

# Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

## Foreword

The articles of the Gulf Cooperation Council (GCC) Trademark Law<sup>1</sup> (GCC Trademark Law), and the Implementing Regulations (Regulations) govern the registration, enforcement, and commercialisation of trademark rights throughout the GCC member states.<sup>2</sup>

Although a unified law, the GCC Trademark Law and Regulations do not enable trademark registration in multiple GCC member states through a single application or process. Registration requires the filing of a separate application with the trademark registration authority in each GCC state where protection through registration is required. The registration of trademarks in the Kingdom of Bahrain is administered by the Trademark Office, Directorate of Foreign Trade & Industrial Property, which is part of the Ministry of Industry and Commerce.

Each GCC Member State will individually implement the GCC Trademark Law and the Implementing Regulations. In the Kingdom of Bahrain, the GCC Trademark Law and Implementing Regulations took effect on 29 May 2016.<sup>3</sup>

The Kingdom of Bahrain is also a signatory to the Paris Convention,<sup>4</sup> Madrid Protocol,<sup>5</sup> Trademark Law Treaty (TLT)<sup>6</sup> and Nice Agreement.<sup>7</sup> The provisions and obligations under these may impact on the application of the Articles of the GCC Trademark Law and their Regulations as applied in the Kingdom of Bahrain.

## Eligibility to register a Trademark

The GCC Trademark Law<sup>8</sup> allows a trademark to be registered in the Kingdom of Bahrain by:

- A natural person or legal entity carrying the nationality of a GCC Member State,

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<sup>1</sup> Law No. 6 of 2014 with Approval of the Law (Regulation) of Trademarks in the Cooperation Council for the Arab States of the Gulf.

<sup>2</sup> Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates (UAE).

<sup>3</sup> Ministerial Decision No. 65 of 2016.

<sup>4</sup> Paris Convention for the Protection of Industrial Property (as amended on September 28, 1979).

<sup>5</sup> Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (as amended on November 12, 2007).

<sup>6</sup> Trademark Law Treaty (adopted at Geneva on October 27, 1994).

<sup>7</sup> Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (as amended on September 28, 1979).

<sup>8</sup> Article 5 of the GCC Trademark Law.

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- foreigners residing in a GCC Member State and authorized to practice commercial, industrial, craft or service business,
- foreigners who are nationals of or residing in a Member State of a multilateral international convention to which a GCC Member State is a party.

The procedural requirements for registration depend upon whether the trademark owner/applicant is a national or legal entity of the Kingdom of Bahrain, a non-Bahraini national or entity resident and authorized to practice commercial, industrial, craft or service business in the Kingdom of Bahrain, and those regarded as non-resident foreigners.

### Nationals of Bahrain

A trademark may be registered in Bahrain by any person having legal status as an individual<sup>9</sup> (a 'natural' person) or a legal entity such as a corporate body,<sup>10</sup> representative, etc., holding the nationality of the Kingdom of Bahrain.

This eligibility exists whether that person or entity is a manufacturer or producer of the goods for which the trademark is to be used, a trader in goods manufactured or produced by someone else, a craftsman producing goods, or the provider of a service.<sup>11</sup> A national of the Kingdom of Bahrain does not need to have a commercial activity within the Kingdom in order to register a trademark.

Any individual or legal entity holding the nationality of the Kingdom of Bahrain may apply for a trademark without the need to use a registration agent or law firm. This is the case whether they reside in the Kingdom of Bahrain, or in another state.

### Foreigners

Foreigners are any individuals or legal entities that do not hold the nationality of the Kingdom of Bahrain. In the eligibility to register a trademark and in the requirements when making an application, the GCC Trademark Law makes a distinction between foreigners that are resident and authorized to carry on a commercial activity within the Kingdom of Bahrain, and those that are non-residents of the Kingdom.

### Foreign and residing in Bahrain

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<sup>9</sup> As determined by the Bahraini Citizenship Act [Bahrain], 16 September 1963 (as amended).

<sup>10</sup> As defined by Bahrain Commercial Companies Law (Law 21 of 2001) (as amended).

<sup>11</sup> Article 5.1) of the GCC Trademark Law.

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Foreign persons and foreign legal entities that reside in Bahrain are eligible to register a trademark provided they carry on a commercial, industrial, craft or service business.<sup>12</sup> Information on the legal requirements for the authorized operation of a commercial or industrial enterprise may be found here:

<https://bahrainbusinesslaws.com/all-laws/all-laws>

Individuals and legal entities that do not hold Bahraini nationality may apply for a trademark themselves (without need to use an authorized representative) provided they reside and carry on a commercial, industrial, craft or service business in the Kingdom of Bahrain. Alternatively, they may use a registration agent or law firm authorized by the Industrial Property Directorate.

### Foreign and not residing in Bahrain

Persons and entities not holding Bahraini nationality, and that do not reside or carry on an authorized commercial activity in the Kingdom of Bahrain may be eligible to register a trademark if they are nationals of or reside in a state that is a member of a multilateral international convention to which Bahrain is a party.<sup>13</sup> Any application for registration filed with the must be made using a representative registered with and authorized by the Trademarks Office of the Kingdom of Bahrain. See **Requirement to use a representative**.

### The Paris Convention<sup>14</sup>

The Kingdom of Bahrain is a member of the [Paris Convention](#) for the Protection of Industrial Property (Paris Convention). Under the provisions of the Paris Convention, Bahrain must offer individuals or businesses that hold the nationality of another State that is a member of the Paris Convention the right to apply for the registration of a trademark under the same terms and conditions as they would give to those holding Bahraini nationality.<sup>15</sup>

Nationals of States that are not members of the Paris Convention are similarly entitled to register a trademark if they are legally resident or have a real and effective industrial or commercial establishment in a State that is a member of the Paris Convention.<sup>16</sup> A list of members (Contracting Parties) to the Paris Convention can be found [here](#).

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<sup>12</sup> Article 5.2) of the GCC Trademark Law.

<sup>13</sup> Article 5.3) of the GCC Trademark Law.

<sup>14</sup> Paris Convention on the Protection of Intellectual Property

<sup>15</sup> Article 2 of the Paris Convention on the Protection of Intellectual Property.

<sup>16</sup> Article 3 of the Paris Convention on the Protection of Intellectual Property.

### **Requirement to use a representative**

The Regulations allow persons and legal entities that hold the nationality of the Kingdom of Bahrain to file an application for registration either using an agent, or to file the application themselves without using an agent.

If the applicant for registration does not hold the nationality of the Kingdom of Bahrain and is not resident and carrying out a commercial activity in the Kingdom of Bahrain, the application shall only be filed by an authorized agent. The application for registration will not be able to be submitted without entering details of a duly authorized agent.

Any agent used to file a trademark application must be approved and recorded in the Register of trademark registration agents.<sup>17</sup> Approval and inclusion of an agent in the Register of Trademark Agents is determined by the Foreign Trade & Industrial Property Directorate.<sup>18</sup> Where an agent is used to file an application for registration of a trademark, a Power of Attorney must be provided.

### **Public Authorities**

The registration of trademarks is also open to public authorities.<sup>19</sup> There is no definition of what is meant by 'public authorities' (or alternatively, 'public bodies') in either the GCC Trademark Law or the Regulations. However, these terms are generally thought of as encompassing organisations established for the specific purpose of meeting the public interest or needs. For example, this may include the armed forces, police or local government, or a charity. They will have a legal personality but will not have an industrial or commercial character.

There is no detail on eligibility requirements for public authorities but should be taken to mean public bodies of the Kingdom of Bahrain, or that are resident and authorized to operate in the Kingdom of Bahrain.

### **The Trademarks Register**

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<sup>17</sup> See Decision No. 58 of 2018 on the Registration of Industrial Property Agents.

<sup>18</sup> Article 2 of the Regulations.

<sup>19</sup> Article 5.4) of the GCC Trademark Law.

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The 'competent authority'<sup>20</sup> for the registration of trademarks in the Kingdom of Bahrain has an obligation to establish a 'Trademarks Register'<sup>21</sup> that records information relating to trademarks submitted for registration and/or registered. The details of trademarks that have been applied for, and trademark registrations recorded in the Trademarks Register must include the trademark, name and addresses of the trademark owner, and the goods or services for which the trademark has been submitted or subsequently registered.<sup>22</sup>

In addition, changes, modifications, and certain actions relating to the trademark are to be recorded in the Trademark Register. These include transfers of ownership (including partial transfer), assignments (including partial assignments, the granting of a license to use the trademark for all or any of the goods or services, mortgages over a trademark, and the renewal and cancellation of a trademark (wholly or in part).<sup>23</sup>

The use of '*... or any other modifications*' in the relevant Article of the GCC Trademark Law indicates that there may be other circumstances where a change relating to a trademark on the Trademarks Register will need to be notified and recorded. Accordingly, the changes and modifications mentioned above are not to be taken as including every circumstance that must be recorded on the Trademarks Register. One example is where a representative is appointed, removed or the name or address of a representative changes.

### Information relating to the Trademark Register and certified extracts

Any interested person may consult the Trademark Register and obtain a certified extract.<sup>24</sup> A person need not have a connection or involvement with a trademark, (such as being the owner or licensee) in order to consult or obtain an extract of a record on the Trademarks Register.

### Electronic systems and electronic database

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<sup>20</sup> Article 1 GCC Trademark Law 'Ministry of Commerce of each Member State of the GCC's States, having competence in the implementation of the GCC Trademark Law.' In the Kingdom of Bahrain, the competent authority is the Ministry of Industry and Commerce.

<sup>21</sup> 'The Trademark Register existing at the time of entry into force of this Law shall be integrated in and considered as an integral part of, the Trademark Register provided for in the above paragraph'. In the Kingdom of Bahrain, the GCC Trademark Law and Implementing Regulations took effect on 29 May 2016.

<sup>22</sup> Article 6.1 GCC Trademark Law

<sup>23</sup> Article 6.1 GCC Trademark Law

<sup>24</sup> Article 6.1 GCC Trademarks Law

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The competent administration<sup>25</sup> which, in the Kingdom of Bahrain is the Trademark Office, is required to establish an electronic system and an electronic database to be made available to the public<sup>26</sup>.

This electronic databased must be available on the internet, and permit the filing of applications to register trademarks, requests for the renewal of a trademark registration, and initiating and completing the procedures necessary to obtain the registration of trademarks.<sup>27</sup>

### Electronic Industrial Property Services

To comply with the requirement for an electronic system and database, the Kingdom of Bahrain established the Electronic Industrial Property Services ePortal. This ePortal enables users to complete a range of actions required to make an application for registration of a trademark, and once registered, renew, and request changes to the registration. The Electronic Industrial Property Services ePortal may be found at <https://service.moic.gov.bh/ipd/login>

The ePortal must be used where there is a requirement to use a ‘form prepared for this purpose.’

### Access to the Electronic Industrial Property Services ePortal

Depending on the nature of the user, access the Electronic Industrial Property Services ePortal requires either a registered and ‘activated’ account with the ePortal, or alternatively, registration for an advanced eKey and a ‘user profile’ set up on the ePortal:

#### Registration

Registration is required for Industrial Property agents. These may be part of a general law firm authorised and qualified to provide intellectual property services, qualified agents that specialise in and provide intellectual property services, and commercial companies that have persons suitably qualified in intellectual property.

Registration is also required in the case of Institutions and Commercial Registration (CR) holders. This includes non-commercial institutions,

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<sup>25</sup> Article 1 Regulations ‘The administration responsible for the registration of trademarks in each Member State of the GCC’s States.’ In the Kingdom of Bahrain, the competent administration is the Trademark Office, Directorate of Foreign Trade & Industrial Property, which is part of the Ministry of Industry and Commerce.

<sup>26</sup> Article 46 GCC Trademark Law

<sup>27</sup> Article 46 GCC Trademark Law

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government agencies, associations or clubs, and Gulf nationals with a commercial activity in the Kingdom of Bahrain but do not have a smart card issued by the Kingdom of Bahrain.

### Access via an eKey

Access via an eKey is available to Enterprises and Individuals. An individual, or representative of an enterprise must have obtained an Advanced eKey<sup>28</sup> in order to access the ePortal. A Standard eKey is not sufficient. The holder of a suitable eKey will be asked to complete a user profile containing basic contact details.

More detailed information and guidance on the requirements and procedure for registration for use of the ePortal or in gaining access to the ePortal via an eKey may be found in the **ePortal Guidelines**.

### Logging-in to the Electronic Industrial Property Services ePortal

The Electronic Industrial Property Services ePortal may be found at <https://service.moic.gov.bh/ipd/login><sup>29</sup> The ePortal is available for use in both Arabic and English.

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<sup>28</sup> Information on the eKey in the Kingdom of Bahrain and registration for an Advanced eKey can be found here: [eKey information](#)

<sup>29</sup> If a VPN is being used the hyperlink may not open.

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If the landing page opens in Arabic and the desired language is English, the language can be changed to English by clicking the cursor on 'English' in the banner heading.




If the landing page for the ePortal opens in English and the desired language is Arabic, the language can be changed from English to Arabic by clicking the cursor on العربية shown on the top left of the banner heading.

### **Industrial Property agents, Institutions and Commercial Registration (CR) holders**

Provided a registered account has already been created and activated, logging-in to access the e-services requires the entry of the email address and password used in the registration for the Electronic Industrial Property Services ePortal.<sup>30</sup>

If a registration for access to the Electronic Industrial Property Services ePortal has not been completed, please refer to the ePortal Guidelines.

#### **Industrial Property agents**

If registered with the ePortal as an Industrial Property agent, click the cursor on Industrial Property Agent Registration (ensure the grey bar is shown beneath), enter the registered email address and password and click the cursor on .

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<sup>30</sup> For guidance on how to recover a forgotten password or to change a password, see the section Forgot password/Password change in the ePortal guidelines

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The screenshot shows the 'Electronic Industrial Properties Services' portal. At the top, there are language options (Arabic and English) and the Ministry of Industry, Commerce and Tourism logo. Below the header, there are navigation links: Industrial Design, Trademark, Grievance, objection and Imitation complaint, and Patent. The main content area is divided into three sections: 'Industrial Property Agent Registration', 'Enterprises and Individuals', and 'Contact us'. The 'Industrial Property Agent Registration' section is highlighted with a red box. It contains a sub-section 'Institutions and CR Holder' which is also highlighted. Below this, there is a text prompt: 'If you are authorized to practice Industrial Property registration activity, please create a registration record then sign in'. Below the text, there are two input fields: one for email (containing 'xxxxxxx@outlook.com') and one for password (containing 'xxxxxxx'). Below the input fields are two buttons: 'Login' and 'Agent registration'. The 'Enterprises and Individuals' section contains a text prompt: 'If you are an individual or company with a commercial or industrial record, please use the advanced level of the electronic key' and a button 'eKey login'. The 'Contact us' section contains a text prompt: 'Please contact this email for any technical support' and an email address 'ip\_support@moic.gov.bh'. Below this, there is another text prompt: 'For support regarding the patent or design system, please contact the following email' and an email address 'PA-Support@moic.gov.bh'. At the bottom, there is a text prompt: 'To view applications steps, please click on the button below' and a button with a play icon.

### Institutions and Commercial Registration (CR) holders

If registered with the ePortal as an Institution and Commercial Registration (CR) holder, click the cursor on Institutions and CR holder (ensure the grey bar is shown beneath) enter the registered email address and password and click the cursor on [Login](#)

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Industrial Property Agent Registration

**Institutions and CR Holder**

Public institutions and Bahraini records owned by Gulf residents

If you are an institution, government agency, association or club and do not have a commercial or industrial register, or if you are a Gulf national who has a commercial record in the Kingdom of Bahrain and do not have a Bahrain smart card, please create a new account through this link

XXXXXX@outlook.com

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Login Register

Activate your account? Forgot password?

**Enterprises and Individuals**

If you are an individual or company with a commercial or industrial record, please use the advanced level of the electronic key

eKey login

**Contact us**

Please contact this email for any technical support

ip\_support@moic.gov.bh

For support regarding the patent or design system, please contact the following email

PA-Support@moic.gov.bh

To view applications steps, please click on the button below

### Advanced eKey holders - Enterprises and Individuals

Login is by means of the email address and password<sup>31</sup> used in the registration process. Clicking the cursor on **eKey login** will open the eKey Login Page<sup>32</sup>:

<sup>31</sup> For guidance on how to recover a forgotten password or to change a password, see the section Forgot password/Password change section further in the ePortal guidelines.

<sup>32</sup> Provided the user has previously accessed the ePortal and created the 'user profile' and activated the account.

