered trademarks, for each application opposed	250	100,000	TM No. 42
13	For altering one or more entries of the trade or business or registered proprietor or registered user of a trade mark where the address in each case is the same and is altered in the same way (unless exempted from fee under regulation 81):- For the first entry	30	25,000	TM No. 35
	And for every other entry	20	20,000	TM No. 35
14	For every entry in the register of a rectification thereof or an alteration therein not otherwise changed	55	30,000	TM No. 40
15	For cancelling the entry or part of the entry of trade mark upon the register on the application of the registered proprietor of the trade mark	30	20,000	TM No. 32
16	On application under any of the sections 47, 49, 89 and 90 of the Act for rectification of the register or removal of a trade mark from the register	300	120,000	TM No. 37
16a	On application for leave to intervene in proceedings under any of the sections 46, 47, 88 and 90 for rectification of the register or removal of trade mark from the register	300	35,000	TM No. 34
17	On request not otherwise charged for correction of clerical errors for permission to amend application	40	25,000	TM No. 37
18	On request by registered proprietor of a trade mark for entry of disclaimer or memorandum in the register	40	25,000	TM No. 38
19	On application to the court under regulation to expunge or vary the registration of a certification trade mark or to vary the deposited regulations of certification trade mark or of certification trademarks of the same substantially the same	250	100,000	TM No. 41
19a	On request to the Registrar by the registered proprietor of a certification trade mark to permit alteration of the deposited regulations thereof:- For the regulation of one such registration each	65	30,000	TM No. 43
	For the same or substantially the same regulations of each other registration proposed to be altered in the same way and included in the same request	20	20,000	TM No. 43

20	n/a	30	25,000	
20a	On notice of opposition to conversion of the specification or specifications of a registered trade mark or registered trade mark :- For one mark	250	100,000	TM No. 42
	For every other mark of the same proprietor having the same specification	30	20,000	TM No. 42
21	For a search under regulation 68 in respect of one class:- without application for the Registrar's advice under regulation 88(2)	65	25,000	TM No. 47
	With application for the Registrar's advice under regulation 16	75	30,000	TM No. 47
22	On request for the Registrar's preliminary advice under regulation 16 for each trade mark submitted in respect of one class	40	25,000	TM No. 4
23	For certificate to the Registrar other than certificate under section 16 (2) of the registration of a series of trade marks under section 30 (2)	45	25,000	TM No. 46
23a	For certificate of Registrar other than certificate under section 16 (2) of the registration of a series of trade marks under section 30 (1)	75	30,000	TM No. 46
24	For cancelling one or more entries of an address for service of a registered proprietor or a registered user of a trade mark where the address in each case is the same, on application made after the registration in each case:- For the first entry	30	20,000	TM No. 1
	And for every other entry	20	10,000	TM No. 1
24a	For certificate of the Registrar other than certificate under section 16 of the registration of a series of trade marks under section 30 (1)	75	30,000	TM No. 46
25	For inspecting register or notice of opposition, counter statement or decision in connection with any opposition or application for rectification of the register relating to any particular trade mark, for every quarter of an hour	20	10,000	TM No. 45
26	For permission to search amongst the classified representation of trade marks, for every quarter of an hour	20	10,000	TM No. 45

27	For office copy of documents, for every 100 words (but never less than Shs. 1,000)	20	5,000	-
28	For photographic of documents	-	-	-
29	For certifying office copies M.S. or photographic or printed matter	40	25,000	-
30	For extra space in the Gazette advertisement, in case where the printing block for the trade marks exceeds two inch or part of an inch over two inches in depth:-	25	15,000	-
	For every inch or part of an inch over two inches in breadth:-	25	15,000	
	For every inch or part of an inch over two inches in depth:- Cost according to agreement			

SECOND SCHEDULE



THE REPUBLIC OF UGANDA

THE TRADE MARKS ACT, 2010.

Regulations 9(2), 9(3), 64(2), 73(2)

FORM TM. 1

FEE:

Form of Request to the Registrar by a Registered Proprietor or a Registered User of a Trade Mark, or a person about to be so registered, to enter, alter or substitute an address for service as part of his registration.(Regulations 9(2), 9(3), 64(2) and 73(2).)

To: Registrar of Trade Marks, P.O. Box 6848, Kampala.

REQUEST IS HEREBY MADE by (a) who is about to be registered as (or) who is Registered (b) Proprietor (User) of Trade Mark(s) No. registered in Classfor the (c) inclusion, addition, alteration or substitution of an address for service in Uganda in or to the entry thereof so that the address for service in Uganda may read: (d) Dated thisday of, 20..... (e)

(a) Here insert the full name and trade or business address of the person making the request. (b) Strike out from the underlined words those that are not applicable and strike out one of the words "Proprietor" or "User" as may be the case. + A d d i t i o n a l numbers may be given in a signed schedule on the back of the form.

(c) Cancel words that are not applicable.

(d) State here the precise entry or changed entry desired.

(e) Signature.

NOTE: A Registered Proprietor or Registered User whose address for services in Uganda has been altered by a public authority so that the changed address designates the same premises as before, may make also the statement for which there is provision on the back of the form in order to avoid payment of the fee.

NOTE: An application on Form TM-No.32 must be signed by the applicant for registration or the Registered Proprietor or Registered User, as the case may be, or by an agent expressly authorized by him for the purpose of such an application, unless in exceptional circumstances the Registrar otherwise allows.

(For use only in case of an address for service changed by a public authority, without change of premises)

The change of address for the entry of which application is made on the other

side of this form, was ordered by (a)

(a) Here insert the name of the public authority ordering the change and the date thereof.

.....
on theday of....., 20.....

Dated this.....day of....., 20.....

(b).....

(b) Signature of the Registered Proprietor or Registered User as the case may be.

NOTE: If the above statement be made, and a certificate of the alteration given by the named authority be supplied, the Registrar, if satisfied as to the facts of the case, will not require a fee to be paid. (See regulation 71)

FORMS

Regulations 4, 10(2)



THE REPUBLIC OF UGANDA

FORM TM 2

For stamp duty see item 44 of the Schedule to the Stamps Act

THE TRADE MARKS ACT, 2010
FORM OF AUTHORISATION OF AGENT IN A MATTER UNDER THE ACT
(Regulation 10(2).)

To: The Registrar of Trademarks
Kampala.

I (we) ... have appointed (a) ... of ... to act as my (our) agent for the purposes of (b) ... and request that all notices, requisitions and communications relating thereto may be sent to such agent at the above address.
I (we) hereby revoke all previous authorisations, if any, in request of the same matter or proceeding.

