

Opposition of **Trade or Service marks Registration** at BRELA

Opposition to the registration of a Trade/service mark

Once a trademark registration application is lodged with BRELA, the Registrar examines it. If the mark is accepted, it is advertised in the Intellectual Property Journal to inform the public.

During the advertisement period, the public can lodge objections or oppositions if the mark resembles another registered mark.



When to file an Opposition?

An opposition to the registration of a trade/service mark should be filed within 60 days from the date of advertisement of the mark in the journal.

The aggrieved party must submit a notice of opposition to the Registrar indicating the grounds for the opposition to the registration.



Grounds for the opposition

The grounds for opposition may include:

- The trade/service mark resembles with an existing registered trade/service mark.
- The trade/service mark resembles in such a way that it can deceive or cause confusion with an existing business name or company name.
- The trade/service mark was filed by an unauthorised agent/representative.
- The trade/service mark resembles in such a way as to be likely to deceive or cause confusion, with an unregistered trade or service mark used earlier by a third party. .

Remedies for an aggrieved party

The Registrar presiding over the matter will determine whether the mark should be permitted with certain conditions or rejected.

If any of the party feels dissatisfied with the Registrar's decision, he has an option to file an appeal with the High Court of Tanzania.



For more information, please do not hesitate to contact us through: **info@extentadvisory.co.tz**

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