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### eKey Login Page

### Login

Personal Number

Password

[Forgot Password?](#) [New User? Register](#)

**SIGN IN**



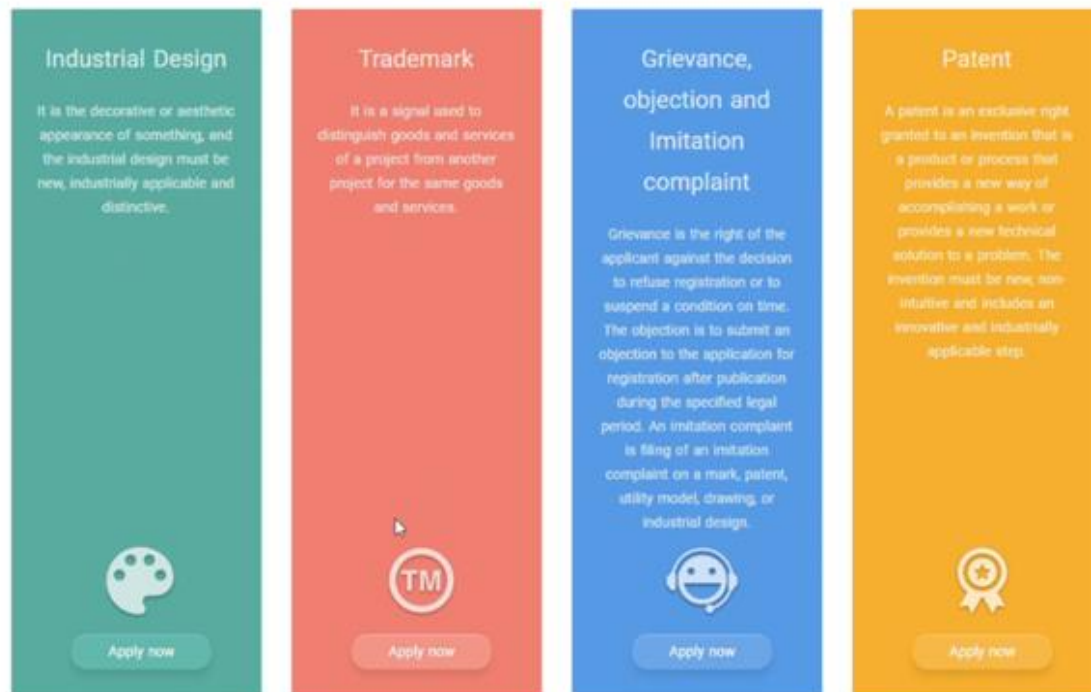
Log-in to eKey using the e-key Personal Number (CPR) and Password registered when obtaining the eKey and click the cursor on **SIGN IN**

After entering their login details at the Electronic Industrial Property Services ePortal landing page, all users will be taken to the following page:

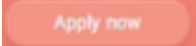
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### Electronic Industrial Properties Services

It is the creative work of human thought and includes every intellectual product related to trademarks, patents, drawings, industrial designs and other branches of industrial property. The industrial property protection system helps to reconcile the interests of the innovator and the public by ensuring an environment in which creative and innovative activity can continue and thrive for the benefit of all.



From this page a range of industrial property actions can be initiated. The column headed **Trademark** is where the actions, from making an application for the registration of a trademark, requesting renewal, and the management of changes to a registration must be completed. The ePortal must be used where there is a requirement to use a 'form prepared for this purpose' and is also where any fees are required to be paid.

Clicking the cursor on  at the bottom of the column headed TRADEMARKS will open a screen listing the actions can be undertaken:

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### Trademark Services

Mark registration statutes		Renewals and changes		Other processes	
Application for registration of national mark	100-200 BHD →	Renewal	650-750 BHD →	Amendment / cancelation / withdrawal	150 BHD →
Payment of Publication fee for one or more mark	50-100 BHD →	Changes / Assignments related to Owner	150 BHD →	Initial request for a mark examination	100 BHD →
Payment of Registration fee for one or more mark	500 BHD →	Changes related to Representative	150 BHD →	Copy / Inquires	100 BHD →
		License / Mortgage	200-300 BHD →	Process related to International Mark	20-100 BHD →

The screen has three parts under the headings:

- **Mark registration statutes**
- **Renewals and changes**
- **Other processes**

Each part has a number of sections that in general terms describes the various actions that can be started from this page. At the end of each section is an indication of the official fee payable in relation to the action and an arrow to open the section.

The following actions under each of the headings relate to an application or request that will result in an entry on the Trademarks Register:

#### Mark registration statutes

- **Application for registration of national mark**  
Contains the form that must be used in making an application for registration of a trademark, including as part of the application process, access to the national payment gateway where the prescribed fee for the application is paid.
- **Payment of Publication fee for one or more marks**  
This section provides access to the national payment gateway where the prescribed fee for publication can be paid
- **Payment of Registration fee for one or more marks**  
This section provides access to the national payment gateway where the prescribed registration fee can be paid.

Detailed guidance on the process and requirements involved in completing and filing an application for registration of a trademark can be found in the **Applications Guidelines**.

## **Registrable Transactions**

The other two parts of the Trademarks Services screen; 'Renewals and Changes' and 'Other transaction' are where actions and changes affecting registered trademarks that can (or must) be made. The following actions under each of the headings relate to an application or request that will result in an entry on the Trademarks Register:

### **Renewals and changes**

- **Renewals**

Applying for an extension of the period of registered protection, including as part of the application process, access to the national payment gateway where the prescribed fee for the application is paid.

- **Changes/Assignments related to Owner**

Notifying required changes relating to the named owner of a trademark. Each process will include access to the national payment gateway where it is required that a 'prescribed fee' for the notification can be paid.

This includes a change affecting the name of the trademark owner, including where there has been a transfer (assignment) of the legal ownership of the trademark.

- **Changes related to Representative**

Notifying a change relating to the named representative. Each process will include access to the national payment gateway where it is required that a 'prescribed fee' for the notification can be paid.

This includes changes to the name and/or address of the representative, a change of legal representation through the appointment of a new representative, and the removal of the representative with no replacement being appointed

- **Licence/Mortgage**

Submitting a request to record the grant of a license contract in respect of a trademark, and where a trademark registration has been mortgaged has

been in relation to a trademark. Each process will include access to the national payment gateway where it is required that a 'prescribed fee' for the request can be paid.

### **3 Other processes**

- **Amendment/cancellation/withdrawal**

Submitting a request for amendment of the trademark, requests for amendment/cancellation of a trademark registration (whether wholly or in part), and for the withdrawal of an application for registration of a trademark. Each process will include access to the national payment gateway where the 'prescribed fee' for the notification can be paid.

- **Process related to International Mark**

Making an international trademark application under the Madrid Protocol, payment of the administration fees for filing an international application and submitting a request to transfer (convert) an international trademark registration to a Bahrain national registration.

Submitting a request to transfer an international registration to a Bahrain national registration of Collective Mark, Certification Mark, Public Beneficiaries and Professional Institutes Mark

Submitting a request for the replacement of national or regional registration with international registration.

Each request will include access to the national payment gateway where the prescribed fee for the request can be paid.

Detailed guidance on the process and requirements involved in completing and filing an application for an international registration of a trademark under the Madrid Protocol<sup>33</sup> can be found in the **Examination and Processing of Applications under the Madrid Protocol**.

### **Mark registration statutes**

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<sup>33</sup> Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (as amended on November 12, 2007).



The sections under 'Mark registration statutes' covers the actions involving the trademark owner<sup>34</sup> in making the application for registration of a trademark, and the payment of the required fees to obtain registration.

### **Application for registration**

An application to register a national trademark in the Kingdom of Bahrain is made to the Trademark Office. The application must be made using the form prepared for this purpose<sup>35</sup>. The form is available in the Electronic Industrial Property Services ePortal which can be found at <https://service.moic.gov.bh/ipd/login>

From here, a user may complete many of the actions relating to applying for a trademark with the Trademarks Office of the Kingdom of Bahrain, renewal of the registration, and the recording of changes to the details recorded for a registration.

### **Examination of a trademark application**

Once an application for the registration of a trademark has been filed and the prescribed fee paid, the application is examined by the Trademark Office. There are two-stages in the examination process:

- **Under formal examination**  
This is a check to ensure that the application has been correctly filed, the fee has been paid, and all of the required documents have been attached to the application.
- **Substantive Examination**  
The Trademark Office must assess whether the trademark meets the requirements for registration which involves an examination by the Trademark Office. The primary aim of this examination is to establish whether or not the trademark possesses the 'distinctive form' necessary to distinguish the goods or services of a particular trader, and whether the trademark is likely to come into conflict with an earlier filed trademark.<sup>36</sup>

Detailed guidance on the eligibility to file an application for a trademark registration and the process and requirements involved in completing and filing an application

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<sup>34</sup> Actions resulting from a third-party objection to the registration of a trademark are dealt with under the 'Grievances, objection and imitation complaint' section of the ePortal.

<sup>35</sup> Article 8 GCC Trademarks Law and Article 2 Regulations

<sup>36</sup> Articles 2 and 3 GCC Trademark Law (There are other aspects of the substantive examination that may prevent registration of a trademark particularly mentioned in Article 3 GCC Trademark Law)

using the Electronic Industrial Property Services ePortal can be found in the **Applications Guidelines** and the **ePortal Guidelines**

Detailed guidance on the 'formal' and 'substantive' examination of an application for registration of a trademark may be found in the **Examination Guidelines**.

### **Renewals and changes**

Following registration of a trademark, the trademark owner may have need to notify or record certain actions or changes relating to the trademark. The sections in the column headed 'Renewals and changes' is where a trademark owner may request or notify:

- an extension of the period of registered protection (renewal)
- a change to the name, address, profession, or nationality of a trademark owner, or if the owner is an entity, any change in the name or address of that entity
- a change relating to the ownership of a trademark, including the recording of an assignment
- the recording of a change affecting the name and/or address of the representative, including the appointment of legal representation
- the recording of a Licence or Mortgage relating to the trademark

Each process will include access to the national payment gateway where the prescribed fee for the request or notification is paid.

### **Renewal of a trademark registration**

#### **First registration period**

A trademark will be considered to have achieved registration on the date that the competent administration enters the mark in the Trademark Register. The actual date of registration and the rights (protection) resulting from registration will take effect from the date on which the application for registration was submitted.<sup>37</sup>

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<sup>37</sup> Article 15 Regulations

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Where an earlier date is claimed under the provisions of a 'convention, the date of registration will still be the date on which the national application was submitted to the Trademark Office of the Kingdom of Bahrain'.<sup>38</sup>

On the formal registration of a mark, the named owner will be provided with a certificate as evidence of the registration, and including the following information:<sup>39</sup>

- Number of the trademark (registration number) and the date of registration
- The filing date of the application (date on which protection of the trademark begins) and the date of expiration of the protection period
- The name (commercial or individual) of the trademark owner, their title, address/place of residence) and nationality.
- A copy of the mark registered
- The goods or services for which the mark is registered and their category (Class)
- Any limitations or requirements
- If a priority from an earlier trademark had been claimed (and accepted), such as under the Paris Convention, the certificate will show the trademark number and country of the where the application from which priority was claimed.

### Period of protection (registration)

The period of protection resulting from the registration of the trademark is ten years.<sup>40</sup> This ten-year period starts from the date of registration (as noted on the registration certificate<sup>41</sup>) and not the date that a trademark is entered on the register. This means, for example:

- a) A trademark is applied for on 31 January 2020, which,

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<sup>38</sup> Article 17 GCC Trademark Law states 'If the mark is registered, the effect of the registration shall start as from the date of submission of the application.' There is no provision for this to change in the case of a priority.

<sup>39</sup> Article 17.1 GCC Trademark Law and Article 15 Regulations

<sup>40</sup> Article 20.1 GCC Trademark Law

<sup>41</sup> On registration of a trademark, the Trademark office will have issued a certificate showing both the date of registration (date from which protection starts) and the expiry date of the registration

- b) after examination and publication is entered on the register on 31 May 2020,
- c) will be considered as registered as from 1 February 2020 and not 31 May 2020,
- d) and will remain on the register up to (and including) 1 February 2030.

Or

- a) A trademark is applied for on 1 February 2020, which,
- b) after examination and publication is entered on the register on 31 May 2020,
- c) will be considered as registered as from 31 January 2020 and not 31 May 2020, will be considered.... from 1 Feb 2020 ...
- d) and will remain on the register up to (and including) 30 January 2030.  
Up to 1 February 2020

#### **Date claimed under a convention**

A trademark owner may claim priority from an earlier trademark<sup>42</sup> such as under the Paris Convention.<sup>43</sup> The priority will be taken into account when the Trademarks Office determines whether an earlier filed trademark is a barrier to registration.<sup>44</sup>

However, the date of registration (at c above) remains as the date on which the application for the registration was submitted to the Trademark Office in the Kingdom of Bahrain<sup>45</sup>, and not the priority date claimed.

#### **Extending the period of protection – Renewal of a trademark registration**

The owner of a trademark registered in the Kingdom of Bahrain has the right to extend (renew) the protection for further periods of 10 years.<sup>46</sup> Renewal does not automatically happen. The owner of the trademark must submit an application for

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<sup>42</sup> Article 11 GCC Trademark Law

<sup>43</sup> Paris Convention for the Protection of Industrial Property (as amended on September 28, 1979).

<sup>44</sup> AS required by Article 3.11 GCC Trademark Law

<sup>45</sup> Article 17.1 GCC Trademark Law ‘If the mark is registered, the effect of the registration shall start as from the date of submission of the application.’

<sup>46</sup> Article 20.1 GCC Trademark Law

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

renewal of the trademark registration using the form prepared for this purpose and pay the prescribed fee.<sup>47</sup>

The Trademark Office does send any notification of the expiry of the current registration period. Where a registration period expires on a day that the office is not open for business, including public holidays, this does not change the renewal date.

The renewal of a trademark registration will not require a (substantive) examination<sup>48</sup> and does not open the registration to possibility of opposition by third parties (as is the case for a new application for registration).<sup>49</sup> Provided the application for renewal of a trademark has been correctly submitted on the form prepared for this purpose (Form QF333) and the prescribed fee paid, the request for renewal will be accepted.

The form may be downloaded when making the request for renewal via the Electronic Industrial Property Services ePortal. The fee for renewal is paid as part of the process of requesting the renewal. Information and guidance on the process involved in making an application for renewal and the payment of the prescribed fee can be found in the **ePortal Guidelines**.

### When may an application for renewal be submitted

An application for the renewal of a trademark registration is done using Form QF333. This form may be submitted to the Trademarks Office at any time during the last year of the current period of registration. So, for example:

- a) A mark registered with effect from 28 February 2015,
- b) will remain on the register up to (and including) 27 February 2025.
- c) An application for renewal may be submitted from 28 February 2024 up to and including 27 February 2025.

Or:

- a) A mark registered with effect from 30 April 2020,
- b) is renewed for a further period of ten years,

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<sup>47</sup> Article 17 Regulations

<sup>48</sup> Article 20.4 GCC Trademark Law and Article 18 Regulations

<sup>49</sup> Article 30.4 GCC Trademark Law

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- c) after renewal the mark will remain on the register until 29 April 2040 (First registration period 30 April 2020 to 29 April 2030 - and then - extended period on renewal 30 April 2030 to 29 April 2040)
- d) An application for renewal may be submitted from 30 April 2039 up to and including 30 April 2040.

### Renewal after expiry of a registration period

Where a trademark registration reaches the end of its registration period (either its first period following registration or any extended period) the registration may still be renewed provided the application for renewal is made within six months following the end of the last period of registration<sup>50</sup>. For example:

- a) A mark registered with effect from 1 March 2020,
- b) will remain on the register up to (and including) 28 February 2030.<sup>51</sup>
- c) An application for renewal after the expiry of the registration period may be submitted from 31 January 2030 up to and including 30 July 2030.

Or:

- a) A mark registered with effect from 31 January 2020,
- b) is renewed for a further period of ten years,
- c) after renewal the mark will remain on the register until 30 January 2040 (First registration period 31 January 2020 to 30 January 2030 - and then - extended period on renewal 31 January 2030 to 30 January 2040)
- d) An application for renewal after the expiry of the registration period may be submitted from 31 January 2040 up to and including 30 July 2040.

The request for renewal during this six-months following the expiry of the registration period is made using form QF333. Renewal during this six-month period will not

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<sup>50</sup> Article 20.2 GCC Trademark Law and Article 17 Regulations

<sup>51</sup> If the year is a 'Leap year' (as in 2020, 2024, 2028, 2032, 2036, 2040, etc) the registration will be protected up to and including 29<sup>th</sup> February.

require any new or further examination and without the possibility of opposition by third parties.<sup>52</sup>

The renewal of a registration during the six months following the end of the last registration period must be published in the bulletin for which a fee is payable by the trademark owner.<sup>53</sup>

### **Effect of non-renewal**

If a registration is not renewed by the due date (at the latest, six months after the expiry date of the registration) the trademark registration will be struck from the Trademarks Register.<sup>54</sup> The effective date from which protection granted by the registration will cease is the date on which the last period of registration ended.

It will not be possible to apply for late renewal of the trademark or complete any procedures such as the assignment or licensing of the expired mark.

### **Submitting a request for renewal of a trademark registration**

The renewal of a trademark registration, whether in the final year of registration, or in the six months following the last period of registration, must be completed using the form prepared for this purpose<sup>55</sup>, which is Form QF333. The form may be downloaded as part of making the request for renewal of the trademark. There is a fee payable for the renewal of a trademark<sup>56</sup> payable at the time of making the request for renewal.

An application for renewal of a trademark and the payment of the renewal fee is to be done via the Electronic Industrial Property Services ePortal which can be found at <https://service.moic.gov.bh/ipd/login><sup>57</sup> Details on the process can be found in the **ePortal Guidelines**

The fee payable is different depending on when the request for renewal is submitted. If the renewal request is being made during the last year of the current registration period the fee will be lower (currently BHD 650) than if the request is being made in the six-months following the end of the last period of registration (currently BHD 750).

### **Check of the request by the Trademarks Office**

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<sup>52</sup> Article 20.4 GCC Trademark Law and Article 18 Regulations

<sup>53</sup> Article 18 Regulations

<sup>54</sup> Article 20.3 GCC Trademark Law

<sup>55</sup> Article 17 Regulations

<sup>56</sup> Article 17 and Article 18 Regulations

<sup>57</sup> If a VPN is being used the hyperlink may not open.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

The Examiner must ensure that the request for renewal has been made using the correct (prescribed) form, and that the prescribed fee has been paid.

The Examiner should check:

- **Eligibility to request the renewal of the mark:** This requires the Examiner to verify that the individual or entity making the request to renew registration of the mark has the right to make the request. The request may be made by:
  - the owner of the trademark registration who is a citizen (GCC) or is resident In Kingdom of Bahrain, etc<sup>58</sup> or,
  - an agent registered and authorized by the Trademarks Office, and,
  - authorized by the trademark owner to represent them in procedures with the Trademarks Office of the Kingdom of Bahrain

### Declaration (statement)

### اعلان (بيان)

#### I am the undersigned I confirmed that:

- All data in this form is correct and shall accept any error contained therein.
- I will make sure to attach the required evidence and documents during the submission of the application otherwise; the application will be neglected.
- I have been authorized / delegated as a legal representative on behalf of the mark owner / owners (this paragraph is valid only in the case of assigning a legal representative).