*The full name of all partners in a firm must be inserted, and the kind and country of incorporation of bodies corporate stated.
(a) Here state name and address of agent.

I (we) hereby declare that I am (or we) a (c) ...
Dated this ... day of ... 20 ...
(d) ...
Address (e) ...

(b) Here state the particular matter or proceeding for which the agent is appointed giving the reference number of business.

(To be struck out of the person appointing the Agent desires his own address to be treated as the address for service after registration)

I (or we) also authorize the said (a) ... to complete Form TM-No.32 requesting the entry of an address for service as part of any registration obtained under the above authorization.
Dated this ... day of ... 20 ...
(d) ...
Address (e) ...

(c) Here state nationality
(d) To be signed by the person appointing the agent.
(e) Here insert the full trade or business address of the person appointing the agent.

FEE



THE REPUBLIC OF UGANDA

THE TRADE MARKS ACT, 2010.

APPLICATION FOR REGISTRATION/RENEW OF A TRADEMARK AGENT (To be accompanied by a copy of the Renewed advocate's enrollment certificate)

To:
Registrar of Trade Marks
P.O. Box 6848,
Kampala.

I (name of applicant)

.....
.....

of; (business address)

- i. Physical address (must include suite/room No. floor No. where applicable, name of building, street number, street name, city and district).....
.....
- ii. Postal address.....
- iii. Email.....
- iv. Telephone number/s.....
- v. Firm name.....

Hereby apply for registration/renewal as a trademark agent(s).

Dated this day of, 20

(Signature of applicant)

.....



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

Regulation 16(2)

FORM TM. 4

FEE: [Empty box for fee payment]

Request for Registrar's Preliminary Advice as to distinctiveness or capability of distinguishing, by a person proposing to apply for the registration of a Trademark. (Regulation 16 (1))

To: Registrar of Trademarks, P.O. Box 6848, Kampala.

I (or We) (a) [Dotted lines for name and address]

(a) Here insert name and address in full.

hereby request the Registrar to advise me (or us) whether the Trademark shown on the accompanying foolscap sheet* appears to him prima facie to be inherently adapted to distinguish or inherently capable of distinguishing my (or our) goods so as to comply with the requirements of section 10 of the Act for registration in Part A or Part B of the Register.

* To be sent in duplicate

The goods in respect of which I (or We) propose to apply for registration of the said Trade Mark are (b) [Dotted lines for goods description]

(b) Here specify the goods. Only goods included in one and the same class should be specified. A separate Form of Request is required for each class.

in Class (c) [Dotted lines for class specification]

Dated this [Dotted lines] day of [Dotted lines], 20[...]

(c) Here insert the number of the class (if known). In case of doubt, the Registrar's direction may be obtained.

(d) [Dotted lines for signature] (Applicant)

(d) Signature.

Note: If and when an application is made to register the trade mark, objection may arise if identical or resembling trademarks are found on the Register. A prior notification of any such relevant marks (if any are to be found) can be obtained by a request to the Registrar made on Form TM-No. 27 (Fee. UGX.)



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010
APPLICATION FOR REGISTRATION OF TRADEMARKS
IN PART * OF THE REGISTER
(Regulation 17(1))

FORM TM. 5

FEE

To: The Registrar
of Trademarks
Kampala

* Write distinctly here
"A" or "B" according to
the registration desired.

One representation to be
fixed within this space
and four others to be
sent separate Forms
TM-No.3

Representations of a
large size may be
folded, but must then be
mounted upon linen or
other suitable material
ad affixed hereto.

Application is hereby made for Registration in Part *.....of the Register
of the accompanying Trademark in Class.....in respect of

(a).....
.....
.....
.....

(a) Here specify the
goods. Only goods
included in one and the
same class should be
specified. A separate
application from the
required application
required for each class.

in the name of (b)

(b) Here insert legibly
the full name,
description and
nationality of the
individual, firm or body
corporate making the
application. The names
of all partners in a firm
must be given in full. If
the applicant is a body
corporate, the kind and
country of incorporation
should be stated.

whose trade or business is (c)

trading as (d)

(c) Here insert the full
trade or business
address of the applicant.

by whom it is proposed to be used and who claim(s) to be its proprietor(s).

(d) Here insert the
trading style (if any).

(f)

(e) For additional
matter if required,
otherwise to be left
blank.

Dated the.....day of20.....

(g)

(f) Name and Signature



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

FORM TM 6

ADDITIONAL REPRESENTATION OF TRADE MARKS TO
ACCOMPANY APPLICATION FOR REGISTRATION
(Regulations 18(2), (4), 21, 22 and 42(c))

One representation of the Trademark to be affixed within this space. It must correspond exactly in all respects with the representation affixed to the Application Form.

Any representation larger than the space provided may be folded but must then be mounted upon linen or other suitable material and affixed hereto.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

Regulation 28

FORM TM 7

Notice of Opposition to Application for Registration of A Trademark.

(Regulation 28)

(To be accompanied by an unstamped duplicate)

To: The Registrar of Trademarks
Kampala

IN THE MATTER OF an application No.....
by
of.....

I or (we)..... of (State full name and address) hereby give notice of my (our) intention to register a trade mark advertised under the above number for class..... in the Uganda Gazzatte of theday of.....20... The grounds of opposition are as follows;

- (a)
-
- (b)
-

Dated thisday of.....20.....

.....
Applicant.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

FORM OF COUNTER-STATEMENT
(Regulations 30(1))

Regulations 30(1)

FORM TM 8

FEE:

To: Registrar of Trademarks.
P.O Box 6848,
Kampala.

IN THE MATTER OF Opposition No..... to Application No.....

I, (or We)
the applicant(s) for registration of the above Trademark, hereby give notice
that the following are the ground on which I (We) rely in support of my (our)
application:

.....
.....

I (We) admit the following allegations in the notice of Opposition:

.....
.....

Address for service in Uganda in these proceedings:

.....

Dated this day of20

(a)..... Signature



THE REPUBLIC OF UGANDA

FORM TM. 9

THE TRADEMARKS ACT, 2010

NOTICE TO THE REGISTRAR OF ATTENDANCE
AT HEARING
(Regulations 36(2) (3) and 42(6))

To: Registrar of Trademarks.
Kampala.

I (We)
of(state name and address of
applicant) hereby give notice of attendance at the hearing of the opposition for application for
registration of a Trademark in respect of the application by.....
of..... as the registered proprietor.

Dated thisday of20.....

.....
Applicant



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

Application for registration of an Invented Word (or Words) in Part * of the Register as a Defensive Trade Mark (Regulation 41(1))

Regulation 41(1)

FORM TM. 10

FEE:

One representative to be fixed within this space, and *four others to be sent on separate forms TM-No.3

To: Registrar of Trademarks, P.O. Box 6848, Kampala.

APPLICATION IS HEREBY MADE for registration in Part * of the Register of the above word(s) as a Defensive Trade Mark in Class in respect of (a)

in the name of (b)

where the trademark or business is (c)

trading as (d)

who is (are) the proprietor(s) of the same Trademark registered in Class (e)

in respect of under No.

According to my (our) information and belief the word(s) is (are) invented. The particulars of the facts on which I (we) rely in support of this application are set forth in the accompanying Statement of Case (f).

Dated this day of , 20

(g)

*Write distinctly here "A" or "B" according to the registration desired.

(a) Here specify the goods. Only goods included in one and the same class should be specified.

(b) Here insert legibly the full name, description and nationality of the individual, firm or body corporate making the application. The names of all partners must be given in full. If the applicant is a body corporate, the kind and country of origin should be stated.

(c) Here insert the full trade or business address of the applicant.

(d) Here insert the trading style (if any).

(e) Here insert particulars of the applicant's registration of the Trade Mark.

(f) To be furnished in duplicate.

(g) Signature.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010
Application for Registration of Certification Trademark
(Regulation 42(1))
(To be filled in triplicate)

Regulation 42 (1)

FORM TM. 11

FEE:

One representation to be fixed within this space and six others to be sent on separate Forms TM No.3.

Representation of a larger size may be folded, but must then be mounted upon linen or other suitable material and affixed hereto.

(a) Here specify the goods. Only goods included in one and the same class should be specified. A separate application Form is required for each class.

(b) Here insert the full name, description and nationality of the applicant. If the applicant is a body corporate, the kind and country of incorporation should be stated.

(c) Here insert the full address of the applicant.

(d) Signature.

To: The Registrar of Trademarks,
P. O Box 6848,
Kampala.

Application is hereby made for Registration in Part A of the Register of the accompanying Certification Trademark in Class
in respect of (a)
in the name of (b)
whose address is (c)

Dated this day of 20.....

(d).....



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

REGULATIONS FOR GOVERNING THE USE OF
CERTIFICATION MARK
(Regulation 42(2))

Certification Mark No. in Classin respect of

(a) Here specify the
goods of the
registration.

.....
.....

(For Official Use)

Advertised in the Uganda Gazette Vol. at page

On the day of20

(Date of Application and Registration

To be filed on triplicate

Regulation 42(6)



THE REPUBLIC OF UGANDA

FORM TM. 13

FEE:

THE TRADEMARKS ACT, 2010.

Notice to the Registrar of Opposition to an application
for registration of Certification Trademark.
(Regulation 42 (6))

To: Registrar of Trademarks,
P.O. Box 6848,
Kampala.

IN MATTER OF an application No. by
..... of
.....

I (or We) (a)

(a) Here state full name and address.

..... hereby give notice of my (or our)
intention to oppose the registration of the Certification Trademark advertised
under the above number for class in Uganda Gazette of the
..... day of 20..... Vol. page

The ground for opposition are as follows:

(b)
.....
.....

(b) The grounds should be limited to matters referred to in sub-paragraph (1) of paragraph 2 of the First Schedule to the Ordinance.

Address for service in Uganda in these proceedings:

Dated this day of 20

(c).....

(c) Signature.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

FEE:

Form of Counter-Statement in reply to Notice to the Registrar of Opposition to an Application for registration of a Certification Trademark. (Regulation 42(6))

IN THE MATTER OF an Opposition No. to the application for registration of Certification trade Mark No.

I (or We) (a)

the applicant(s) for registration of the above-numbered Certification Trade Mark hereby give notice that the following are the ground on which I (or we) rely in support of my (or our) application:-

.....
.....
.....

I (or We) admit the following allegations in the notice of Opposition:-

.....
Address for service in Uganda in these proceedings:
.....

Dated this day of 20

(a).....

(a) Signature.

To: Registrar of Trademarks,
P.O. Box 6848,
Kampala.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

FORM TM. 15

FEE:

Hearing by the Registrar of an Opposition to an Application for registration of a Certification Trademark.
(Regulation 42 (6))

NOTICE OF ATTENDANCE AT HEARING.

I (or we) (a).....
of
hereby give notice that the Hearing by the Registrar of the argument in the case of Opposition No. to Application No.....
for the registration of a Certification Trademark, which by the Registrar’s Notice to me (or us) dated the day of20.....is fixed for am or pm at the Registrar’s office on theday of20will be attended by me (or us) or by some person on my (or our) behalf.

(a) Here insert name and address

Dated thisday of20

(b).....

(b) Signature

(c).....

(c) Address

To: Registrar of Trademarks,
P.O. Box 6848,
Kampala.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

Regulation 43(1)

FORM TM 16

FEE:

FEE FOR APPLICATION OF A TRADEMARK

(Regulation 43(1))

To:

Registrar of Trademarks
P.O. Box 6848
KAMPALA

(If the applicant has furnished a printing block for advertisement, this Form must be accompanied by unmounted representation of the Mark exactly as shown on the Form of Application).

The present fee for the registration of the Trade Mark

No. in class..... is hereby transmitted.

Dated thisday of 20.....

Signature

.....



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

Application to the Registrar under section 29(3) and Regulation 44 to dissolve the association between a registered trademark and any other registered Trade Mark(s) (Regulation 44 (2))

Regulation 44(2)

FORM TM. 17

FEE:

Empty box for fee payment

To: Registrar of Trademarks, P.O. Box 6848, Kampala.

IN THE MATTER OF the Trademark No.....

registered in Class

I (We)

the Registered Proprietor(s) of the above-mentioned Trademark, hereby apply that the association of this Trademark with the following Trademark(s) registered in my (our) name :-

No. registered in Class.....

No. registered in Class.....

may be dissolved and the Register amended accordingly. The grounds for this application are set forth in the accompanying Statement of Case.

Dated this.....day of, 20.....

(a) Signature

(a).....



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

FORM TM. 18

FEE:

FEEES FOR RENEWAL OF REGISTRATION OF TRADEMARK
(Regulations 47(1), 48 and 49)

To: Registrar of Trademarks.
P.O Box 6848,
Kampala.

(a) I, (We).....of
.....hereby pay
the prescribed fee of Shsfor Renewal of
Registration of the Trademark No.....in Class which I am directed
to pay by

(b)
..... the
registered proprietor.

Date this.....day of20.....