#### أنا الموقع أدناه أقر بأن:

- جميع البيانات في هذه الاستمارة صحيحة واتحمل أي خطأ وارد فيها.
- التزم بإرفاق الاثباتات المطلوبة من المستندات أثناء تقديم الطلب وإلا اعتبر الطلب كأن لم يكن / مهمل.
- قد تم تخويلي كممثل قانوني نيابة عن الشخص أو الأشخاص مودعي الطلب (هذه الفقرة يعتد بها في حال تعيين ممثل قانوني فقط).

#### Who signed:

Please tick the appropriate box according to whether the applicant for whose name and signature is the owner of the mark or his legal agent registered in the trademark registers or who signed or stamped on behalf of one of them.

- ☐ Mark owner  
☐ The agent or legal representative

#### صفة الموقع

يرجى وضع علامة في الخانة المناسبة حسب ما إذا كان مقدم الطلب والمبين اسمه وتوقيعه هو مالك العلامة أو وكيله القانوني المقيّد في سجلات العلامات التجارية أو لمن وقع أو وضع ختمه نيابة عن أحدهما.  
☐ مالك العلامة

There are two tick boxes in the signature panel. One box must be ticked to indicate whether the request to amend the mark is being made by the trademark owner or a by a legal agent/legal representative. If the tick box has not been completed the request cannot be accepted until the status of the individual or entity making the request is identified.

<sup>58</sup> See 'Eligibility to register a trademark' in the Applications Guidelines



## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

**Request to renew the registration of the mark by the trademark owner:** If the tick box indicates that the request is being made by the trademark owner, the Examiner should check that there is an entry in the ‘Owner’s data” part of the request form.

- The name entered in ‘Owner’s data’ and the name entered in the signature panel must be the same. If the names do not correspond, it may be that the wrong tick box has been used and the request to amend the mark has, in fact been submitted by an agent or representative:
- If there is an entry in the ‘**The legal representative of mark owner registered in the mark registers**’ that corresponds with the name in the signature panel, the request should be treated as one filed by the agent or representative.
- If there is a name in the signature panel and the same name is entered in the ‘Owner’s data” panel but also an entry of a different name in **The legal representative of mark owner registered in the mark registers**, the details entered for the legal representative should be disregarded and the request treated as one filed by the trademark owner.

**Request to renew the registration by an agent or representative:** If the tick box indicates that the request has been submitted by a legal agent/legal representative, the Examiner should check there is an entry in ‘**The legal representative of mark owner registered in the mark registers.**’

- **Owner’s data:** The Examiner should also check the Trademarks Register for the mark listed in ‘Mark data’ to ensure that the individual or entity listed as the mark owner is, in fact the owner.

**Owner data recorded in the Trademarks register**

**بيانات المالك المقيمة في سجل العلامات التجارية**

<p>يرجى وضع علامة في هذه الخانة إذا كان هناك أكثر من مالك للعلامة، وفي هذه الحالة يرجى إعداد قائمة بهم على ورقة إضافية وذكر البيانات المشار إليها في هذا البند.  <b>Please tick this box if there is more than one owner to the same mark and prepare their list on an additional sheet referring to this item.</b></p>	<div style="border: 2px solid red; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> <input type="checkbox"/> </div>				
	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black; padding: 5px;">العربي In Arabic</td> <td style="width: 50%; border-bottom: 1px solid black; padding: 5px;">الاسم Name</td> </tr> <tr> <td style="width: 50%; border-bottom: 1px solid black; padding: 5px;">الإنجليزي In English</td> <td style="width: 50%; border-bottom: 1px solid black; padding: 5px;"></td> </tr> </table>	العربي In Arabic	الاسم Name	الإنجليزي In English	
العربي In Arabic	الاسم Name				
الإنجليزي In English					

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

	العربي In Arabic	العنوان Address
	الإنجليزي In English	
	البريد الإلكتروني E-mail	

The check of the trademark owner's details in the Trademarks Register may show there to be more than one named owner. If this is the case:

- the tick box in the 'Owner's data' section must be ticked to indicate that there is more than one recorded owner of the trademark.
- The name and address of the owner signing the form on behalf of the owners should be entered in the form (in English and Arabic) along with their email address.
- Each of the other trademark owners must be listed in a separate sheet attached to the request, indicating the total number of owners, and giving their name(s) and address(es) (in English and Arabic) and an email address provided where they may be contacted.

If the Examiner finds a discrepancy that causes doubt that the request has been made by the trademark owner, the request cannot be accepted.

- **Representative's data:** the named legal agent/legal representative is recorded as the representative for the trademark for which the amendment is requested.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

### The legal representative of mark owner registered in the mark registers.

الممثل القانوني لمالك العلامة المعين والمقيد في سجلات العلامات التجارية (إن وجد).

This item must filled out for applications submitted through a legal representative appointed by the owner or owners of the registered mark only.

يملأ هذا البند للطلبات المقدمة من خلال ممثل قانوني معين من قبل مالك أو ملاك العلامة المسجلة فقط.

When appointing or changing a legal representative, an application for appointment or change of agent must first be submitted.

عند تعيين ممثل قانوني، أو تغييره، فوجب أولاً تقديم طلب لتعيين أو تغيير الوكيل.

	الرقم التسلسلي للوكيل المعتمد لدى مكتب العلامات التجارية إن وجد Serial number of the approved agent at the	
	العربي In Arabic	الاسم Name
	الإنجليزي In English	
	العربي In Arabic	العنوان Address
	الإنجليزي In English	
	البريد الإلكتروني E-mail	

- the name under which the request to renew registration as shown in the signature panel of the request form and the name in '**The legal representative of mark owner or licenser registered in the mark registers**' is the same.
- The serial number of the approved agent at the Trademarks Office has been entered, that it is a valid number and relates to the named agent.
- the named legal agent/legal representative is recorded as the representative for the trademark for which the amendment is requested.

Should the request be submitted by an agent or representative that is not registered with the Trademarks Office of the Kingdom of Bahrain, the request should be refused. The trademark owner must be notified that they may only use a representative registered and authorized by the Trademarks Office of the Kingdom of Bahrain.

- **Status of the mark:** That the renewal request:
  - is for a mark that is registered

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- that whether the request for renewal is being made within the final year of registration, or after the expiry of the last period of registration has been indicated and is correct. See **When may an application for renewal be submitted**

Please select one of the appropriate renewals with the attention to the protection expiration date. <span style="float: right;">يرجى تحديد الخيار المناسب مع الانتباه إلى تاريخ انتهاء الحماية.</span>	
التجديد خلال السنة الأخيرة من مدة الحماية ويوم تاريخ انتهاء الحماية. Renewal during the last year of the protection period and on the date of expiry of protection	<input type="checkbox"/>
التجديد خلال السنة أشهر التالية لانتهاء الحماية. Renewal within the six months following the expiration of the protection.	<input type="checkbox"/>

- the correct fee has been paid (depending on when the request for renewal is being made)

The Examiner should check to make sure of the status of the registration – is it within the final year of its current registration period, and if not, is it still within six-months of the expiry of the registration period.

Should the check box indication (of when the request for renewal is being made) not be checked, or the wrong box has been checked, provided the fee paid covers the prescribed fee for the renewal request, the Examiner should correct the form and proceed with the renewal.

An application for renewal of a trademark registration may only be formally accepted on receipt of a properly made request and the payment of the prescribed fee.<sup>59</sup> If insufficient fees have been paid, the trademark owner or the representative that submitted the form should be contacted and requested to pay the additional required fee.

- If the request for renewal is being made within the registration period, the additional fee must be paid before the end of the current registration period
- If the request for renewal has been made in the six-months following the end of the registration period, the additional fee must be paid no later than the end of the six-month period. The trademark owner/representative must be informed that failure to pay the fee by this date will result in the registration being struck from the Trademarks Register.<sup>60</sup>

<sup>59</sup> Article 18 Regulations

<sup>60</sup> Article 20.3 GCC Trademark Law and Article 18 Regulations

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- **Registration data:** The registration data on renewal must be closely checked as this may not correspond with the data held on the Trademarks Register:

Registration data on renewal	بيانات التسجيل المعني بالتجديد
	رقم العلامة Mark No.
	اسم/ شكل العلامة Name/ shape of the mark
	الفئة class
	تاريخ طلب تسجيل العلامة Mark registration date YY/MM/DD
	تاريخ استحقاق التجديد (انتهاء الحماية) Renewal due date (Expiry date) YY/MM/DD

- **Signature for the request:** The request for renewal must be signed, either by the trademark owner, or their authorized representative.

Where there is more than one named trademark owner recorded on the Trademarks Register, the signature may be made by one of them on the understanding that they have the authority and consent of all of the named owners to renew the trademark registration. The Examiner does not need to obtain confirmation of this.

- **Additional documents:** the number of additional documents or attachments is indicated, and the documents listed.

Additional papers and attachments (if any)	الأوراق الإضافية والمرفقات (إن وجدت)
	عدد الأوراق الإضافية المرفقة مع هذه الاستمارة Number of additional attached papers to this application
بيانات المستند المرفق Attachment data	رقم المرفق Attachment number
	سرد لقائمة المستندات المرفقة مع الطلب List of document attached

- **Attachment data:** this should show a description of the document, for example, Power of Attorney.
- **Attachment number:** each document attached should be allocated a number in order of attachment, so if the Power of Attorney is first, the attachment number is '1', the next document is '2'. This is an administrative requirement to enable the identification of the document. Provided all of the required documents have been properly submitted,

an error in this listing/numbering is not a reason to refuse acceptance of the request.

The Examiner should ensure that:

- all required documents have been submitted with the request for renewal.
- the list of documents and the documents actually submitted correspond.

If a required document is missing, such as a Power of Attorney for the appointment of a representative, the trademark owner and representative must be informed that the request for renewal cannot be formally accepted until the missing document is received by the Trademarks Office.

### **Publication of renewal**

Following the acceptance of a request for renewal of a trademark registration by the Trademark Office, the renewal must be formally announced in the Bulletin<sup>61</sup>. The fee payable for publication is part of the fee paid for the renewal of the trademark so there is no requirement to pay a further fee.

The announcement in the Bulletin will include the following information:

1. The number and category (class<sup>62</sup>) of the mark.
2. The name, address, and nationality of the trademark owner.

The publication of a renewal does not open the trademark registration to opposition from third parties<sup>63</sup>. The 'publication fee' which must be paid for a renewal<sup>64</sup> is part of the 'Renewal' fee: there is no separate fee to be paid for publication.

At the same time as publishing the announcement of the renewal of the trademark in the Bulletin, the Trademark Office will make a notation in respect of the renewal in the Trademark Register. The Examiner will attach the Renewal Application and (CR) Certificate of Registration and check that the applicant that made the renewal request is the named owner of the trademark registration.

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<sup>61</sup> Article 20.4 GCC Trademark Law and Article 18 Regulations

<sup>62</sup> According to the International (Nice) Classification of Goods and Services

<sup>63</sup> Article 20.4 GCC Trademark Law

<sup>64</sup> Article 18 Regulations

## Changes / Assignments related to Owner

A change is where the details of a trademark owner, such as their name, address etc, alter but there is no change in the ownership of the trademark. This may include a change to the legal nature of the trademark owner, such as from an unlimited company to a limited company.

Assignment involves the transfer of ownership of a trademark from the named legal owner to another legal owner. An assignment can take place for trademarks applied for but not yet registered (applications) and trademarks that have been entered in the Trademarks Register (registrations)<sup>65</sup>. It is not a requirement that there be payment (compensation) for the acquisition of a trademark<sup>66</sup>.

### Changes related to the trademark owner

The owner of the registered trademark may request the amendment of the following information recorded on the Trademark Register:<sup>67</sup>

Trademark owner (natural person) - a change in their:

- name
- address
- profession
- nationality

Trademark owner (Legal entity) - any change in the:

- name
- address

For changes relating to the way in which a mark is represented on the Trademarks Register, or changes to the goods or services for which a trademark is registered this must be requested by the trademark owner as **‘Other processes – Amendment / Cancellation / Withdrawal’**.

### Submitting a request for a change related to the owner’s name and/or address (no transfer of ownership)

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<sup>65</sup> The GCC Trademark Law and Regulations do not make any distinction between trademarks that are ‘application’ and trademarks that are ‘registered’

<sup>66</sup> Article 27.1 GCC Trademark law ‘The ownership of the trademark may be transferred ... with or without compensation...’.

<sup>67</sup> Article 16 Regulations

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

A request to a change in the name, address, profession, or nationality of the trademark owner must be done using the form prepared for this purpose. The form used to request a change to the details recorded for a trademark owner is Form QF404. A fee is payable for the filing of the request which must be paid at the same time as the request being submitted.

A request for the Trademarks Office to record a change to the owner's details is done via the Electronic Industrial Property Services ePortal which can be found at <https://service.moic.gov.bh/ipd/login><sup>68</sup>. The form for the request can be downloaded as part of making the request to record the transfer of the trademark. It must then be completed, saved, and attached to the request.

The fee payable for the change of the owner's details is paid at the time of making the request. Information and guidance on the process involved in requesting a change to the name, address, profession or nationality of a trademark owner and the payment of the prescribed fee can be found in the **ePortal Guidelines**.

### Check of the request by the Trademarks Office

**Correct form and fees:** The Examiner must ensure that the request for a change to the details recorded for the trademark owner has been made using the prescribed form (QF404) and that the required fee has been paid.<sup>69</sup>

Provided the request has been correctly made and the fee paid, the Examiner should check:

- **Eligibility to request the change to the owner's details:** This requires the Examiner to verify that the individual or entity making the request to change the details related to the owner of the mark has the right to make the request. The request may be made by:
  - the owner of the trademark registration who is a citizen (GCC) or is resident In Kingdom of Bahrain, etc<sup>70</sup> or,
  - an agent registered and authorized by the Trademarks Office, and,

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<sup>68</sup> If a VPN is being used the hyperlink may not open.

<sup>69</sup> Article 16 Regulations

<sup>70</sup> See 'Eligibility to register a trademark' in the Applications Guidelines



## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- authorized by the trademark owner to represent them in procedures with the Trademarks Office of the Kingdom of Bahrain

### Declaration (statement)

### اعلان (بيان)

#### I am the undersigned I confirmed that:

- All data in this form is correct and shall accept any error contained therein.
- I will make sure to attach the required evidence and documents during the submission of the application otherwise; the application will be neglected.
- I have been authorized / delegated as a legal representative on behalf of the mark owner / owners (this paragraph is valid only in the case of assigning a legal representative).

#### أنا الموقع أدناه أقر بأن:

- جميع البيانات في هذه الاستمارة صحيحة واتحمل أي خطأ وارد فيها.
- التزم بإرفاق الإثباتات المطلوبة من المستندات أثناء تقديم الطلب وإلا اعتبر الطلب كأن لم يكن / مهمل.
- قد تم تخويلي كممثل قانوني نيابة عن الشخص أو الأشخاص مودعي الطلب (هذه الفقرة يعتد بها في حال تعيين ممثل قانوني فقط).

#### Who signed:

Please tick the appropriate box according to whether the applicant for whose name and signature is the owner of the mark or his legal agent registered in the trademark registers or who signed or stamped on behalf of one of them.

- ☐ Mark owner  
☐ The agent or legal representative

#### صفة الموقع

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☐ مالك العلامة

There are two tick boxes in the signature panel. One box must be ticked to indicate whether the request is being made by the trademark owner or a by a legal agent/legal representative. If the tick box has not been completed the request cannot be accepted until the status of the individual or entity making the request is identified.

**Request by the trademark owner:** If the tick box indicates that the request is being made by the trademark owner, the Examiner should check that there is an entry in the 'Owner's data' part of the request form.

- The name entered in 'Owner's data' and the name entered in the signature panel must be the same. If the names do not correspond, it may be that the wrong tick box has been used and the request to amend the mark has, in fact been submitted by an agent or representative:
- If there is an entry in the **The legal representative of mark owner registered in the mark registers'** that corresponds with the name in the signature panel, the request should be treated as one filed by the agent or representative.

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- If there is a name in the signature panel and the same name is entered in the 'Owner's data' panel but also an entry of a different name in **The legal representative of mark owner registered in the mark registers**, the details entered for the legal representative should be disregarded and the request treated as one filed by the trademark owner.

**Request to amend the mark by an agent or representative:** If the tick box indicates that the request has been submitted by a legal agent/legal representative, the Examiner should check there is an entry in **'The legal representative of mark owner registered in the mark registers'**.

- **Owner(s) data:** The Examiner should also check the Trademarks Register for the mark listed in 'Mark data' to ensure that the individual or entity listed as the mark owner is, in fact the owner.

Owner data recorded in the Trademarks register

بيانات المالك المقيمة في سجل العلامات التجارية

<p>يرجى وضع علامة في هذه الخانة إذا كان هناك أكثر من مالك للعلامة، وفي هذه الحالة يرجى إعداد قائمة بهم على ورقة إضافية وذكر البيانات المشار إليها في هذا البند. Please tick this box if there is more than one owner to the same mark and prepare their list on an additional sheet referring to this item.</p>	<div style="border: 2px solid red; padding: 5px; display: inline-block;"> <input type="checkbox"/> </div>				
	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">العربي In Arabic</td> <td style="width: 50%; text-align: center;">الاسم Name</td> </tr> <tr> <td style="text-align: center;">الإنجليزي In English</td> <td></td> </tr> </table>	العربي In Arabic	الاسم Name	الإنجليزي In English	
العربي In Arabic	الاسم Name				
الإنجليزي In English					
	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">العربي In Arabic</td> <td style="width: 50%; text-align: center;">العنوان Address</td> </tr> <tr> <td style="text-align: center;">الإنجليزي In English</td> <td></td> </tr> </table>	العربي In Arabic	العنوان Address	الإنجليزي In English	
العربي In Arabic	العنوان Address				
الإنجليزي In English					
	البريد الإلكتروني E-mail				

The check of the trademark owner's details in the Trademarks Register may show there to be more than one named owner. If this is the case:

- the tick box in the 'Owner's data' section must be ticked to indicate that there is more than one recorded owner of the trademark.
- The name and address of the owner signing the form on behalf of the owners should be entered in the form (in English and Arabic) along with their email address.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- Each of the other trademark owners must be listed in a separate sheet attached to the request, indicating the total number of owners, and giving their name(s) and address(es) (in English and Arabic) and an email address provided where they may be contacted.