.....
Applicant (Signature)

This form will be returned if it is filed more than three months before the expiration of the last registration.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010
ADDITIONAL FEES FOR LATE RENEWAL

FORM TM. 19

FEE:

To: Registrar of Trademarks.
P.O Box 6848,
Kampala.

In pursuance of the notices issued by the registrar, I (we) hereby transmit the additional fee of UGX(along with Form TM -No. 18) for the renewal of the registration of the Trademark No..... in class.....

(a) Signature
(b)Address

Date this.....day of20.....

- (a)
-
- (b)
-

Additional Fee of UGX to accompany Renewal Fee (Form TM - No. 18), within one month after advertisement of Non-payment of Renewal Fee.

N.B: This Form must be signed by the person(s) signing the Form TM-No. 18 which accompanies it.



THE REPUBLIC OF UGANDA

Regulation 50.

FORM TM. 20

FEE:

THE TRADEMARKS ACT, 2010.

Restoration of Trademark Removed From Register for Non-Payment of Fee
(Regulation 50)

(To accompany Form TM -No. 18)

To: Registrar Of Trademarks,
P.O. Box 6848,
Kampala.

In pursuance of the notices issued by the Registrar, I (we) hereby transmit the additional fee of UGX (along with Form TM-No. 18) for the restoration to the Register of the Trade mark No.....in Class.....

Date this.....day of20.....

.....
Applicant



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT 2010.

Joint Request to the Registrar by Registered Proprietor and Transferee to register the Transferee as subsequent Proprietor of Trademarks upon the same devolution to title. (Regulations 54 and 56)

FORM TM. 21

FEE: [Empty box]

To: Registrar Of Trademarks, P.O. Box 6848, Kampala.

(a) Name and address of registered proprietor or other Assignor or Transmitter

We (a) ... and (b) ...

(b) Full name, trade address and nationality of Transferee.

hereby request, under regulation 64 that the name of (c) ... carrying on business as (d) ...

(c) Name of Transferee.

at (e) ...

(d) Description of Transferee.

May be entered in the Register of Trademarks as proprietor of the Trade Mark(s) No.(s) ...* in Class ...as from the (f) ...by virtue of (g) ...

(e) Trade or business address of Transferee.

*Additional numbers may be given in a signed schedule on the back of the form.

(h) The Trademark at the time of the assignment was/was not used in a business in the goods in question, and the assignment took/did not take place on or after the appointed day otherwise than in connection with the goodwill of a business in the goods/and there is sent herewith a copy of the Registrar's direction to advertise the assignment, a copy of each of the advertisements complying therewith, and a statement of the dates of issue of any publications containing them.

(f) Date of acquisition of proprietorship.

(g) Full particulars of the instrument of assignment, if any, or statement of case.

Dated this ...day of ...20...

(h) Strike out any words not applicable (see regulation 69)

(i) ...

(i) Signature of Assignor or Transmitter

(j) ...

(j) Signature of Transferee



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

Request to the Registrar to register a subsequent Proprietor of Trademark or Trade Marks upon the same devolution to Title (Regulations 54 and 56)

Regulations 54 and 56

FORM TM. 22

FEE:

To: Registrar of Trademarks, P.O. Box 6848, Kampala.

I (We) (a)
.....
.....

(a) Here insert full name, trade or business address, nationality and description.

Hereby request that my (our) name(s) may be entered in the Register of Trade Marks as proprietor(s) of Trademark(s) No(s)* in Class.....as from the..... (date of acquisition of proprietorship)

*Additional numbers

I am (We are) entitled to the Trademark(b) by virtue of (c)
.....
.....
.....

(b) Number of acquisition of proprietorship

(c) Here insert full particulars of the instrument of assignment or transmission, if any, or statement of case.

(d) The Trademark at the time of the assignment was used/not used in a business in the goods in question, and the assignment took place/did not take place on or after the appointed day otherwise than in connection with the goodwill of a business in the goods/and there is a copy of the Registrar's direction to advertise the assignment, a copy of each of the advertisement complying therewith and a statement of the dates of issue of any publications containing them.

(d) Strike out any word not applicable (See reg.69)

Dated this.....day of20.....

.....(Signature)
Applicant



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

Case accompanying application

Declaration (only to be furnished when requested by the Registrar) in support of statement of case accompanying form TM-No. 14 or TMNo1 and attach, a partnership deed or an assignment deed or transfer agreement.
(Regulation 56(2))

Regulation 56(2)

FORM TM. 23

FEE:

I/WE *(Insert the name of the applicant)* Do solemnly swear and state as follows;

1. That I am *(state your nationality, age, the capacity in which the application is made)*
2. That I am aware that TM No. *(insert the TM No. and description of the trademark)* was transferred/assigned to me by *(insert the name of the previous owner/insert the name of the subsequent owner respectively)*

OR

3. That I assigned/transferred TM No. *(insert the TM No. and description of trademark)* to *(insert the name of the subsequent owner)*.
4. That the TM vide TM No. was transferred/ assigned to me because *(state the reason for transferring/assignment the trademark)*
5. That i/we paid *(Insert the consideration if applicable)* as consideration or the Trademark.
6. That I make this declaration in verification of the application of assignment/transmission for Trademark vide Trademark No.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

Regulation 58(24)

FORM TM. 24

FEE:

Extension of time within which to register Assignment of Trademark

(Regulation 58(4))

To: Registrar of Trademarks
P.O. Box 6848
KAMPALA

APPLICATION IS HEREBY MADE by (a)(here insert the name and trade or business address of the assignee (applicant) of for extension of time of (b) (insert the number of months requested?) month(s) in which to apply for the Registrar's direction for the registration of an assignment to him/them of the following trademark applications.

- 1) Application/trademark numbers
2) In class/es.....

All of which are or were registered in the name of (insert the name and trade business address of the proprietor.)

- (i) Physical address
(ii) Postal address
(iii) Email
(iv) Telephone numbers

The grounds for Extension of time are

Dated this day of, 20.....

.....
Signature



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

Regulation 62(1)

FORM TM. 25

FEE: []

Application for the approval by the Registrar of an assignment or transmission of a registered Trademark before the appointed day, resulting in exclusive rights in different persons for different parts of Uganda. (Regulation 62(1))

(To be accompanied by a Statement of Case in duplicate and a Copy of the Instrument effecting the Assignment or Transmission)

To: Registrar of Trademarks, P.O. Box 6848, Kampala.

IN THE MATTER OF Trademark(s) No. (s)

registered in the name of

in Class

Application is hereby made by (a)

of.....

who claims that the above-mentioned registered Trademark(s) was (were) on the (b)day of, 20.....

(c) assigned (transmitted) to (c) him to (d)

of.....

(who was his predecessor in title) in respect of the following goods, namely

by or from (e)

(f)

who was the registered proprietor of the said Trademark, in circumstances that are stated fully in the accompanying Statement of Case, for the approval by the Registrar of the aforesaid (c) assignment (transmission).

Dated thisday of, 20.....

(f)

(a) Insert here the name and trade or business address of the transferee who claims.

(b) Insert here the date which must precede the appointed day.

(c) Strike out the words that are not applicable.

(d) Insert here the name and trade or business address of the predecessor in title, if any.

(e) Insert here the name and trade or business address of the registered proprietor who assigned or transmitted.

(f) Signature



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

Regulation 62(1)

FORM TM. 26

FEE:

Application for the Certificate of the Registrar with reference to a Proposed Assignment of a Registered Trademark. (Regulation 62(1))

(To be accompanied by a Statement of Case in duplicate and a copy of the proposed assignment)

IN THE MATTER OF Trademark(s) No. (s)registered in the name of in Class (es)

Application is hereby made by (a)..... of being the Registrar's Certificate under section 31 (6) with reference to a proposed assignment of the registered trade mark(s) No.(s) to (b)..... of in circumstances that are fully in the accompanying Statement of Case.

(a) Here insert the name and trade business address of the Registered Proprietor.

(b) Here insert the name and trade business address of the proposed assignee.

Dated thisday of20 (c).....

(c) Signature

To: Registrar of Trademarks, P.O. Box 6848, Kampala



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

Regulation 61(1)

FORM TM. 27

FEE:

Application for the approval by the Registrar of a proposed Assignment, or of a Transmission (on or after the appointed day) of a Trademark, resulting in exclusive rights in different person for different parts of Uganda. (Regulation 62(1))

(To be accompanied by a Statement of Case in duplicate and a copy of the Instrument proposed for the Assignment or effecting the Transmission)

IN THE MATTER OF Trademark(s) No(s)

*Registered under No(s).....

in Class (es)

the property of.....

Application is hereby made by :-

(a).....

of

the proprietor of the Trademark(s) shown in the accompanying Statement of

Case (b) (used by him) in respect of the following goods

for the approval by the Registrar of a Proposed Assignment of the Trade

Mark(s) to (c).....

..... of

in respect of the following goods.....

to be sold or otherwise traded in (d).....

..... (and to (c).....

.....

of.....

in respect of the following goods.....

..... to be sold or otherwise traded

in (d) in circumstance that are

stated fully in the accompanying Statement of Case .

(e).....

*To be struck out in the case of un-registered Trade Marks.

Strike out either Paragraph (1) or paragraph (2)

(a)Insert here the name and address of the proprietor.

(b)Strike out either if not applicable.

(c)Insert here the names and trade or business of the proposed assignee or assignees.

(d)Insert the name of the place in Uganda.

Strike out the bracketed passage if not required.

(e)Here insert the name and trade or business address of the

Case was (were) in respect of the following goods, namely.....

.....
.....

and on the (f)day of20.....

transmitted to (g) him to (h)

.....

of

by whom the Trademark was then used in respect of the following goods

namelyall

in circumstance that are stated fully in the accompanying statement of Case,

for approval by the Registrar of the aforesaid Transmission.

(f)Insert here the date of the Transmission which must no proceed the appointed day.

(g)Strike out the words that are not applicable.

(h)Insert here the name and trade or address of the predecessor in title if any.

Dated theday of.....20

(j).....

(i)Insert here the name address of the person who transmitted.

(j) Signature

To: Registrar of Trademarks,
P.O. Box 6848,
Kampala.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

Regulation 62(1)

FORM TM. 28

FEE: []

Application to the Registrar for Direction for the Advertisement of an Assignment of Trademarks otherwise than in connection with the goodwill of the business (Regulation 62(1))

APPLICATION IS HEREBY MADE by (a)..... of

(a)Here insert full name, trade of business address of the assignee (applicant)

for the Registrar's direction with respect to the advertisement of an assignment to him/them of the following Trademarks otherwise than in connection with the goodwill of the business in which they were made at the time of assignment namely:-

Registered Trademarks:-

Registration Number Class Goods in respect of which the mark has been used and is assigned

All of which are or were registered in the name of (b)..... who is the assigned.

(b) Here insert full name, trade of business address of the proprietor (assignor)

Unregistered Trademarks (c) all being marks used in his business at the time of the assignment in respect of the goods stated below by (b)

(c) Only those unregistered trademarks passing by the one assignment and used in the same business and for the same goods as those for which one or more of the registered marks are registered may be stated here

..... of

who is the assignor:

Representation of Mark

Goods in respect of which the work has been used and it assigned

The date of assignment was theday of.....20.....

It is assigned that advertisement shall be directed as follows, namely in
.....
.....
Additional marks and numbers may be given in a signed schedule on the back
of the form.

Dated theday of.....20..... (d)Signature
(d)

To: The Registrar of Trademarks,
P.O Box 6848,
Kampala.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

Regulation 62(4)

FORM TM. 29

FEE:

Application for Extension of time in which to apply for the Registrar’s direction for the advertisement of an assignment of the Trademarks otherwise than in connection with the goodwill of the business (Regulation 62(4))

APPLICATION IS HEREBY MADE by (a)..... of..... for extension of time of (b)month (s) in which to apply for the Registrar’s direction for the advertisement of an assignment to him/them of the following Trademarks otherwise than in connection with the goodwill of the business in which they were used at the time of assignment namely:-

(a)Here insert the name and trade or business address of the assignee (applicant).

(b)Here insert “ one” or “two” or “three”

1) Registered Trademarks:-

Table with 3 columns: Registration Number, Class, Goods in respect of which the mark has been used and it assigned

all of which are or were registered in the name of (c)..... of..... who is the assigned.

(c)Here insert the name and trade of business address of the proprietor (assignor).

Unregistered Trademarks: all being marks used in his business at the time of the assignment in respect of the goods stated below by (d) of..... who is the assignor:

Table with 2 columns: Representation of Mark, Goods in respect of which the work has been used and it assigned

The date of assignment was theday of.....20.....
Additional marks and numbers may be given in a signed schedule on the
back of the form.

Dated theday of.....20.....

(d) (d)Signature

To: The Registrar of Trademarks,
P.O Box 6848,
Kampala.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

APPLICATION FOR REGISTRATION OF REGISTERED USER
(Regulation 63)

To be accompanied by a statement of Case giving particulars and stating as required by section 49, verified by a statutory development made by the proprietor by we person authorized to act on behalf and approved by the Registrar.