If the Examiner finds a discrepancy that causes doubt that the request has been made by the trademark owner, the request cannot be accepted.

- Representative's data:** the named legal agent/legal representative is recorded as the representative for the trademark for which the amendment is requested.

### The legal representative of mark owner registered in the mark registers.

الممثل القانوني لمالك العلامة المعين والمقيد في سجلات العلامات التجارية (إن وجد).

This item must filled out for applications submitted through a legal representative appointed by the owner or owners of the registered mark only.

يملأ هذا البند للطلبات المقدمة من خلال ممثل قانوني معين من قبل مالك أو ملاك العلامة المسجلة فقط.

When appointing or changing a legal representative, an application for appointment or change of agent must first be submitted.

عند تعيين ممثل قانوني، أو تغييره، فوجب أولاً تقديم طلب لتعيين أو تغيير الوكيل.

	الرقم التسلسلي للوكيل المعتمد لدى مكتب العلامات التجارية إن وجد Serial number of the approved agent at the	
	العربي In Arabic	الاسم Name
	الإنجليزي In English	
	العربي In Arabic	العنوان Address
	الإنجليزي In English	
	البريد الإلكتروني E-mail	

- the name under which the request in the signature panel of the request form and the name in 'The legal representative of mark owner or licensor registered in the mark registers' is the same.
- The serial number of the approved agent at the Trademarks Office has been entered, that it is a valid number and relates to the named agent.
- the named legal agent/legal representative is recorded as the representative for the trademark for which the amendment is requested.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

Should the request be submitted by an agent or representative that is not registered with the Trademarks Office of the Kingdom of Bahrain, the request should be refused. The trademark owner must be notified that they may only use a representative registered and authorized by the Trademarks Office of the Kingdom of Bahrain.

- **Correct language:** that where the form requires the information in Arabic, English or both, that the information has been entered in the correct language
- **Mark data:** that the mark to which the request relates has been identified:

Mark Data	بيانات العلامة
	رقم العلامة Mark number
	اسم/ شكل العلامة Name/ shape of the mark
	الفئة Class

- **Mark number:** This is the number allocated to the registration by the Trademark Office of the Kingdom of Bahrain
  - **Name/shape of the mark:** This will be the name of the mark and/or description of the mark recorded in the Trademarks Register
  - **Class:** The category or 'class' of the Nice Classification in which the trademark has been registered.
- **Details to be changed by the request:** that the details relating to the owner that are to be changed has been indicated by checking the appropriate box:

Please select one of changes.	يرجى اختيار واحد من التغييرات.
تغيير اسم المالك Owner's name change	<input type="checkbox"/>
تغيير عنوان المالك Owner's Address change	<input type="checkbox"/>
تغيير اسم وعنوان المالك Owner's name and address change	<input type="checkbox"/>

- the Examiner should check that the change indicated (name, address, or both the name and address) corresponds with the information entered for 'Modified data for the owner (New)'

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

Accessibility Mode Print Find Immersive Reader ...

Modified data for the owner (New) بيانات المالك المعدلة (الجديد)

يرجى وضع علامة في هذه الخانة إذا كان هناك أكثر من مالك للعلامة، وفي هذه الحالة يرجى إعداد قائمة بهم على ورقة إضافية وذكر البيانات المشار إليها في هذا البند.  
Please tick this box if there is more than one owner to the same mark and prepare their list on an additional sheet referring to this item.

	<input type="checkbox"/>
الاسم Name	العربي In Arabic الإنجليزي In English
العنوان Address	العربي In Arabic الإنجليزي In English
الطابع القانوني Legal Entity	
البريد الإلكتروني E-mail	

- if the change is indicated to be 'Owners name change' has a new name been entered in the section Modified data for the owner (New)
- If the change indicated is an 'Owner's address change', has a new address been entered in the section Modified data for the owner (New)

If the name change suggests to the Examiner that this is more than just a change of name, for example, there may have been a transfer of ownership and a form QF 348 should have been filed, this should be raised with the trademark owner or their representative before proceeding with the name change. See '**Transfers (Assignments) related to the owner**'.

if the request for change has been made by the trademark owner, and the change of address causes doubt whether they have the eligibility to make a request for the change, this should be clarified with the trademark owner. If necessary, they must be directed to appoint an authorized representative.

It must also be considered that the individual or entity is no longer eligible to hold a trademark registration in the Kingdom of Bahrain.

- **Signature for the request:** The request for change must be signed, either by the trademark owner, or their authorized representative.

Where there is more than one named trademark owner recorded on the Trademarks Register, the signature may be made by one of them on the understanding that they have the authority and consent of all of the named owners to change the owner's data for the trademark registration. The Examiner does not need to obtain confirmation of this.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- **Additional documents:** the number of additional documents or attachments is indicated, and the documents listed.

Additional papers and attachments (if any)		الأوراق الإضافية والمرفقات (إن وجدت)
		عدد الأوراق الإضافية المرفقة مع هذه الاستمارة Number of additional attached papers to this application
بيانات المستند المرفق Attachment data	رقم المرفق Attachment number	سرد لقائمة المستندات المرفقة مع الطلب List of document attached

The following documents must be filed with the request:

Evidence of the required change

Power of Attorney if the application is made by an agent

The documents must be notarized, duly authenticated, and translated into Arabic.

- **Attachment data:** this should show a description of the document, for example, Power of Attorney.
- **Attachment number:** each document attached should be allocated a number in order of attachment, so if the Power of Attorney is first, the attachment number is '1', the next document is '2'. This is an administrative requirement to enable the identification of the document. Provided all of the required documents have been properly submitted, an error in this listing/numbering is not a reason to refuse acceptance of the request.

The Examiner should ensure that:

- all required documents have been submitted with the request for the change.
- the list of documents and the documents actually submitted correspond.

If a required document is missing, such as a Power of Attorney for the appointment of a representative, the trademark owner and representative must be informed that the request for change cannot be

formally accepted until the missing document is received by the Trademarks Office.

### **Announcement (publication) of the change to the name and/or address of the trademark owner**

Where the office accepts a request to record a change in the name, address, profession, or nationality of the trademark owner, they must prepare an announcement for publication in the Bulletin.<sup>71</sup> A 'publication fee' is payable by the trademark owner before the publication will take place<sup>72</sup>. This is part of the fee that is paid for the request for the Trademarks Office to record the change of the trademarks owner's details; there is no separate fee payable.

The Trademarks Office will make a make a note of the change to the trademark owner's details in the Trademark Register. Evidence of the change will be sent by the Trademarks Office to the trademark owner<sup>73</sup>.

### **Transfer (Assignments) related to Owner of a trademark**

A transfer of ownership of a trademark occurs where the rights to a particular trademark pass from one legal person or legal entity to another legal person or legal entity.

A transfer of ownership will include the circumstances where the trademark owner is:

- an entity and legally merges with another entity, including within the same group
- is an entity that is part of a group, and ownership of the trademark passes to another entity in the group (such as from a subsidiary to a parent company)
- is a partnership and the partners in partnership change
- recorded as several individuals, and one or more of the individuals relinquish their ownership
- a single individual and another individual is added as a recorded owner

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<sup>71</sup> Article 16.3 Regulations

<sup>72</sup> Article 16 Regulations

<sup>73</sup> Article 16 Regulations

- is composed of trustees where the trademark is registered in the name of trustees. The new owner must apply to the registrar for the assignment to be entered on the register.

Where the ownership of a commercial enterprise or exploitation project is transferred, the transfer of ownership will include any trademarks in the original owner's name unless otherwise agreed<sup>74</sup>.

Should the ownership of a commercial enterprise or exploitation project be transferred without the trademark(s), the registered owner of the trademark(s) may continue to produce, offer, or commercialize the same goods and/or services for which the mark has been registered, unless it has been otherwise agreed.<sup>75</sup>

### **Other circumstances in which a transfer may occur**

The transfer (assignment) of a trademark most commonly results from agreement between two parties, but may also arise by inheritance, testament, or donation<sup>76</sup>.

The natural successors of a trademark owner have the right to transfer the ownership. This may be collectively in their own name or in the name of any of them following the provision of an assignment document signed by the person entitled to the trademark. This is without prejudice to other provisions of the GCC Trademark Law<sup>77</sup>.

### **Whole of partial transfer of a trademark**

The ownership of a trademark may be transferred in its entirety or in part<sup>78</sup>. Any transfer of ownership of a trademark, whether in whole or in part, will not be effective towards the new legal owner until the transfer has been entered in the Trademarks Register and published in the Bulletin<sup>79</sup>.

In a partial transfer of a trademark, the trademark owner retains the rights to the registration in respect of some of the goods or services for which a trademark has been registered. A new party will acquire the rights to the registration in relation to specified goods or services. A partial transfer of ownership may take place where the

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<sup>74</sup> Article 28.1 GCC Trademark Law

<sup>75</sup> Article 28.2 GCC Trademark Law

<sup>76</sup> Article 27.2 GCC Trademark Law

<sup>77</sup> Article 26 Regulations. This refers to Article 5 GCC Trademark law which defines and limits who may register a trademark

<sup>78</sup> Article 27 GCC Trademark Law and Article 24 Regulations

<sup>79</sup> Article 27.3 GCC Trademark Law



goods or services to be transferred (assigned) to a new owner are the same as, similar or related to the goods or services that are not being transferred<sup>80</sup>.

### **Request to record the transfer (assignment) of ownership of a trademark**

A request to record the transfer of ownership of a trademark is to be made by the new owner (the person or entity to whom the trademark has been transferred) or their approved agent<sup>81</sup>.

The request to record a change of ownership of a trademark (whether this involves a complete or partial transfer of ownership) is submitted to the Trademark Office using the form prepared for this purpose<sup>82</sup> which in the case of a transfer or assignment of ownership is Form QF348. There is a fee payable for a Request to change an ownership of a trademark.<sup>83</sup> There is also a fee payable for the publication of the change of ownership in the Bulletin.<sup>84</sup>

The form notifying a change of ownership of a trademark is available for download on the Electronic Industrial Property Services ePortal as part of the process of requesting the recording of the transfer of ownership. The form will require the following information to be entered<sup>85</sup>:

- The number and category of the registered mark
- The name and address of the previous mark owner
- The name, commercial name if applicable, address and nationality of the person to whom ownership has been transferred
- The date of transfer of ownership and disposal or the fact which prompted the transfer of ownership
- Where the application is submitted by an agent, their name and address

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<sup>80</sup> It is for the parties to ensure the assignment will not result in public deception or confusion.

<sup>81</sup> Article 24 Regulations. 'Approved' agent means approved and recorded in the Register of trademark registration agents See Decision No. 58 of 2018 on the Registration of Industrial Property Agents

<sup>82</sup> Article 24 Regulations

<sup>83</sup> Article 17 and Article 18 Regulations

<sup>84</sup> Article 26.2 Regulations

<sup>85</sup> Article 24 Regulations

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

The following documents must also be provided with the form, each document authenticated, duly certified, and translated into Arabic<sup>86</sup>:

- Proof of the transfer of ownership.
- Proof of the exercise of the activity
- The original power of attorney if the application to record the transfer is submitted by an agent.

### **Submitting a request record the transfer (assignment) of ownership of a trademark**

A request to record the transfer of ownership of a trademark registration and the payment of the fee for the filing of the request is done via the Electronic Industrial Property Services ePortal which can be found at

<https://service.moic.gov.bh/ipd/login><sup>87</sup>

The form QF348 may be downloaded as part of making the request to record the transfer of ownership of the trademark and attached to the request.

The fee payable for recording the transfer of ownership is paid at the time of making the request for the Trademarks Office to record the transfer or assignment. Part of this fee covers the fee that is payable for the publication of the transfer; there is no separate publication fee payable.

Information and guidance on the process involved in requesting a change to the name, address, profession or nationality of a trademark owner and the payment of the prescribed fee via the ePortal can be found in the **ePortal Guidelines**.

### **Documents required by the Trademarks Office relating to a transfer of ownership**

A request to record a complete or partial transfer or assignment of a trademark requires the completion and filing of the downloadable request from available in the Electronic Industrial Property Services ePortal. The following documents must also be provided with the form, each document authenticated, duly certified, and translated into Arabic<sup>88</sup>:

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<sup>86</sup> Article 24 Regulations

<sup>87</sup> If a VPN is being used the hyperlink may not open.

<sup>88</sup> Article 24 Regulations

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- Proof of the transfer of ownership.
- Proof of the exercise of the activity
- The original power of attorney if the application to record the transfer is submitted by an agent.

### Check of the request by the Trademarks Office

**Correct form and fees:** The Examiner must ensure that the request to record the transfer (assignment) of ownership has been made using the form prepared for this purpose<sup>89</sup> (Form QF348), and that the required fee has been paid.<sup>90</sup>

Provided the request has been correctly made and the fee paid, the Examiner should check:

- **Eligibility to make the request:** that the person or entity making the request is eligible to do so either by being:
  - the new owner entered in the New owner(s) data section of the Form QF348
  - an agent registered and authorized by the Trademarks Office, and,
  - authorized by the trademark owner to represent them in procedures with the Trademarks Office of the Kingdom of Bahrain

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<sup>89</sup> Article 24 Regulations

<sup>90</sup> Article 16 Regulations

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

### Declaration (statement)

### اعلان (بيان)

#### I am the undersigned I confirmed that:

- All data in this form is correct and shall accept any error contained therein.
- I will make sure to attach the required evidence and documents during the submission of the application otherwise; the application will be neglected.
- I have been authorized / delegated as a legal representative on behalf of the mark owner / owners (this paragraph is valid only in the case of assigning a legal representative).

- أنا الموقع أدناه أقر بأن:
- جميع البيانات في هذه الاستمارة صحيحة واتحمل أي خطأ وارد فيها.
  - التزم بإرفاق الاثباتات المطلوبة من المستندات أثناء تقديم الطلب وإلا اعتبر الطلب كأن لم يكن / مهمل.
  - قد تم تخويلي كممثل قانوني نيابة عن الشخص أو الأشخاص مودعي الطلب (هذه الفقرة يعتد بها في حال تعيين ممثل قانوني فقط).

#### Who signed:

Please tick the appropriate box according to whether the applicant for whose name and signature is the owner of the mark or his legal agent registered in the trademark registers or who signed or stamped on behalf of one of them.

- ☐ Mark owner  
☐ The agent or legal representative

#### صفة الموقع

يرجى وضع علامة في الخانة المناسبة حسب ما إذا كان مقدم الطلب والمبين اسمه وتوقيعه هو مالك العلامة أو وكيله القانوني المقيد في سجلات العلامات التجارية أو لمن وقع أو وضع ختمه نيابة عن أحدهما.

☐ مالك العلامة

There are two tick boxes in the signature panel. One box must be ticked to indicate whether the request is being made by the trademark owner (this must be the new owner) or a by a legal agent/legal representative. If the tick box has not been completed the request cannot be accepted until the status of the individual or entity making the request is identified.

**Request by the new trademark owner:** If the tick box indicates that the request is being made by the trademark owner, the name entered in the signature panel must be the same as the name entered in the 'New owner(s) data panel.

- If the name given for the signature and the name entered in the New owner(s) data panel do not correspond, the Examiner should check to see whether the New owners data panel indicates in the tick box that there is more than one new owner. If there is more than one 'new owner, there should be a list of all new owners submitted with the request. The Examiner should check the list to see if the name for the signature corresponds with any of the names in the list.
- If the name is not listed, meaning that the request to record the transfer (assignment) has not been submitted by a new owner, it may be that the wrong tick box has been used and the request to amend the mark has, in fact been submitted by an agent or representative:

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- If there is an entry in the **The legal representative of mark owner registered in the mark registers'** that corresponds with the name in the signature panel, the request should be treated as one filed by the agent or representative; there is no need to return the form for amendment.
- If the name in the signature panel corresponds with the name entered in the 'New owner's data' panel, there should not be an entry in **The legal representative of mark owner registered in the mark registers'** panel of the form. Details of a representative are only required when the request is being made by a representative. If **The legal representative of mark owner registered in the mark registers'** contains details for a legal representative, this should be disregarded and the request treated as one filed by the trademark owner.
- If the name in the signature panel matches the name entered in the 'old owner's data' panel the form cannot be accepted as the 'old owner' is not one of the parties that is able to make the request.<sup>91</sup> The old owner, new owner and their representative should be notified that the request has not been accepted and should be re-submitted.

**Request to amend the mark by an agent or representative:** If the tick box indicates that the request has been submitted by a legal agent/legal representative, the Examiner should check:

- there is an entry in **'The legal representative of mark owner registered in the mark registers'**.
  - the name under which the request to record the transfer or assignment shown in the signature panel of the request form and the name in **'The legal representative of mark owner registered in the mark registers'** is the same.
- **New owner(s) data:** The 'Owner type' tick box indicating whether the new owner of the trademark is an individual or legal entity must be ticked. Only one box should contain a tick.

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<sup>91</sup> Article 24 Regulations – 'The ownership of the trademark shall be transferred following a request submitted to the competent administration by the person to whom ownership has been transferred or his approved agent....'