APPLICATION IS HEREBY MADE by (a).....

Who is (or we) the Registered Proprietor (s) of Trademark (s) No(s).....
..... registered in Classin respect of

(b).....that (c).....

of (d).....
.....trading as (e).....

who hereby joins in the application, may be registered as a Registered User of the above -numbered Registered Trademark(s) in respect of (f).....

subject to the following conditions or restrictions: (g).....

(h) The proposed permitted use is to end on the.....
day of20..... The proposed permitted use is without limit of period.

(i).....

To: The Registrar of Trademarks,
P.O.Box 6848,
Kampala.

FORM TM. 30

FEE:

(a) Here insert full name, trade of business address and description of the registered proprietor.

*Additional numbers may be given in a signed schedule on the back of the form.

(b) Here insert the specification in the Register.

(c) Here insert the full name, description and nationality of an individual.....

Corporate proposed on the register. The names of all partners in the firm must be given in full. In the case of a body corporate brief particulars of the kind and country of incorporation should be stated.

(d) Here insert the full trade of business address of the proposed registered user.

(e) Here insert trading style if any.

(f) Here insert designation of goods (which must be comprised within the specification)

(g)Write "none" if there are no conditions or restrictions.

(h) Strike put the words that are not applicable.

(i) Signature



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT 2010

Application by the Registered Proprietor of a Trademark for variation of the registration of a Registered User thereof with regard to the goods or conditions or restrictions.

(Regulation 65)

(To be accompanied by a statement of the Grounds for the application and the written consent (if given) of the Registered User)

FEE:

APPLICATION TO HEREBY MADE by

(a).....
.....

the Proprietor (s) of Trademark (s) No(s).....

*registered in Classin respect of (b)

that the registration of (c).....
.....
.....

as a Registered User of the above – numbered trade mark(s) in respect of (d)

may be varied in the following manner: (e)

Dated theday of.....20.....

(f)

To: The Registrar of Trademarks,
P.O.Box 6848,
Kampala.

(a) Here insert full name, description and trade of business address of the registered proprietor.

* Additional numbers may be given in a signed schedule on the back of the form.

(b) Here insert the specification in the Register.

(c) Here insert full name, description and trade or business address of the registered User.

(d) Here insert the goods in respect of which the user is registered.

(e) Here state in terms the manner in which it requested that the entry should be varied.

(f) Signature



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

FEE: [Empty box]

Application by the Registered Proprietor of a trademark or by any of the Registered Users of the Trademark for the cancellation of entry of a Registered User thereof

(Regulation 66)

(To be accompanied by a Statement of the Grounds for the application)

APPLICATION IS HEREBY MADE by

(a)..... being (b) the Registered Proprietor (a Registered User) of Trademark(s) No..... Registered in Classin respect of (c).....

(a) Here insert full name, description and trade or business address of the applicant(s).

(b) Strike put the words that are not applicable.

* Additional numbers may be given in a signed schedule on the back of the form.

..... for the cancellation of the entry under the above-mentioned registration (s) of

(c) Here insert the specification in the Register.

(d)..... as a Registered User of the trade mark (s) in respect of

(d) Here insert full name, description and trade of business address of the registered user whose entry is sought to be cancelled.

(e)..... Dated this day of 20.....

(e) Here insert goods in respect of which that registered user is entered.

(f).....

(f) Signature.

To: The Registrar of Trademarks, P.O. Box 6848, Kampala.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

Regulation 67

FORM TM. 33

FEE: [Empty box]

Application for cancellation of Entry of a Registered User of a Trademark (Regulation 67)

(To accompanied by a statement of the Grounds for the application)

IN THE MATTER OF Trademark(s) No.(s)..... registered in Class.....in the name of (a).....

Application is hereby made by (b).....

whose address for service in Uganda in these proceedings is.....

for the cancellation of the entry under the above-mentioned registration of (c).....

as the registered user thereof in respect of (d)

The grounds of this application, particular of which given in detail in the accompanying statement of case are (e).....

Dated thisday of20.....

(f).....

* Additional numbers may be given in a signed schedule on the back of the form.

(a) Here insert full name, description and trade or business address of the registered proprietor as entered in the register.

(b) Here insert the name and address of the applicant for cancellation.

(c) Here insert full name, description and trade or business address of the registered User as entered in the register.

(d) Here insert goods in respect of which that registered user is entered.

(e) Here insert one or more of the subparagraphs of paragraph (c) of section 31 (8) numbered (i), (ii), (iii).

(f) Signature

To: The Registrar of Trademarks, P.O.Box 6848, Kampala.



FORM TM 33

FEE:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

Notice to the Registrar of intention to intervene in proceedings for the variation or cancellation of an entry of a Registered User of a Trade Mark.

(Regulation 68(2) 72(1))

(To be accompanied by a statement of the grounds for intervention)

Regulation 72(1)

FORM TM. 34

FEE:

IN THE MATTER OF Trademark(s) No.(s).....

registered in Class..... in the name of (a).....

(a) Insert the name of the Registered proprietor.

.....

And

IN THE MATTER OF a registration of

(b).....

.....thereunder as a Registered User of the Mark.

(b) Insert here the name and trade or business address of the Registered User.

In reply to the Registrar's Notification, dated the day of

.....20.....notice is hereby given of my intention

to intervene in the proceedings in the above matter.

My address for service in Uganda for the purpose of these proceedings is:

.....

.....

Dated the day of20.....

(c) Signature

(c).....

To: The Registrar of Trademarks,
P.O.Box 6848,
Kampala.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

REQUEST FOR ALTERATION OF TRADE OR BUSINESS ADDRESS IN REGISTER OF TRADE MARKS (Regulations 69(1), 70)

Regulations 69(1), 70

FORM TM. 35

FEE:

To: Registrar of Trademarks, P.O. Box 6848, Kampala.

IN THE MATTER OF the Trademark(s) No.* registered in Class I (We) of

Additional numbers may be given in a signed schedule on the back of the Form.

the Registered Proprietor(s)..... of the Trademark(s) numbered as above, request that my (our) trade address in the Register of Trademarks be altered to

(a) Strike out one of these words.

Dated this.....day of20..... (b)

(b) Signature

Applicant

Note: A registered Proprietor or Registered User whose address has been altered by a public authority, so that the changed address designates the same premises as before, may make also the statement below in order to avoid payment of the fee.

(For use only in case of an address changed by a public authority, without the change of premises:-)

The change of address, for the entry of which application is made above, was ordered by (a) on the day of.....20..... (b)

(a) Here insert the name of the public authority ordering the change and the date thereof.