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

New owner(s) data	بيانات المالك/ المالك الجديد	
<p>يرجى وضع علامة في هذه الخانة إذا كان هناك أكثر من مالك للعلامة. وفي هذه الحالة يرجى إعداد قائمة بهم على ورقة إضافية وذكر البيانات المشار إليها في هذا البند.</p> <p>Please tick this box if there is more than one owner to the same mark and prepare their list on an additional sheet referring to this item.</p>	<input type="checkbox"/>	
<p>شخصاً طبيعياً (فرد)</p> <p>Natural person (individual)</p>	<input type="checkbox"/>	<p>نوع المالك</p> <p>Owner Type</p>
<p>شخصاً معنوياً (شركة أو مؤسسة)</p> <p>Legal entity (company or institution)</p>	<input type="checkbox"/>	
	<p>العربي</p> <p>In Arabic</p>	<p>الاسم</p> <p>Name</p>
	<p>الإنجليزي</p> <p>In English</p>	
	<p>العربي</p> <p>In Arabic</p>	<p>العنوان</p> <p>Address</p>
	<p>الإنجليزي</p> <p>In English</p>	
	<p>جنسية المالك</p> <p>Owner Nationality</p>	
	<p>بلد الإقامة</p> <p>Country of resident</p>	
	<p>نوع الهوية</p> <p>Identity Type</p>	<p>بيانات الهوية</p> <p>Identity data</p>
	<p>رقم الهوية</p> <p>Identity Number</p>	
	<p>الطابع القانوني</p> <p>Legal Entity</p>	
	<p>رقم الهاتف</p> <p>Phone number</p>	
	<p>البريد الإلكتروني</p> <p>E-mail</p>	

- **More than one new owner:** If there is more than one new owner of the mark, each owner this must be indicated in the tick box at the top of the New owner(s) data panel.

if the tick box shows there to be more than one new owner, the details in the 'New owner(s) data' must be provided for each of them.

The owner that has submitted the request should enter their details on the form.

The additional owners should be listed on a separate sheet, giving the total number of owners (including the one recorded in the form). All parts of the data listed in the New owner(s) data panel must be provided for each new owner. If any information is missing, either for the named owner in the form, or any additional owners shown in the attached list, the request cannot be formally accepted.

- **Old owner(s) data:** The Examiner should check the Trademarks Register for the mark listed in 'Mark data' to ensure that the individual or entity listed as the 'old' mark owner is, in fact the owner.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

<p>يرجى وضع علامة في هذه الخانة إذا كان هناك أكثر من مالك للعلامة، وفي هذه الحالة يرجى إعداد قائمة بهم على ورقة إضافية وذكر البيانات المشار إليها في هذا البند.</p> <p><b>Please tick this box if there is more than one owner to the same mark and prepare their list on an additional sheet referring to this item.</b></p>	<input type="checkbox"/>
	<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <p>العربي In Arabic</p> <p>الإنجليزي In English</p> </div> <div style="text-align: center;"> <p>الاسم Name</p> </div> </div>
	<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <p>العربي In Arabic</p> <p>الإنجليزي In English</p> </div> <div style="text-align: center;"> <p>العنوان Address</p> </div> </div>
	<p>البريد الإلكتروني E-mail</p>

The check of the trademark owner's details in the Trademarks Register may show there to be more than one named owner. If this is the case:

- the tick box in the 'Owner's data – old owner' section must be ticked to indicate that there is more than one recorded owner of the trademark.

One owner may enter their details on the form. The additional owners should be listed on a separate sheet, giving the total number of owners (including the one recorded in the form). All parts of the Old owner(s) data must be provided. If any information is missing, either for the named owner in the form, or any additional owners shown in the attached list, the request cannot be formally accepted.

- **Representative's data:** the named legal agent/legal representative is recorded as the representative for the trademark for which the amendment is requested.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

### The legal representative of mark owner registered in the mark registers.

الممثل القانوني لمالك العلامة المعين والمقيد في سجلات العلامات التجارية (إن وجد).

This item must filled out for applications submitted through a legal representative appointed by the owner or owners of the registered mark only.

يملأ هذا البند للطلبات المقدمة من خلال ممثل قانوني معين من قبل مالك أو ملاك العلامة المسجلة فقط.

When appointing or changing a legal representative, an application for appointment or change of agent must first be submitted.

عند تعيين ممثل قانوني، أو تغييره، فوجب أولاً تقديم طلب لتعيين أو تغيير الوكيل.

الرقم التسلسلي للوكيل المعتمد لدى مكتب العلامات التجارية إن وجد Serial number of the approved agent at the	
العربي In Arabic	الاسم Name
الإنجليزي In English	
العربي In Arabic	العنوان Address
الإنجليزي In English	
البريد الإلكتروني E-mail	

- The serial number of the approved agent at the Trademarks Office has been entered, that it is a valid number and relates to the named agent.
- the named legal agent/legal representative is recorded as the representative for the trademark for which the amendment is requested.

Should the request be submitted by an agent or representative that is not registered with the Trademarks Office of the Kingdom of Bahrain, the request should be refused. The trademark owner must be notified that they may only use a representative registered and authorized by the Trademarks Office of the Kingdom of Bahrain.

- **Correct language used:** Where the form requires the information in Arabic, English or both, that the information has been entered in the correct language. In the event of the request being submitted by a trademark owner, the request should be rejected, and the trademark owner told that only the new owner or their representative may make the request.
- **Mark data:** that the mark to which the request relates has been identified:



## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

Mark Data

بيانات العلامة

	رقم العلامة Mark number
	اسم/ شكل العلامة Name/ shape of the mark
	الفئة Class

A request to change the ownership may only relate to a single registration; a separate form must be used for each request.

- **Method of transfer:** that the method by which the transfer (assignment) of ownership has been indicated by checking the appropriate box:

Method of ownership transfer

التصرف أو الواقعة التي تم بمقتضاها نقل الملكية

Please select the correct field.

يرجى اختيار الخانة الصحيحة.

عقد تنازل Assignment	<input type="checkbox"/>
اندماج أو عملية انضمام (شركة إلى أخرى) Company Merger	<input type="checkbox"/>
إرث legacy	<input type="checkbox"/>
وصية Will/ commandment	<input type="checkbox"/>
هبة Endowment	<input type="checkbox"/>
قرار محكمة Court Order	<input type="checkbox"/>
أخرى (يرجى التحديد) Other (specify)	<input type="checkbox"/>
تاريخ التصرف أو الواقعة التي تم بمقتضاها نقل الملكية Date of ownership was transferred YY/MM/DD	

The Examiner should check the tick box corresponds with the documents provided, for example, if the transfer is by 'assignment', that the document evidencing the assignment has been provided. If it is indicated that the transfer is the result of a Court Order, that the order issued by the court has been provided.

- **Signature:** The form must have been signed either by the new trademark owner or a representative that has been authorized by the new owner.

Where there is more than one new owner to be recorded, the signature may be made by one of them on the understanding that they have the authority and consent of all of the named owners to transfer or assign the trademark registration. The Examiner does not need to obtain confirmation of this.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- **Additional documents:** the number of additional documents or attachments is indicated, and the documents listed.

Additional papers and attachments (if any)		الأوراق الإضافية والمرفقات (إن وجدت)
		عدد الأوراق الإضافية المرفقة مع هذه الاستمارة Number of additional attached papers to this application
بيانات المستند المرفق Attachment data	رقم المرفق Attachment number	سرد لقائمة المستندات المرفقة مع الطلب List of document attached

- The following documents must be filed with the request:

- Evidence of the required change.

The tick box at 'Method of ownership transfer' should be checked to see how the transfer has been made and compared with the documentary evidence provided. Particular attention should be given to ensuring

- that the names (old owner(s) and new owner(s)) correspond,
- the effective date of the transfer – was the trademark registered at that point in time.<sup>92</sup>
- Evidence of the activity of the assignee's ownership of the mark and identification of individuals.

This identifies their eligibility to own a registered trademark in the Kingdom of Bahrain.

- The origin of the agency if the application is made by an agent.

The documents must be notarized, duly authenticated and translated into Arabic.

- **Attachment data:** this should show a description of the document, for example, Power of Attorney.

<sup>92</sup> Article 24.1 – refers to the number and category of the 'registered mark'

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- **Attachment number:** each document attached should be allocated a number in order of attachment, so if the Power of Attorney is first, the attachment number is '1', the next document is '2'. This is an administrative requirement to enable the identification of the document. Provided all of the required documents have been properly submitted, an error in this listing/numbering is not a reason to refuse acceptance of the request.

The Examiner should ensure that:

- all required documents have been submitted with the request to record the transfer or assignment.
- the list of documents and the documents actually submitted correspond.

If a required document is missing, the trademark owner and representative must be informed that the request to record the transfer or assignment cannot be formally accepted until the missing document is received by the Trademarks Office.

### **Announcement (publication) of the transfer (assignment) of ownership**

Provided the request for the transfer of ownership has been correctly submitted, including the filing of the required documents, the Trademark Office must prepare an announcement for publication in the Bulletin.<sup>93</sup>

The new trademark owner<sup>94</sup> is required to pay a 'publication fee' which must be paid before the publication will take place<sup>95</sup>. The 'publication fee is part of the fee paid to the Trademarks Office when making the request to record the transfer of ownership; there is no separate fee payable.

The announcement must include the following information:

- The number and category (class<sup>96</sup>) of the registered trademark<sup>97</sup>

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<sup>93</sup> Article 26 Regulations

<sup>94</sup> The GCC Trademark Law and Regulations do not specify who should pay the publication fee, but as Article 26 of the Regulations says that the request for transfer must be made by 'the person to whom ownership has been transferred' it is reasonable to infer that the same person must pay the publication fee.

<sup>95</sup> Article 26 Regulations

<sup>96</sup> According to the International (Nice) Classification of Goods and Services

<sup>97</sup> Article 26.1 Regulations

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- The name, address, and nationality of the person to whom ownership has been transferred<sup>98</sup>

The Trademarks Office must make a notation in respect of the transfer of ownership of the trademark in the Trademark Register.<sup>99</sup> Although not specifically required by the Regulations, the Trademarks Office will send evidence of the entry to the new trademark owner.

### Changes related to representative

The owner of a trademark may, (and in some circumstances must) appoint a representative or agent to complete various actions connected with making an application for the registration of a trademark.

For example, persons and legal entities that hold the nationality of the Kingdom of Bahrain may file an application for registration without using a representative but may choose to appoint one. If an agent is not appointed when making an application for registration, it is open to the trademark owner to appoint an agent at any later date, should they so wish.

However, if the applicant for registration does not hold the nationality of the Kingdom of Bahrain and is not resident and carrying out a commercial activity in the Kingdom of Bahrain, an application for registration of a trademark may only be submitted by an authorized representative.

Any representative being added to a trademark application or registration must be approved and recorded in the Register of Trademark registration agents.<sup>100</sup> 'Added' includes any situation where an agent is being appointed for the first time (there was previously no agent) or is being appointed as a replacement to a previously appointed agent. Approval means approved by the Foreign Trade & Industrial Property Directorate.<sup>101</sup>

Where an agent is being 'added', the request must include a copy of the power of attorney authorizing the agent along with the original to ensure conformity. The original version must be authenticated and duly certified and translated into Arabic.

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<sup>98</sup> Article 26.2 Regulations

<sup>99</sup> Article 26.2 Regulations

<sup>100</sup> See Decision No. 58 of 2018 on the Registration of Industrial Property Agents. Article (6) of Decision 58 requires Industrial property registration agents to notify every amendment or change to the data of their registration application or documents attached to it. Notification to change the representative details of trademark registrations is a separate matter.

<sup>101</sup> Article 2 of the Regulations.

### **Submitting a request appoint or change a representative**

A request to appoint or change a representative (other than during the application for registration of a trademark) is made via the Electronic Industrial Property Services ePortal. The ePortal can be found at <https://service.moic.gov.bh/ipd/login><sup>102</sup>

The request for change to an agent's or representative's details (including the appointment of a new agent or representative) must be done using the form prepared' which is the Form QF402. The form can be downloaded using the link provided in the ePortal request process.

The fee payable for making the request is paid during the request process. Changes to an agent or representative are not required to be published.<sup>103</sup> Information and guidance on the process involved in making a request to appoint or change a representative and the payment of the prescribed fee can be found in the **ePortal Guidelines**.

### **Check of the request by the Trademarks Office**

**Correct form and fees:** The Examiner must ensure that the request for a change to the details recorded for the trademark owner has been made using the prescribed form (QF402) and that the required fee has been paid.

The Examiner should check:

- **Eligibility to request the change:** that the person or entity making the request is eligible to do so either by being:
  - the recorded owner of the trademark
  - an agent registered and authorized by the Trademarks Office, and,
  - authorized by the trademark owner to represent them in procedures with the Trademarks Office of the Kingdom of Bahrain

In the event of the request being submitted by a trademark owner, the request should be rejected, and the trademark owner advised to resubmit the request using their authorized representative.

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<sup>102</sup> If a VPN is being used the hyperlink may not open.

<sup>103</sup> Article 16 Regulations. Does not include changes to a representative

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

### Declaration (statement)

### اعلان (بيان)

#### I am the undersigned I confirmed that:

- All data in this form is correct and shall accept any error contained therein.
- I will make sure to attach the required evidence and documents during the submission of the application otherwise; the application will be neglected.
- I have been authorized / delegated as a legal representative on behalf of the mark owner / owners (this paragraph is valid only in the case of assigning a legal representative).

- أنا الموقع أدناه أقر بأن:
- جميع البيانات في هذه الاستمارة صحيحة واتحمل أي خطأ وارد فيها.
  - التزم بإرفاق الإثباتات المطلوبة من المستندات أثناء تقديم الطلب وإلا اعتبر الطلب كأن لم يكن / مهمل.
  - قد تم تخويلي كممثل قانوني نيابة عن الشخص أو الأشخاص مودعي الطلب (هذه الفقرة يعتد بها في حال تعيين ممثل قانوني فقط).

#### Who signed:

Please tick the appropriate box according to whether the applicant for whose name and signature is the owner of the mark or his legal agent registered in the trademark registers or who signed or stamped on behalf of one of them.

- ☐ Mark owner  
☐ The agent or legal representative

#### صفة الموقع

يرجى وضع علامة في الخانة المناسبة حسب ما إذا كان مقدم الطلب والمبين اسمه وتوقيعه هو مالك العلامة أو وكيله القانوني المقيد في سجلات العلامات التجارية أو لمن وقع أو وضع ختمه نيابة عن أحدهما.

- ☐ مالك العلامة  
☐ الوكيل أو الممثل القانوني

There are two tick boxes in the signature panel. One box must be ticked to indicate whether the request to change the representative's details is being made by the trademark owner or a by a legal agent/legal representative. If the tick box has not been completed the request cannot be accepted until the status of the individual or entity making the request is identified.

**Request by the trademark owner:** If the tick box indicates that the request is being made by the trademark owner, the Examiner should check that there is an entry in the 'Owner's data' part of the request form.

**Request by the appointed representative:** Should the request be submitted by an agent or representative that is not registered with the Trademarks Office of the Kingdom of Bahrain the request should be refused. The trademark owner must be notified that they may only use a representative registered and authorized by the Trademarks Office of the Kingdom of Bahrain.

- **Owner(s) data:** The Examiner should check the Trademarks Register for the mark listed in 'Mark data' to ensure that the individual or entity listed as the mark owner is, in fact the owner.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

### Owner data recorded in the Trademarks register

### بيانات المالك المقيمة في سجل العلامات التجارية

يرجى وضع علامة في هذه الخانة إذا كان هناك أكثر من مالك للعلامة، وفي هذه الحالة يرجى إعداد قائمة بهم على ورقة إضافية وذكر البيانات المشار إليها في هذا البند. Please tick this box if there is more than one owner to the same mark and prepare their list on an additional sheet referring to this item.	<input type="checkbox"/>
	<div style="display: flex; justify-content: space-between;"> <div style="text-align: left;">           العربي In Arabic الإنجليزي In English         </div> <div style="text-align: right;">           الاسم Name         </div> </div>
	<div style="display: flex; justify-content: space-between;"> <div style="text-align: left;">           العربي In Arabic الإنجليزي In English         </div> <div style="text-align: right;">           العنوان Address         </div> </div>
	البريد الإلكتروني E-mail

The check of the trademark owner's details in the Trademarks Register may show there to be more than one named owner. If this is the case:

- the tick box in the 'Owner's data' section must be ticked to indicate that there is more than one recorded owner of the trademark.
- One owner may enter their details on the form. The additional owners should be listed on a separate sheet, giving the total number of owners (including the one recorded in the form). All parts of the Old owner(s) data must be provided. If any information is missing, either for the named owner in the form, or any additional owners shown in the attached list, the request cannot be formally accepted.
- **Mark data:** that the mark to which the request relates has been identified:

A request to change the details related to a representative may only relate to a single registration; a separate form must be used for each request.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

### Mark Data

### بيانات العلامة

	رقم العلامة Mark number
	اسم/ شكل العلامة Name/ shape of the mark
	الفئة Class
	حالة العلامة (طلب أو مسجلة) Mark Status (filled or registered)

- **Mark number:** This is the number allocated to the registration by the Trademark Office of the Kingdom of Bahrain
- **Name/shape of the mark:** This will be the name of the mark and/or description of the mark recorded in the Trademarks Register
- **Class:** The category or 'class' of the Nice Classification in which the trademark has been registered.
- **Mark status:** the mark has been formally accepted for registration (it has been published with no objection).
- **Representative's data:** The requirements for the check will depend on the type of change being requested. This will be shown in the '**Type of change**' panel of the form:

#### Type of changes required related to representative

#### نوع التغيير المطلوب المتعلق بالممثل القانوني

Please select one option

يرجى اختيار تغيير واحد فقط

تعيين ممثل قانوني / وكيل قانوني Appointment of legal representative / legal agent	<input type="checkbox"/>
تغيير بيانات الاسم والعنوان للممثل القانوني / الوكيل القانوني Change the name and address data of the legal representative / legal agent	<input type="checkbox"/>
تغيير اسم الممثل القانوني / الوكيل القانوني Change the name of legal representative / legal agent	<input type="checkbox"/>
تغيير عنوان الممثل القانوني / الوكيل القانوني Change the Address of legal representative / legal agent	<input type="checkbox"/>

The type of change (reason for the request) must have been identified by checking one of the check boxes.