Note: If the above statement be made, and a certificate of the alteration given by the named authority be supplied, the Registrar, if satisfied as to the facts of the case, will not require Form TM-No. 17 to be fee paid. (See regulation 70).

(b) Signature of the Registered Proprietor or User, as the case may be.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

FORM TM. 36

FEE:

Request to enter Change of Name or Description of Registered Proprietor (or Registered User) of Trademark upon the Register (Regulations 70(1), 73(2))

To: Registrar of Trademarks, P.O. Box 6848, Kampala.

I (We) (a) hereby request that (b) name(s) and description(s) may be entered in the Register of Trademarks as proprietor(s).

(a) Here insert present name, address and description of Registered Proprietor or Registered User

(c)(registered user(s) of the Trademark(s) No. registered in Class

(b) Insert the proposed change or description of registered proprietor or user.

(c) Strike out the words not applicable.

(the said Trademark)

(d) entitled to (c) use the said Trade (Mark as registered (user(s).

*Additional numbers may be given on a signed schedule on the back of the Form.

There has been no change in the (c) (Actual proprietorship (Identity of the registered user(s) of the said Trademark but (e)

(d) Insert the proposal chan

(e) Here state the circumstances under which the change of name took place.

The entry at present standing in the Register gives my (or our) name(s) and description(s) as follows:-

Dated this day of 20

(f)

(f) Signature



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

Regulation 73(2)

FORM TM. 37

FEE:

Application to the Registrar for the Rectification of the Register or the Removal of a Trademark from the Register. (Regulation, 71(1))

(To be accompanied by a copy and a Statement of Case in duplicate)

To: Registrar of Trademarks, P.O. Box 6848, Kampala.

IN THE MATTER OF the Trademark No.

registered in the name of

in Class

I (We) (a)

(a) Here state full name and address.

hereby apply that the entry in the Register in respect of the above mentioned Trademark may be removed (b) rectified in the following manner

(b) Strike out the word (or words) that is (are) not applicable.

The grounds of my (our) application are as follows:-

No action concerning the Trademark in question is pending in Court.

Address for Service in the Uganda Protection in these proceedings:

Dated thisday of, 20.....

(c) Signature.

..... Applicant.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

FORM TM. 38

FEE:

Request by Registered Proprietor of a Trademark that a Disclaimer or Memorandum relating thereto may be registered.
(Regulations 74 and 75)

To: Registrar of Trademarks,
P.O. Box 6848,
Kampala.

Request is hereby made by (a)
..... of

(a) Here insert the name, trade or business address and description of the Registered Proprietor.

for the addition to the entry in the Register in connection with Trademark No. in class of the following
.....
.....
.....

Dated this day of, 20.....

(b)
Applicant

(b) Signature.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

Regulation 73 (2)

FORM TM 39

FEE:

Application by Registered Proprietor of Trademark to the Registrar to strike out Goods from those for which the Trademark is registered (Regulation 74(2))

(Section 37(1)(d) and regulations 75 and 76)

To: Registrar of Trademarks, P.O. Box 6848, Kampala.

IN THE MATTER OF Trademark No. Registered in class. Name of Registered Proprietor Trade or business address Description Application is hereby made by of (a) (or by a member of the firm of on behalf of my said firm) for the striking out of (b) from the goods for which the Trademark No. is registered in Class Dated this day of, 20.....

(a) Here insert the trade or business address and description of the applicant(s) or his (their) firm.

(b) Here designate the goods to be struck out.

(c) Signature

..... Applicant



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

Regulation 75(1)

FORM TM. 40

FEE:

Request to the Registrar for Entry on the Register and advertisement of a note of a Certificate of Validity by the Court (Regulation 75(1))

IN THE MATTER OF Trademark(s) No.(s) Registered in Class in the name of

I (or We) (a)

(a) Here state the name and address of the Registered praetor.

hereby request the Registrar to add the above-numbered entry(ies) of a Trade mark in the Register, and to advertise in the Uganda Gazette a note that in.

(b).....

(b) Here state the nature of the proceedings with the names of the parties to them, in which the corticated was given.

the Court certified that the validity of the said registration(s) came into question and decided in favour of the Proprietor of the Trademark in the terms of the accompanying office copy of the Certificate of Validity.

Dated thisday of20

(c).....

(c) Signature.

To The Registrar of Trademarks, P.O. Box 6848, Kampala.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

Regulation 76(1)

FORM TM. 41

FEE: [Empty box for fee payment]

Application by Registered Proprietor under section 91 for an addition to or alteration of a Registered Trademark.

(Regulation 76(1))

To: Registrar of Trademarks,
P.O. Box 6848,
Kampala.

IN THE MATTER OF the Trademark No.
in Class

Application is hereby made by (a)
of

(a) Here insert name, trade or business address and description.

..... being the Registered Proprietor(s) of the registered Trademark numbered as above, that the Registrar shall add to it or alter it in the following particulars, that is to say

(b).....

(b) Here fill in full particulars.

Four copies of the mark as it will appear when so altered are filed herewith

Dated thisday of, 20.....

(c)
(Applicant)

(c) Signature.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

Regulation 76(3)

FORM TM. 42

FEE:

NOTICE OF OPPOSITION TO APPLICATION FOR ADDITION
 TO OR ALTERATION OF A REGISTERED TRADEMARK
 (Regulation 76(3))

IN THE MATTER OF the Trademark No. registered in
 the name of
 In Class
 I (or We) (a)

(a) Here state full name and address

hereby give notice of my (or Our) intention to oppose the addition to or alteration of the Trademark numbered and registered as above, so that it shall be in the form shown in the application advertised in the Uganda Gazette of

the day of 20 Vol. Page

The grounds of opposition are as follows:-

.....

Address for service in Uganda in these proceedings:-

.....

Dated the day of 20

To The Registrar of Trademarks,
 P.O Box 6848,
 Kampala.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

Regulation 77

FORM TM. 43

FEE:

Application to the court for an order expunging or varying an entry in the register relating to a certification Trademark or varying the deposited regulations. (Regulation 77)

(To be accompanied by a copy and a statement of Case in duplicate)

To: Registrar of Trademarks, P.O. Box 6848, Kampala.

IN THE MATTER OF Certification Trademark No. ... registered in the name of ... in Class ...

I (We) (a) ...

(a) Here state full name and address.

being an aggrieved person(s) hereby apply for an order of the Court that:

1.(b) the entry in the Register in respect of the above mentioned Trademark may be (c) expunged/varied in the following manner.....