Whether the request relates to the appointment of a legal agent/legal representative, or a change to the details recorded for a legal



## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

agent/representative already appointed, there must be an entry in **‘Legal representative of mark owner registered in the mark registers’**.

<p><b>The legal representative of mark owner registered in the mark registers.</b></p> <p>When appointing or changing a legal representative, an application for appointment or change of agent must first be submitted.</p>	<p>الممثل القانوني لمالك العلامة المعين والمقيد في سجلات العلامات التجارية.</p> <p>عند تعيين ممثل قانوني، أو تغييره، فوجب أولاً تقديم طلب لتعيين أو تغيير الوكيل.</p>						
<p>الرقم التسلسلي للوكيل المعتمد لدى مكتب العلامات التجارية إن وجد Serial number of the approved agent at the Trademark office</p>							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">In Arabic In English</td> <td style="width: 50%; text-align: center;">الاسم Name</td> </tr> <tr> <td style="width: 50%; text-align: center;">In Arabic In English</td> <td style="width: 50%; text-align: center;">العنوان Address</td> </tr> <tr> <td colspan="2" style="text-align: center;">البريد الإلكتروني E-mail</td> </tr> </table>		In Arabic In English	الاسم Name	In Arabic In English	العنوان Address	البريد الإلكتروني E-mail	
In Arabic In English	الاسم Name						
In Arabic In English	العنوان Address						
البريد الإلكتروني E-mail							

- The Examiner must verify that the serial number of the approved agent at the Trademarks Office has been entered, that it is a valid number and relates to the named agent. An original of a Power of Attorney authorizing the agent must be amongst the documents submitted with the request.
- If ‘Change the name and address data of the legal representative/legal agent’ is indicated, this should mean that the name and address may have changed, but the legal entity has not. The Examiner should check:
  - whether this is a change in the details of an already appointed legal agent/legal representative, or
  - the appointment of a new legal agent/legal representative.

This can be done by a check of the register of authorized representatives using the serial number entered. If there is any doubt whether this is a change or the appointment of a new representative, a Power of Attorney should be requested.

- The name and address must be provided in English and Arabic as indicated. There must be an email address provided for the purposes of receiving communications from the Trademarks Office.
- If ‘Change the name of the legal representative/legal agent’ is indicated, this should mean that the name may have changed, but the legal entity has not. The new name will be entered in the Form QF402 but the address shown will be the same as that recorded on the

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

Trademarks Register for the mark indicated. The Examiner should check that:

- the address in the form and the address recorded on the Trademarks Register correspond.

If they do not, this may indicate the appointment of a new or replacement representative. A check of the register of authorized representatives should be made. If there is any doubt whether this is a change or the appointment of a new representative, a Power of Attorney should be requested

- If 'Change the address data of the legal representative/legal agent' is indicated, this is unlikely to be a change of representative and may be accepted at face value.
- **Correct language used:** that where the form requires the information in Arabic, English or both, that the information has been entered in the correct language
- **Signature:** The form must have been signed either by the new trademark owner or a representative that has been authorized by the new owner.

Where there is more than one new owner to be recorded, the signature may be made by one of them on the understanding that they have the authority and consent of all of the named owners to transfer or assign the trademark registration. The Examiner does not need to obtain confirmation of this.

- **Additional documents:** the number of additional documents or attachments is indicated, and the documents listed.

Additional papers and attachments (if any)

الأوراق الإضافية والمرفقات (إن وجدت)

بيانات المستند المرفق Attachment data		عدد الأوراق الإضافية المرفقة مع هذه الاستمارة Number of additional attached papers to this application
رقم المرفق Attachment number	سرد لقائمة المستندات المرفقة مع الطلب List of document attached	

The following documents must be filed with the request:

Evidence of the required change

Power of Attorney if the application is made by an agent

The documents must be notarized, duly authenticated and translated into Arabic.

- **Attachment data:** this should show a description of the document, for example, Power of Attorney.
- **Attachment number:** each document attached should be allocated a number in order of attachment, so if the Power of Attorney is first, the attachment number is '1', the next document is '2'. This is an administrative requirement to enable the identification of the document. Provided all of the required documents have been properly submitted, an error in this listing/numbering is not a reason to refuse acceptance of the request.

The Examiner should ensure that:

- all required documents have been submitted with the request for renewal.
- the list of documents and the documents actually submitted correspond.

If a required document is missing the trademark owner and representative must be informed that the request to appoint a representative, or to change the details of a representative cannot be formally accepted until the missing document is received by the Trademarks Office; the request will be deemed not to have been made.

## **Licence / Mortgage**

### **Licencing of a trademark**

The owner of a registered trademark<sup>104</sup> may grant a license to a natural and legal person to use the trademark. A licence to use a registered trademark may be for all of the goods or services for which the mark has been registered, or some of these goods or services<sup>105</sup>. A license to use a trademark for some of the goods and

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<sup>104</sup> A license cannot be granted for use of a trademark that has not been entered on the trademarks register.

<sup>105</sup> Article 29 GCC Trademark Law

services for which a trademark is registered must specify the goods or services covered by the license.

### **Licensing contract**

Where a license to use a registered trademark is granted, there must be a written licensing contract<sup>106</sup>. The contract should set out the terms and conditions under which the licensed trademark may be used, and any means by which the trademark owner will maintain its rights to the trademark.

The written licensing contract must be properly authenticated and duly certified. If the original licensing contract was not executed in Arabic, a translation into Arabic must be made<sup>107</sup>.

### **Restrictions in a licensing contract**

A license contract may not impose unnecessary restrictions upon the licensee in order to maintain the rights arising from the registration of the trademark<sup>108</sup>. The license contract may include the following restrictions:

- The geographical area of the use of the trademark<sup>109</sup>
- Period of use of the trademark<sup>110</sup> (See 'Length of time permitted in a licensing contract')
- Conditions needed to exercise effective control over the quality of goods or services<sup>111</sup>
- Obligations of the licensee to refrain from any action that may result in prejudicing the mark<sup>112</sup>

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<sup>106</sup> Article 31 GCC Trademark Law and Article 30 Regulations

<sup>107</sup> Article 30 Regulations

<sup>108</sup> Article 30 GCC Trademark Law

<sup>109</sup> Article 30.1 GC Trademark Law

<sup>110</sup> Article 30.1 GC Trademark Law

<sup>111</sup> Article 30.2 GC Trademark Law

<sup>112</sup> Article 30.3 GC Trademark Law

Unless stipulated as part of the licensing contract, a license to a third party shall not prevent the owner of the licensed trademark from using the trademark<sup>113</sup>.

The licensee may not assign the contract to a third party or grant a sub-license, unless otherwise agreed with the trademark owner in the licence contract<sup>114</sup>.

### **Length of time permitted in a licensing contract**

A trademark owner may not grant a licence for the use of trademark for a period of time that exceeds the current period of protection of the trademark<sup>115</sup>.

So, for example, if the current period of registered protection of a trademark is due to end on 30 June 2024, the licensing contract must also end on that date. If the licensing contract is to continue on renewal of the trademark registration, a further licensing contract must be executed.

### **Recording a licensing contract on the Trademarks Register**

The owner of the trademark and/or the beneficiary of a licence (licensee) that is a national of, or resident in the Kingdom of Bahrain may submit an application for the licencing contract to be recorded in the Trademarks Register either themselves or using an approved representative.<sup>116</sup> Other individuals and entities must use an approved agent to submit an application to record a licencing contract.

It is not, however required that the license contract be recorded in the Trademarks Register for it to be deemed valid.<sup>117</sup>

A request to record a license contract in the Trademarks Register must be submitted to the Trademarks Office using the form prepared for this purpose.<sup>118</sup> The form may be downloaded as part of the process of making the request to record the licence using the Electronic Industrial Property Services ePortal. The request must include the following information relating to the license contract:<sup>119</sup>

- The number of the registered trademark

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<sup>113</sup> Article 29 GCC Trademark Law

<sup>114</sup> Article 32 GCC Trademark Law

<sup>115</sup> Article 29 GCC Trademark Law ‘The license period shall not exceed the period prescribed for the protection of the mark’

<sup>116</sup> Article 31 Regulations

<sup>117</sup> Article 31 GCC Trademark Law

<sup>118</sup> Article 31 Regulations

<sup>119</sup> Article 31 Regulations.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- The name and nationality of the trademark owner
- The name, address, place of residence and nationality of the licensee
- The products and services for which he was granted a license
- The starting date of the grant of the license and its end date
- The geographical scope of the license (if applicable)

In addition to the completed request form, the following documents must be submitted with the application<sup>120</sup>:

- The licensing contract
- The original of the power of attorney

The documents must be authenticated, duly certified, and if not executed in Arabic, translated into Arabic<sup>121</sup>.

On receipt of a correctly filed application to record a licence, including the documentary evidence required, the Trademark Office must make a note of the licensing of the trademark in the Trademarks Register.<sup>122</sup> Evidence of the entry will be provided to the party that submitted the application to record the license<sup>123</sup>.

### Submitting a request record a licensing contract

The 'form prepared' for the purpose of requesting the recording of a license in the Trademark Register must be submitted using the Electronic Industrial Property Services ePortal. The form is downloaded in the ePortal as part of the process of requesting the recording of the license contract. The fees for the application to record the license will be paid as part of the application process. The Electronic Industrial Property Services ePortal can be found at <https://service.moic.gov.bh/ipd/login><sup>124</sup>

### Check of the request by the Trademarks Office

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<sup>120</sup> Article 31 Regulations

<sup>121</sup> Article 31 Regulations

<sup>122</sup> Article 32 Regulations

<sup>123</sup> Article 32 Regulations

<sup>124</sup> If a VPN is being used the hyperlink may not open.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

**Correct form has been used:** The Examiner must ensure that the request to record a licensing agreement has been made using the prescribed form (QF341) and that the required fee has been paid.<sup>125</sup>

- **Eligibility to request the recording of the license:** The person making the request to record the license contract has the right to make the request. The request may be made by:<sup>126</sup>
  - the owner of the trademark
  - the legal agent/legal representative of the trademark owner
  - the licensee

This will be indicated in the signature panel of the request form.

Declaration (statement)	إعلان (بيان)
<p><b>I am the undersigned I confirmed that:</b></p> <ul style="list-style-type: none"> <li>• All data in this form is correct and shall accept any error contained therein.</li> <li>• I will make sure to attach the required evidence and documents during the submission of the application otherwise; the application will be neglected.</li> <li>• I have been authorized / delegated as a legal representative on behalf of the mark owner / owners (this paragraph is valid only in the case of assigning a legal representative).</li> </ul> <p><b>Who signed:</b></p> <p>Please tick the appropriate box according to whether the applicant for whose name and signature is the owner of the mark or his legal agent registered in the trademark registers or who signed or stamped on behalf of one of them.</p> <div style="border: 1px solid red; padding: 5px; margin-top: 5px;"> <input type="checkbox"/> Mark owner  <input type="checkbox"/> The agent or legal representative         </div>	<p><b>أنا الموقع أدناه أقر بأن:</b></p> <ul style="list-style-type: none"> <li>▪ جميع البيانات في هذه الاستمارة صحيحة واتحمل أي خطأ وارد فيها.</li> <li>▪ التزم بإرفاق الإثباتات المطلوبة من المستندات أثناء تقديم الطلب وإلا اعتبر الطلب كأن لم يكن / مهمل.</li> <li>▪ قد تم تخويلي كممثل قانوني نيابة عن الشخص أو الأشخاص مودعي الطلب (هذه الفقرة يعتد بها في حال تعيين ممثل قانوني فقط).</li> </ul> <p style="text-align: right;"><b>صفة الموقع</b></p> <p>يرجى وضع علامة في الخانة المناسبة حسب ما إذا كان مقدم الطلب والمبين اسمه وتوقيعه هو مالك العلامة أو وكيله القانوني المقيد في سجلات العلامات التجارية أو لمن وقع أو وضع ختمه نيابة عن أحدهما.</p> <p style="text-align: right;"><input type="checkbox"/> مالك العلامة</p>

There are two tick boxes in the signature panel. One box must be ticked to indicate whether the request to record the license contract is being made by the trademark owner or a by a legal agent/legal representative. If the tick box has not been completed the request cannot be accepted until the status of the individual or entity making the request is identified.

**Request by the owner (licensee) of the trademark:** The name of the owner shown in the 'Owner's data' panel of the request form, the name in the signature panel and, the name recorded for the mark to which

<sup>125</sup> Article 16 Regulations

<sup>126</sup> Article 31 Regulations 'The application for the registration of the licensing contract shall be submitted to the competent administration by the owner of the mark, his approved agent, or the licensee ....

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

the license relates must be the same. The license contract should also be checked to ensure that the name in the document corresponds with the name of the recorded owner(s) of the trademark being licensed.

**Request by the licensor of the trademark:** Where the signature panel indicates that the request to record the license contract has been submitted by the licensor, the license contract should be checked to ensure that the named signatory is the party to whom the trademark is being licensed.

**Request by a legal agent/legal representative:** If the signature panel indicates that the legal agent/legal representative appointed by the trademark owner (licensee) has submitted the request to record the license, there must be an entry in **‘The legal representative of mark owner or licensor registered in the mark registers.’**

- **Owner’s data:** The Examiner should check that the name and address recorded in the Trademarks Register for the mark being licensed is the same as entered in the **Owner or Owner's data Listed in the Trademarks register** panel of the request.

**Owner or Owner's data Listed in the Trademarks register**

بيانات المالك أو ملاك التسجيل المقيّد في سجلات العلامات التجارية

	العربي In Arabic الإنجليزي In English	الاسم Name
	العربي In Arabic الإنجليزي In English	العنوان Address
	البريد الإلكتروني E-mail	
يرجى وضع علامة في هذه الخانة إذا كان هناك أكثر من مالك للتسجيل، وفي هذه الحالة يرجى إعداد قائمة بهم على ورقة إضافية وذكر البيانات المشار إليها في هذا البند. Please tick this box if there is more than one owner to the same mark, and prepare their list on an additional sheet referring to this item.		<div style="border: 2px solid red; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> <input type="checkbox"/> </div>

If the check of the trademark owner’s details in the Trademarks Register shows there to be more than one named owner, the tick box in the ‘Owner’s data’ section must be ticked. The name(s) and address(es) must have been listed in a separate sheet (in English and Arabic) and an email address provided where they may be contacted.



## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- **Indication of whether there is a representative:** It must be indicated in a tick box whether the applicant has a legal agent/legal representative. It must further be indicated in the second tick box whether the if the application to record the license has been submitted by the legal representative.

<p>يرجى وضع علامة في هذه الخانة إذا كان مقدم طلب الترخيص لديه ممثل قانوني (الممثل القانوني للمرخص له).</p> <p>Please check this box if the license applicant has a legal representative (legal representative of the licensee).</p>	<input type="checkbox"/>
<p>يرجى وضع علامة في هذه الخانة إذا كان الممثل القانوني لمالك العلامة المعين والمقيد في سجلات العلامة (إذا كان هو مقدم طلب الترخيص).</p> <p>Please check this box if the legal representative of the designated mark owner is enrolled in the trademark records (if the applicant is the licensee applicant).</p>	<input type="checkbox"/>

In particular, the Examiner should check that:

- the name under which the request to record the license has been signed and the name in ‘**The legal representative of mark owner or licensor registered in the mark registers**’ is the same.
- The serial number of the approved agent at the Trademarks Office has been entered, that it is a valid number and relates to the named agent.
- the named legal agent/legal representative is recorded as the representative for the licensed trademark.

**The request to record the license contract cannot be made by a legal agent/legal representative on behalf of the licensee of the trademark.<sup>127</sup>**

If a discrepancy is found in any of these checks, the request to record the license cannot be accepted and should be returned to the legal agent/legal representative that submitted it.

- **Mark data:** In the section ‘Registered TM data’ the mark to which the license contract applies should be identified:

### Registration TM data

### بيانات العلامة المسجلة

<sup>127</sup> Article 31 Regulations only allows the request to be made by ‘the owner of the mark, his approved agent, or the licensee...’ There is no mention of the licensee using an agent.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

	رقم العلامة Mark No.
	اسم/ شكل العلامة Name/ shape of the mark
	المنتجات أو الخدمات المرخص بإستعمالها Products or services licensed to be agreements
	الفئة Class

- **Mark number:** This is the number allocated to the mark by the Trademark Office of the Kingdom of Bahrain. The number must be for a registration.<sup>128</sup>
- **The name/shape of the mark.** This should be the information recorded in the Trademarks Register for 'Trademark name' (if the mark is or has a 'written' element) and/or the entry made in 'Description of the mark'. This information is required to make sure that the license is being recorded for the correct trademark.
- **Products or services licensed to be agreements:** The license contract may be granted for all, or some of the goods or services covered by the registration.<sup>129</sup> The request must:
  - list the goods or services for which the license contract has been granted.
  - The list must list the goods and services by name.
  - Each named good or service must either be listed by name in the registration or covered by broader descriptions.
  - The list in the request form must correspond with the goods or services licensed in the license contract.
- **Class:** The number of the Nice Class for which the goods of the licensed trademark must be entered in the request form. This must

<sup>128</sup> Article 30 Regulations refers to the owner of a 'registered' mark.

<sup>129</sup> Article 29 GCC Trademark Law

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

correspond with the record on the Trademarks Register for the licensed mark, and also with the details entered in the license contract.

- **Dates of the license contract:** The dates for the start and end of the license agreement must have been entered. These must be verified by checking the license agreement/contract. If there is a discrepancy, the request cannot be accepted until the Examiner has resolved the issue with the party that submitted the request.

.Duration of license / date of beginning and end of license

مدة الترخيص / تاريخ بداية و نهاية الترخيص

	مدة الترخيص Duration of license
	تاريخ بداية / نهاية الترخيص Date of beginning / end of license

The Examiner must check that:

- the start date of the license contract is not earlier than the date of registration of the trademark being licensed.
- the end date is not later than the end of the current period of registration. See **Length of time permitted in a licensing contract**.
- **Licensee's data:** The Licensee's data must have been fully completed with the name and address of the licensee given in English and Arabic, their place of residence, nationality and email address entered in English.

Licensee's data

بيانات المرخص له

	العربي In Arabic	الاسم Name
	الإنجليزي In English	
	العربي In Arabic	العنوان Address
	الإنجليزي In English	
	محل إقامته Place of residence	
	جنسيته Nationality	

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

البريد الإلكتروني  
E-mail

The details entered for Licensee's data must be checked against the information contained in the licensing contract (insofar as it may appear there). At the very least, the name and address of the licensee in the license contract must agree with the form. If a discrepancy is found, the request to record the license cannot be accepted and should be returned to the party that submitted it.

- **Signature for the request:** Where the indication shows the form as having been signed by the trademark owner, the 'Owner's data' panel and the Trademarks Register must confirm that it is the owner that has signed as the owner of the trademark for which registration of the license contract has been requested.

If the check of the Trademark owner's details shows there to be more than one named trademark owner, the Examiner should ensure that the tick box indicating that there is more than one owner has been ticked, and that their name(s) and address(es) have been listed in a separate sheet (in English and Arabic) and each has provided an email address where they may be contacted.

Provided the signature is indicated as being that of the trademark owner, and the name in which the request is signed is one of the owners noted for the mark, the signature may be made by one of them on the understanding that they have the authority and consent of all of the named owners to make the request to record the license contract. The Examiner does not need to obtain confirmation of this.

- **Additional documents:** the number of additional documents or attachments is indicated, and the documents listed.

### Additional papers and attachments (if any)

الأوراق الإضافية والمرفقات (إن وجدت)

		عدد الأوراق الإضافية المرفقة مع هذه الاستمارة <b>Number of additional attached papers to this application</b>
بيانات المستند المرفق <b>Attachment data</b>	رقم المرفق <b>Attachment number</b>	سرد لقائمة المستندات المرفقة مع الطلب

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

		<b>List of documents attached</b>
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These documents must be submitted with the request to record the granting of a license:

- Licensing contract.
- Original of the power of attorney.

The documents must be notarized, duly authenticated, and translated into Arabic.

- **Attachment data:** this should show a description of the document, for example, Power of Attorney.
- **Attachment number:** each document attached should be allocated a number in order of attachment, so if the Power of Attorney is first, the attachment number is '1', the Licensing contract as the next document is '2' and so on. This is an administrative requirement to enable the identification of the document. Provided all of the required documents have been properly submitted, an error in this listing/numbering is not a reason to refuse acceptance of the request.

The Examiner should ensure that:

- all required documents have been submitted with the request for renewal.
- the list of documents and the documents actually submitted correspond.

If a required document is missing, such as a Power of Attorney for the appointment of a representative, the trademark owner and representative must be informed that the request to record the license cannot be formally accepted until the missing document is received by the Trademarks Office.

- **Licensing contract document:** The Examiner should review the licensing contract to ensure that it does not contain 'unnecessary restrictions' upon the

licensee.<sup>130</sup> The license contract must be checked to ensure that any restrictions it contains fall within the type of restrictions that are accepted as being necessary. See **Restrictions in the licensing contract**.

### **Announcement (publication) of the license contract**

Provided the request to record the license contract in the Trademarks Register has been correctly submitted (including the required documents) and the prescribed fee for the transfer paid, the Trademark Office must prepare an announcement of the license contract for publication in the Bulletin.<sup>131</sup>

The announcement of the license will include the following information:<sup>132</sup>

- A copy of the trademark
- The number of the registered trademark and its registration date
- The name, address and nationality of the trademark owner
- The name, address and nationality of the licensee
- The products or services for which a license has been granted and their respective category (class<sup>133</sup>)
- The starting date of the grant of the license and its end date
- The geographical scope of the license (if applicable)

A 'publication fee' must be paid before the publication will take place<sup>134</sup>. The fee is part of the fee paid when making the request; there is no separate fee payable.

### **Cancellation of a license contract**

#### **Application to cancel a licence contract**

The owner of the trademark, the beneficiary of a licence (licensee) or their approved agent may submit an application for the licencing contract to be cancelled<sup>135</sup>. A

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<sup>130</sup> Article 30 GCC Trademark Law

<sup>131</sup> Article 32 Regulations

<sup>132</sup> Article 32.1 to Article 32.7 Regulations

<sup>133</sup> According to the International (Nice) Classification of Goods and Services

<sup>134</sup> Article 18 Regulations

<sup>135</sup> Article 33 GCC Trademark Law and Article 33 Regulations

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

request for cancellation of a license contract will require documentary evidence to be provided, substantiating that the license contract has ended or been terminated<sup>136</sup>.

There are no specific requirements for the documents to be provided but they must be sufficient to confirm, to the satisfaction of the Trademarks Office, that the license contract has been validly cancelled.

Acceptance of an application for cancellation of a licence contract that has been noted on the Trademarks Register is not automatic. The Trademark Office may, should it consider it appropriate, object to the application to strike the licence contract from the Trademarks Register.<sup>137</sup> For example, the Trademark Office will refuse an application to strike out the license contract in circumstances when the application is not made correctly, or there is a suspicion that the application is not validly made.

### Submitting a request to cancel a licensing contract

There is no 'form' prepared for the purpose of requesting the cancellation of a license contract recorded on the Trademarks Register. There is, however, a requirement that the fee for the request be paid.<sup>138</sup>

The request to cancel a license contract from the Trademark Register is submitted using the Electronic Industrial Property Services ePortal. The Electronic Industrial Property Services ePortal can be found at <https://service.moic.gov.bh/ipd/login><sup>139</sup>

The process in making the request for cancellation of the license contract will include the facility to attach and submit the documentary evidence to support the cancellation request, and for the payment of the fee payable for the request to record the cancellation of a license contract. For information and guidance on making a request to cancel a licence contract using the ePortal, please refer to the **ePortal Guidelines**.

### Notification and objection to cancellation by the 'other party'

Where an application to cancel a licence noted on the Trademarks Register is submitted by the trademark owner (licensor) or their authorized representative, the Trademarks Office must send the beneficiary of the license (licensee) written notice of the application for cancellation.

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<sup>136</sup> Article 33 GC Trademark Law and Article 33 Regulations

<sup>137</sup> Article 33 GCC Trademark Law

<sup>138</sup> Article 33 Regulations does not specify which party shall pay the fee, but as the fee is paid during the request for cancellation, it is most likely that the fee will be paid by the party making the request for cancellation

<sup>139</sup> If a VPN is being used the hyperlink may not open.

If the application to cancel a licence noted on the Trademarks Register has been submitted by the beneficiary of the license (licensee) or their authorized representative, the Trademarks Office must send the trademark owner written notice of the cancellation.<sup>140</sup>

In sending the party that did not make the request to record the cancellation notice of the request, the Trademarks Office is giving that party the opportunity to file an objection to the request.

The party that did not make the request may object to the cancellation by submitting an appeal before the Civil Court within thirty days from the date of the notification of the request for cancellation.<sup>141</sup> An objection to the cancellation of the license contract submitted outside the 30 days allowed, or submitted without documentary evidence will be dismissed.

At the same time as submitting the objection to the Civil Court, the party making the objection to the cancellation of the license contract must send a copy of the objection and any documents supporting the objection to the Trademarks Office.<sup>142</sup>

Action on the request for cancellation of the license contract will be suspended by the Trademarks Office until either both parties have reached an agreement, or a final injunction has been issued by the competent Court to dismiss the objection.<sup>143</sup>

### **Announcement (publication) of the cancellation of a license contract**

Provided there is no objection to the cancellation of the license contract, or any objection has been resolved in favour of the party making the request for cancellation (either by agreement between the parties or by a decision of the Court) the Trademark Office must prepare an announcement of the cancellation of the license contract for publication in the Bulletin.<sup>144</sup>

The announcement of the license will include the following information<sup>145</sup>:

- A copy of the trademark
- The number of the registered trademark and its registration date

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<sup>140</sup> Article 33 GCC Trademark Law and Article 33 Regulations

<sup>141</sup> Article 33 Regulations

<sup>142</sup> Article 33 Regulations

<sup>143</sup> Article 33 Regulations

<sup>144</sup> Article 34 Regulations

<sup>145</sup> Article 32.1 to Article 32.7 Regulations



- The name, address, and nationality of the trademark owner
- The name, address, and nationality of the licensee
- The products or services for which a license has been granted and their respective category (class<sup>146</sup>)
- The starting date of the grant of the license and its end date
- The geographical scope of the license (if applicable).

A 'publication fee' must be paid before the publication will take place. The fee for publication is part of the fee in making the request to cancel the license contract; there is no separate publication fee to be paid.

## **Licence / Mortgage**

### **Mortgage of a trademark**

A trademark registration (but not an application) may be mortgaged, in whole or in part. Where a trademark registration is mortgaged a note of the mortgage must be entered in the Trademarks Register<sup>147</sup>.

A mortgage against a trademark registration will not be effective unless and until details of the mortgage have been entered in the Trademarks Register and published in the Bulletin.<sup>148</sup>

Where a mortgage in relation to a trademark is to be noted in the Trademarks Register, the same 'procedures and conditions' as is the case of the transfer of ownership of a trademark are applicable<sup>149</sup>. The disclosure of the mortgage requires the provision of the same data as required for a transfer of a trademark.<sup>150</sup> However, there is no 'form prepared for the purpose' of notifying a mortgage, the notification to the Trademarks Office being done by means of a letter. Adapted for the circumstances of a mortgage rather than a transfer, these 'procedures and circumstances' are as follows:

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<sup>146</sup> According to the International (Nice) Classification of Goods and Services

<sup>147</sup> Article 27 GCC Trademark Law

<sup>148</sup> Article 27 GCC Trademark Law

<sup>149</sup> Article 27 GCC Trademark Law

<sup>150</sup> Article 27 Regulations

### **Recording the mortgage of a trademark**

A request to record mortgage in respect of a trademark must be made by the person or entity that has provided the mortgage, or their approved agent.<sup>151</sup>

### **Submitting a notification of mortgage of a trademark**

The letter notifying the Trademarks Office that a mortgage of a trademark is submitted to the Trademarks Office; there is no fee payable for the notification. The letter notifying the mortgage in respect of a trademark will require the following information to be provided:<sup>152</sup>

- The number and category of the registered mark
- The name and address of the trademark owner
- The name, commercial name if applicable, address and nationality of the mortgagee
- The date of the mortgage grant, the fact which prompted the transfer of ownership
- Where the application is submitted by an agent, their name and address

The following documents must also be provided with the form, each document authenticated, duly certified, and translated into Arabic<sup>153</sup>:

- Proof of the mortgage
- Proof of the exercise of the activity
- The original Power of Attorney if the application to record the transfer is submitted by an agent.

The notification of a mortgage of a trademark registration and the payment of the notification and publication fees is done via the Electronic Industrial Property Services ePortal which can be found at <https://service.moic.gov.bh/ipd/login><sup>154</sup>  
Information and guidance of the process of submitting a request to record a

<sup>151</sup> Article 24 Regulations. ‘Approved’ agent means approved and recorded in the Register of trademark registration agents See Decision No. 58 of 2018 on the Registration of Industrial Property Agents

<sup>152</sup> Article 24 Regulations

<sup>153</sup> Article 24 Regulations

<sup>154</sup> If a VPN is being used the hyperlink may not open.

mortgage, including the payment of the fee for making the request can be found in the **ePortal Guidelines**.

Provided the request to record the mortgage has been correctly submitted (including the required documents) and the prescribed fee for the application paid, the Trademark Office must make a note of the mortgage in the Trademarks Register.<sup>155</sup>

### **Check of the request by the Trademarks Office**

- **Letter notifying the mortgage:** As there is no 'form prepared for the purpose' of notifying a mortgage to check. The Examiner should review the letter to ensure that it provides all of the required information. The letter should indicate:
  - **Number:** the registration number allocated by the Trademarks Office of the Kingdom of Bahrain
  - **Classification:** the 'category' or class of the Nice Classification in which the trademark is registered.
  - **Mark:** ideally, the letter will list the name of the mark or the 'mark description' although this is not a requirement.
  - **Trademark owner:** Name and address of the trademark owner. This should be checked against the record for the trademark in the Trademarks Register to make sure that the mortgagee and the owner of the trademark are one and the same. The proof of mortgage that must be provided should also be compared with the details recorded for the trademark owner in the Trademarks Register.
  - **Mortgagee:** the name, commercial name if applicable, address and nationality of the mortgagee. The proof of mortgage must be checked to make sure that the letter and the proof correspond.
  - **Date:** The date of the mortgage grant: A mortgage may only be recorded against a registered trademark. The Examiner should check the date of the mortgage grant and the date of the registration of the trademark.
  - **Application is submitted by an agent:** Where the letter requesting the recording of the mortgage has been sent by a legal agent/legal

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<sup>155</sup> Article 27 Regulations

representative, that agent or representative must be authorized by the Trademarks Office and recorded in the list of representatives.

The following documents must also be provided with the letter:

- Proof of the mortgage
- Proof of the exercise of the activity
- The original Power of Attorney if the application to record the transfer is submitted by an agent.

Each document authenticated, duly certified, and translated into Arabic.<sup>156</sup>

### **Announcement (publication) of the mortgage**

Where the Trademarks Office has recorded the mortgage of a trademark in the Trademark Registrar, it must prepare an announcement for publication in the Bulletin. The fee payable for the publication is part of the fee paid when making the application to record the mortgage; there is no separate publication fee.

The announcement will include the following information:

- The number and category of the registered trademark
- The name, address, and nationality of the person that has provided the mortgage

### **Foreclosure (cancellation) of a mortgage**

A trademark owner may request the Trademarks Office to note the foreclosure of a mortgage noted against a trademark in their ownership.<sup>157</sup> There is no form for the purposes of requesting that the Trademarks Office to record the foreclosure of a mortgage. There is no fee payable for the request to record the foreclosure of a mortgage but there is a fee payable for the publication of the foreclosure.<sup>158</sup>

The request for foreclosure of a mortgage must be accompanied by supporting documents evidencing the foreclosure<sup>159</sup>. These documents must have been

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<sup>156</sup> Article 24 Regulations

<sup>157</sup> Article 28 Regulations

<sup>158</sup> Article 28 Regulations

<sup>159</sup> Article 28 Regulations

authenticated, duly certified and if the original was not executed in Arabic, translated into Arabic.<sup>160</sup>

The request for a mortgage to be recorded as foreclosed is to be submitted using the Electronic Industrial Property Services ePortal. The documents providing evidence of the foreclosure of the mortgage will be attached at the time of making the request for the foreclosure of the mortgage to be noted on the Trademarks Register. The fees for the publication of the foreclosure of the mortgage will be paid as part of the request process. The Electronic Industrial Property Services ePortal can be found at <https://service.moic.gov.bh/ipd/login><sup>161</sup>

If the Trademarks Office is satisfied the documents provide sufficient evidence of the foreclosure of the mortgage, a note of the foreclosure of the mortgage will be made in the Trademarks Register. The Trademarks Office will provide evidence of the entry in the Trademarks Register to the trademark owner.<sup>162</sup>

### **Announcement (publication) of the foreclosure of a mortgage**

The Trademark Office must disclose the foreclosure of the mortgage and will prepare an announcement for publication in the Bulletin.<sup>163</sup> The announcement will include the following information:

- The number and category of the registered trademark
- The name, address, and nationality of the person that has provided the mortgage

The payable for the publication of the foreclosure of a mortgage is part of the fee paid when making the request to record the foreclosure; no separate fee is payable for the publication.

### **Other Processes**

#### **Amendment, Cancellation and Withdrawal**

The details of a trademark registration may be changed either by requesting an 'amendment', or through a request for 'cancellation'. A cancellation will include the circumstances where a trademark owner requests that their trademark be 'struck off'

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<sup>160</sup> Article 28 Regulations

<sup>161</sup> If a VPN is being used the hyperlink may not open.

<sup>162</sup> Article 28 Regulations

<sup>163</sup> Article 28 Regulations

the Trademarks Register entirely, or only in respect of some of the goods or services for which it has been registered<sup>164</sup>.

Amendments such as to the name, address, nationality, and/or profession recorded for the trademark owner who is a natural person or, the name and/or address where the trademark owner is a legal entity, must be recorded. These are a form of 'administrative' amendment and are to be requested as a 'Change/assignment related to the owner'.

A trademark owner may also request an amendment to the agent or representative authorized to act on their behalf. This may be a change to their name, their address, the removal of the agent or representative so that there is no agent/representative, or the authorization of a new representative. In all of these cases the amendment should be requested as a '**Change related to representative**'.

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<sup>164</sup> Article 23 GCC Trademarks Law

## **Amendment to a registered trademark**

### **Amendment of the mark**

The owner of a trademark may request an amendment to a mark<sup>165</sup> registered in their name. The amendment may be by the addition of an element to the mark, or the change or deletion of an element or elements in the mark.<sup>166</sup> An amendment will not be permitted if it is considered to ‘profoundly alter’ the essence of the mark.