(b) Strike out either paragraph that is not applicable.

(c) Strike out one of these words.

The ground of my (our) application are as follows:

Address for service in Uganda in these proceedings:

Dated thisday of20

(d) (Applicant)

(d) Signature.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

REQUEST FOR THE CONSENT OF THE REGISTRAR
TO ALTER THE DEPOSITED REGULATIONS
FOR USE OF A CERTIFICATION MARK
(Regulation 78(1))

Regulation 78(1)

FORM TM. 44

FEE:

Application is hereby made by (a)

(a) Here insert name and address of the proprietor(s) as registered

who is (or are) the Proprietor(s) of the Certification mark(s) No.

(b) If the same Regulation apply to more than one registration, the number of the registration should be stated.

(b).....

Registered in Class in respect of (c)

(c) Here state the specification of the respective registration.

That the deposited Regulations for governing the use of the Mark may be altered in the manner shown in red in the accompanying copies (d) of the regulation as proposed to be altered, and for the consent of the Registrar to such alteration.

(d) Three copies should be furnished.

Dated thisday of20

(e).....

(e) Signature

To: Registrar of Trademarks,
P.O. Box 6848,
Kampala.

*Additional number and specification may be given in a signed schedule on the back of the form.



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

APPLICATION FOR EXTENSION OF TIME IN WHICH
TO PERFORM AN ACT UNDER THE ACT

To:
Registrar of Trademarks
P.O. Box 6848,
Kampala.

APPLICATIN IS HEREBY MADE by (a).....
..... of;

(a) Here insert
the name and
trade or business
address of the
applicant.

- i. Physical address.....
- ii. Postal address.....
- iii. Email.....
- iv. Telephone number/s

for extension of time of (b) days
to

(b) Here insert
“number of days
requested”

in respect of the following applications/trademarks
application/trademark number/s

in class/es

all of which are or were registered in thr name of (c).....

(c) Here insert
the name and
trade of business
address of the
proprietor.

- i. Physical address.....
- ii. Postal address.....
- iii. Email.....
- iv. Telephone number/s

The grounds for extension of time are:

Dated this day of, 20

(d)

(d) Signature

(Signature)”



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

Request for General Certificate of a Registrar (including Certificate of Registration of a Trademark)

(Regulation 83(1))

Regulation 83(1)

FORM TM. 46

FEE:

Empty box for fee payment

To: Registrar of Trademarks, P.O. Box 6848, Kampala.

IN THE MATTER OF * the Trademark(s) No. registered in in Class

* These words may be varied to suit other cases

I (or We) of

hereby request the Registrar to furnish me (us) with (b) his certificate that

(a)

(a) Here set out the particulars which the Registrar is required to certify.

(b) a Certificate of Registration of the Trademark (b) for use in obtaining registration abroad.

(b) Strike out words that are not applicable.

Dated this day of, 20.....

(c) Signature

(c)

(d)

(d) Address

Extract from regulation R.85: "Where a Certificate of Registration of a Trademark is desired for use in obtaining registration abroad, the Registrar ... shall include in the certificate a copy of the mark and may require the applicant for the certificate to furnish him with a copy of the mark suitable for the purpose and, if the applicant fails to do so, may refuse to issue the certificate. The Registrar ...may state in the certificate such particulars concerning the registration of the mark as to him may seem fit, and may omit there from reference to any disclaimers appearing in the register, but in the last-mentioned case the certificate shall be marked: "For use in obtaining registration abroad only".



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010.

REQUEST FOR SEARCH

FEE

To:
Registrar of Trademarks
P.O. Box 6848,
Kampala.

Name, address, telephone number and email address of person making the request.....

.....
.....
.....

I hereby request that a search be made in respect of goods and services in the following classifications:

.....
.....
.....

to ascertain whether any mark is on record that resembles the trade mark, duplicate representatives of which are attended to this request.

Dated the day of, 20

.....

(Signature)



THE REPUBLIC OF UGANDA

THE TRADEMARKS ACT, 2010

**Notice of Order of Court for Alteration or Rectification
of Register of Trademarks**

(Regulation 91(1))

Regulation 91(1)

FORM TM. 48

FEE:

IN THE MATTER OF the Trademarks No.

Registered in class.....

of.....in the names of

.....

Notice is hereby given to the Registrar that, by an order of the court made on the
..... day of, 20 it was directed that

.....
.....
.....
.....
.....
.....
.....
.....
.....

Any office Copy of the order of the Court is enclosed herewith.

Dated this day of

(To be signed by the person interested or his agent)

THIRD SCHEDULE

CLASSIFICATION OF GOOD AND SERVICES

Regulation 12

GOODS

- Class 1* Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry
- Class 2* Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordents; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists
- Class 3* Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices
- Class 4* Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting
- Class 5* Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides
- Class 6* Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores
- Class 7* Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements other than hand-operated; incubators for eggs.
- Class 8* Hand tools and implements (hand-operated); cutlery; side arms; razors.
- Class 9* Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus
- Class 10* Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials
- Class 11* Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes

- Class 12* Vehicles; apparatus for locomotion by land, air or water
- Class 13* Firearms; ammunition and projectiles; explosives; fireworks.
- Class 14* Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.
- Class 15* Musical instruments
- Class 16* Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks
- Class 17* Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal
- Class 18* Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery
- Class 19* Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal
- Class 20* Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics
- Class 21* Household or kitchen utensils and containers; combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel-wool; un-worked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes
- Class 22* Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials
- Class 23* Yarns and threads, for textile use
- Class 24* Textiles and textile goods, not included in other classes; bed and table covers
- Class 25* Clothing, footwear, headgear
- Class 26* Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers
- Class 27* Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile)

- Class 28* Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees
- Class 29* Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products; edible oils and fats
- Class 30* Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice
- Class 31* Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals; malt
- Class 32* Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages
- Class 33* Alcoholic beverages (except beers)
- Class 34* Tobacco; smokers' articles; matches

SERVICES

- Class 35* Advertising; business management; business administration; office functions
- Class 36* Insurance; financial affairs; monetary affairs; real estate affairs
- Class 37* Building construction; repair; installation services
- Class 38* Telecommunications
- Class 39* Transport; packaging and storage of goods; travel arrangement
- Class 40* Treatment of materials
- Class 41* Education; providing of training; entertainment; sporting and cultural activities
- Class 42* Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software
- Class 43* Services for providing food and drink; temporary accommodation
- Class 44* Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services
- Class 45* Legal services; security services for the protection of property and individuals; personal and social services rendered by others to meet the needs of individuals

HON. NORBERT MAO,
Minister of Justice and Constitutional Affairs.