### **Request for amendment or addition to a registered trademark**

The owner of a trademark may, at any time, file an application requesting an addition or amendment to a trademark that they own and have registered<sup>167</sup>. It is only possible to make a request for an addition or amendment to a ‘previously registered mark’. There is no provision that permit any change to a trademark applied for but not yet registered.

The Trademarks Office will consider the request according to the conditions and procedures that applied when the application for registration was originally submitted.<sup>168</sup> This requires that the Trademark Office make a decision on the amended form of the mark as if the mark had been submitted for the first time in an application for registration. The amended mark will be examined in relation to the requirements for distinctiveness under ‘absolute grounds.’

An amendment or addition to a trademark will not be permitted if it is considered to ‘profoundly alter its essence’<sup>169</sup>. The word ‘profoundly’ does not refer to the ‘quantity’ of the alteration, but to its effect. Quite minor change have the capacity to introduce a substantial effect on the way the mark is perceived or spoken.

Changes to the distinctive elements of a registered trademark or that affect the overall impression created by the trademark will necessarily be considered to ‘profoundly alter’ the essence of a trademark and will be refused.

As a general rule, the assessment of whether a change or addition profoundly alters the essence of a trademarks will be the same as when determining whether an application and an earlier filed trademark are substantially identical. Essentially, the mark with the change made will be compared with the mark in its unchanged

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<sup>165</sup> ‘Mark’ means the form of representation of the trademark as defined in Article 2 GCC Trademark Law

<sup>166</sup> Article 18 GCC Trademark Law This article only provides the possibility of an amendment of a ‘previously registered mark’. There is no provision that permit any change to a trademark applied for but not yet registered.

<sup>167</sup> Article 18 GCC Trademark Law.

<sup>168</sup> Article 18 GCC Trademark Law

<sup>169</sup> Article 18 GCC Trademark Law

registered form; a 'relative grounds' examination. If the original unchanged trademark and the proposed amended mark are deemed to be identical (similar is not good enough) the amendment will likely be acceptable. The following are examples of decisions on requests to alter a trademark:

## Examples

### 1. Registered trademark

**Otravin**

An application to modify the registered mark 'Otrivin' to 'Otrivine' was refused as the change in pronunciation was substantial. On appeal the tribunal agreed that the Registrar will check if the altered mark affects the scope of investigation for conflict with other marks. It was held that the alteration of 'OTRAVIN' to 'OTRAVINE' by adding the 'E' might effectively change the look and pronunciation of the word and the scope of the examination for conflict with other marks.; OTRAVIN could not be observed as covering 'OTRAVINE' just as well<sup>170</sup>.

### Refused amended trademark

**Otravine**

### 2. Registered trademark

*Pelican*

### Accepted amended trademark

*Pelikan*

An appeal against the refusal to allow a change of a trademark consisting of the English word 'Pelican' to the German equivalent 'Pelikan' was allowed.<sup>171</sup>

### 3. Registered mark<sup>172</sup>



Having moved their manufacturing facility from the municipality of Slough to the municipality of Compton, the registered proprietor applied to substitute the

<sup>170</sup> "Otrivin" trade mark (1967) RPC 613

<sup>171</sup> "Pelican" trade mark (1978) RPC 424

<sup>172</sup> British Hoist & Crane Co. Ltd's Trade Mark (1955) 72 RPC 66 (Ch.D.)



word “Slough” (highlighted in the red border) with “Compton”. The Court upheld the refusal of the alteration on the ground that “Compton”, being a well-known surname, might not be understood as having a merely geographical significance.

The Registrar said that an alteration is not necessarily admissible simply because it is minor as regards its physical relationship to the mark as a whole, and that “by ‘identity’ is meant the feature or features by which the mark will be recognised in its function of distinguishing the proprietor’s goods from the similar goods of other traders”. He considered that the introduction of an entirely new factor, namely a common surname, altered this identity.

#### **4. Registered trademark**



#### **Refused Amended trademark<sup>173</sup>**



#### **Submitting a request record a licensing contract**

The owner of a registered mark may, at any time, file an application to the Trademarks Office to introduce an addition or amendment to his mark, provided that this does not profoundly alter the essence of the trademark.<sup>174</sup> The request must be made using the form QF411 and following payment of the prescribed fee.

The request must be submitted using the Electronic Industrial Property Services ePortal where, as part of the request process, the form may be downloaded. The fee for the application to record the mortgage will be paid as part of the application process. The Electronic Industrial Property Services ePortal can be found at <https://service.moic.gov.bh/ipd/login><sup>175</sup>

#### **Check of the request by the Trademarks Office**

**Correct form has been used:** The Examiner must ensure that the request to amend the representation of the trademark has been made using the prescribed form (QF316) and that the required fee has been paid.

<sup>173</sup> Seaforth Maritime Ltd's Trade Mark [1993] RPC 72

<sup>174</sup> Article 18 GCC Trademark Law

<sup>175</sup> If a VPN is being used the hyperlink may not open.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

The Examiner should check that:

- **Eligibility to request the amendment of the mark:** This requires the Examiner to verify that the individual or entity making the request to amend the mark has the right to make the request. The request may be made by:
  - the owner of the trademark
  - the legal agent/legal representative of the trademark owner

### Declaration (statement)

### اعلان (بيان)

#### I am the undersigned I confirmed that:

- All data in this form is correct and shall accept any error contained therein.
- I will make sure to attach the required evidence and documents during the submission of the application otherwise; the application will be neglected.
- I have been authorized / delegated as a legal representative on behalf of the mark owner / owners (this paragraph is valid only in the case of assigning a legal representative).

#### أنا الموقع أدناه أقر بأن:

- جميع البيانات في هذه الاستمارة صحيحة واتحمل أي خطأ وارد فيها.
- التزم بإرفاق الاثباتات المطلوبة من المستندات أثناء تقديم الطلب وإلا اعتبر الطلب كأن لم يكن / مهمل.
- قد تم تخويلي كممثل قانوني نيابة عن الشخص أو الأشخاص مودعي الطلب (هذه الفقرة يعتد بها في حال تعيين ممثل قانوني فقط).

#### Who signed:

Please tick the appropriate box according to whether the applicant for whose name and signature is the owner of the mark or his legal agent registered in the trademark registers or who signed or stamped on behalf of one of them.

- ☐ Mark owner  
☐ The agent or legal representative

#### صفة الموقع

يرجى وضع علامة في الخانة المناسبة حسب ما إذا كان مقدم الطلب والمبين اسمه وتوقيعه هو مالك العلامة أو وكيله القانوني المقيد في سجلات العلامات التجارية أو لمن وقع أو وضع ختمه نيابة عن أحدهما.

☐ مالك العلامة

There are two tick boxes in the signature panel. One box must be ticked to indicate whether the request to amend the mark is being made by the trademark owner or a by a legal agent/legal representative. If the tick box has not been completed the request cannot be accepted until the status of the individual or entity making the request is identified.

**Request to amend the mark by the trademark owner:** If the tick box indicates that the request is being made by the trademark owner, the Examiner should check that there is an entry in the 'Owner's data' part of the request form.

- The name entered in 'Owner's data' and the name entered in the signature panel must be the same. If the names do not correspond, it may be that the wrong tick box has been used and the request to amend the mark has, in fact been submitted by an agent or representative.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- If there is an entry in the **The legal representative of mark owner registered in the mark registers** that corresponds with the name in the signature panel, the request should be treated as one filed by the agent or representative.
- If there is a name in the signature panel and the same name is entered in the 'Owner's data' panel but also an entry of a different name in **The legal representative of mark owner registered in the mark registers**, the details entered for the legal representative should be disregarded and the request treated as one filed by the trademark owner.

**Request to amend the mark by an agent or representative:** If the tick box indicates that the request it is a legal agent/legal representative making the request, the Examiner should check there is an entry in **'The legal representative of mark owner registered in the mark registers'**.

- the name under which the request to amend the mark as shown in the signature panel of the request form and the name in **'The legal representative of mark owner or licensor registered in the mark registers'** is the same.
  - The trademarks register should be checked to make sure that the legal agent/legal representative making the request is authorized by the trademark owner to act in respect of the mark to which the request for amendment relates.
- **Mark has been identified:** In the section 'Mark Data' the mark to which the license contract applies should be identified:

### Mark Data

### بيانات العلامة

	رقم العلامة <b>Mark number</b>
	الفئة <b>Class</b>
	تاريخ انتهاء الحماية <b>End of protection</b>
	شكل العلامة <b>Mark logo</b>
	شكل العلامة الجديد <b>New mark logo</b>

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- **Mark number:** the registration number allocated by the Trademarks Office of the Kingdom of Bahrain.
- **Class:** the 'category' or class of the Nice Classification in which the trademark is registered.
- **End of protection date:** The date on which the trademark registration will expire if not renewed.
- **Mark logo:** the image of the mark as it is recorded in the Trademarks Register. This must be an exact replica of the mark as it is registered.
- **New mark logo:** the image of the mark that the trademarks owner wishes to use in place of the image currently recorded in the Trademarks Register.
- **Owner(s) data:** The Examiner should also check the Trademarks Register for the mark listed in 'Mark data' to ensure that the individual or entity listed as the mark owner is, in fact the owner.

Owner or Owner's data Listed in the Trademarks register

بيانات المالك أو ملاك التسجيل المقيّد في سجلات العلامات التجارية

	العربي In Arabic	الاسم Name
	الإنجليزي In English	
	العربي In Arabic	العنوان Address
	الإنجليزي In English	
	البريد الإلكتروني E-mail	
يرجى وضع علامة في هذه الخانة إذا كان هناك أكثر من مالك للتسجيل، وفي هذه الحالة يرجى إعداد قائمة بهم على ورقة إضافية وذكر البيانات المشار إليها في هذا البند. Please tick this box if there is more than one owner to the same mark, and prepare their list on an additional sheet referring to this item.		<div style="border: 2px solid red; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> <input type="checkbox"/> </div>

The check of the trademark owner's details in the Trademarks Register may show there to be more than one named owner. If this is the case:

- the tick box in the 'Owner's data' section must be ticked to indicate that there is more than one recorded owner of the trademark.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- The name and address of the owner signing the form on behalf of the owners should be entered in the form (in English and Arabic) along with their email address.
- Each of the other trademark owners must be listed in a separate sheet attached to the request, indicating the total number of owners and giving their name(s) and address(es) (in English and Arabic) and an email address provided where they may be contacted.

If the Examiner finds a discrepancy that causes doubt that the request has been made by the trademark owner, the request cannot be accepted.

**Representative's data:** The Trademarks Register should be checked to make sure that the legal agent/legal representative making the request is authorized by the trademark owner to act in respect of the mark to which the request for amendment relates:

**The legal representative of mark owner registered in the mark registers.**

الممثل القانوني لمالك العلامة المعين والمقيد في سجلات العلامات التجارية (إن وجد).

This item must filled out for applications submitted through a legal representative appointed by the owner or owners of the registered mark only.

يملأ هذا البند للطلبات المقدمة من خلال ممثل قانوني معين من قبل مالك أو ملاك العلامة المسجلة فقط.

When appointing or changing a legal representative, an application for appointment or change of agent must first be submitted.

عند تعيين ممثل قانوني، أو تغييره، فوجب أولاً تقديم طلب لتعيين أو تغيير الوكيل.

	الرقم التسلسلي للوكيل المعتمد لدى مكتب العلامات التجارية إن وجد Serial number of the approved agent at the				
	<table> <tr> <td>العربي In Arabic</td><td>الاسم Name</td></tr> <tr> <td>الإنجليزي In English</td><td></td></tr> </table>	العربي In Arabic	الاسم Name	الإنجليزي In English	
العربي In Arabic	الاسم Name				
الإنجليزي In English					
	<table> <tr> <td>العربي In Arabic</td><td>العنوان Address</td></tr> <tr> <td>الإنجليزي In English</td><td></td></tr> </table>	العربي In Arabic	العنوان Address	الإنجليزي In English	
العربي In Arabic	العنوان Address				
الإنجليزي In English					
	البريد الإلكتروني E-mail				

- The serial number of the approved agent at the Trademarks Office has been entered, that it is a valid number and relates to the named agent.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- the named legal agent/legal representative is recorded as the representative for the trademark for which the amendment is requested.

### • Additional papers and attachments (if any)

The trademark owner or legal agent/legal representative is required to provide the following documents with the request for the amendment of the mark:

- If the request to amend the mark has been submitted by an individual, a copy of their personal identity document.
- If the request to amend the mark has been submitted by a legal agent or legal representative, the origin of the agency.

These documents must be notarized, duly authenticated and translated into Arabic.

The section **Additional papers and attachments** must have been completed to show the number of documents submitted with the request for amendment of the mark.

#### Additional papers and attachments (if any)

#### الأوراق الإضافية والمرفقات (إن وجدت)

		عدد الأوراق الإضافية المرفقة مع هذه الاستمارة Number of additional attached papers to this application
بيانات المستند المرفق Attachment data	رقم المرفق Attachment number	سرد لقائمة المستندات المرفقة مع الطلب List of documents attached

- **Attachment data:** this should show a description of the document, for example, Power of Attorney.
- **Attachment number:** each document attached should be allocated a number in order of attachment, so if the Power of Attorney is first, the attachment number is '1', the Licensing contract as the next document is '2' and so on. This is an administrative requirement to enable the identification of the document. Provided all of the required documents

have been properly submitted, an error in this listing/numbering is not a reason to refuse acceptance of the request.

The Examiner should ensure that:

- all required documents have been submitted with the request to amend the mark.
- the list of documents and the documents actually submitted correspond.

If a required document is missing, such as a Power of Attorney for the appointment of a representative, the trademark owner and representative must be informed that the request for amendment of the mark cannot be formally accepted until the missing document is received by the Trademarks Office

### **Request to amend a trademark refused**

If Trademark Office refuses to allow the requested amendment to the trademark, the trademark owner may appeal the decision.<sup>176</sup>

The appeal in the first instance will be to the Grievance Committee. Any appeal must be filed within 60 days of the notification of the refusal of the amendment. There is no provision to extend this period.

Failure to challenge the decision within the 60-day period will result in the application for amendment of the trademark being deemed abandoned. There is no provision to appeal the deeming of the application abandoned.

If the decision of the Grievance Committee is to uphold the refusal of the amendment of the trademark, the trademark owner may appeal the decision before the Competent Court. An appeal to the Civil Court must be made within thirty days from the date of the notification of the decision.

Further information on appeals against decision of the Trademark Office may be found in the Grievance Guidelines.

### **Request to amend a trademark accepted**

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<sup>176</sup> Article 18 GCC Trademark Law

Where the Trademark Office decides to accept an amendment to a trademark, the acceptance must be published in the Bulletin for which a fee is payable by the trademark owner. The fee for publication of the amendment of the mark is paid as part of the fee for making the request for the amendment; there is no separate fee for publication.

In the same way that the acceptance of an application allows for 'a justified objection'<sup>177</sup> by a third party, the publication of the amendment to a trademark will open a period for third-party objections to the amendment of the mark.

### **No 'third-party' objection to request to amended trademark**

If there is no objection to the acceptance of an amended trademark, or any objection has been resolved in favour of allowing the amendment of the trademark, the Trademark Office will make a note in the Trademarks Register. The trademark owner will be provided with evidence of the notation in the Trademarks Register.<sup>178</sup>

### **Objection to amendment of the trademark following publication**

Any person wishing to file an objection to the amendment of a trademark must do so in writing, to the Trademark Office, within sixty days from the date of publication of the acceptance of the amendment.<sup>179</sup> The prescribed fee applicable to the submission of an objection must be paid at the time of filing the objection.

The Trademark Office will send a copy of the objection to the trademark owner within thirty days from the date of the submission of the objection to the amendment.<sup>180</sup> The trademark owner must submit a written response to the objection, to the Trademark Office within sixty days from the date of the notification. If the trademark owner does not submit a response, the request for the amendment will be deemed abandoned<sup>181</sup>.

Guidance on making an objection to the amendment of a registered trademark may be found in the Opposition Guidelines.

## **Cancellation or striking off a registered trademark**

### **Request to cancel or strike off by trademark owner**

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<sup>177</sup> Article 12.1 Regulations

<sup>178</sup> Article 16 Regulations

<sup>179</sup> Article 14.2.2 GCC Trademark Law and Article 12.1 Regulations

<sup>180</sup> Article 14.2.2 GCC Trademark Law and Article 12.2 Regulations

<sup>181</sup> Article 14.2.2 GCC Trademark Law and Article 12.3 Regulations



## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

The owner of a registered trademark may request the Trademarks Office to cancel or strike their trademark from the Register. The striking-off or cancellation may be for all the goods or services for which the trademark is registered, or for some of them only.<sup>182</sup> A request for the partial striking-off of the goods or services will be regarded as an amendment.

A request for cancellation of striking off made by the trademark owner must be submitted using the 'form prepared for this purpose' (Form QF403) and be accompanied by the prescribed fee<sup>183</sup>.

### **Request for striking off or cancellation where there is a license contract**

If the use of the trademark has been authorized under a license contract recorded in the Trademarks Register, the trademark may only be struck off following a written agreement from the beneficiary of the license. That is, unless the licensee has explicitly renounced their right in respect of the trademarks license.<sup>184</sup>

### **Request to cancel or strike off, other than by the trademark owner**

Any person may request the competent court to cancel a trademark from the Trademarks Register on the grounds that the trademark has been unlawfully registered.<sup>185</sup>

### **Request to cancel or strike off based on earlier use**

A request to have a trademark cancelled or struck from the Trademarks Register will include the situation where a person or entity claims to have been using the trademark from a date earlier than the trademark owner.<sup>186</sup>

A request to cancel a trademark registration on the grounds of earlier use must be made by the person claiming earlier use within five years from the date of registration.<sup>187</sup> There is no provision to extend this five-year period.

The request for cancellation of a trademark will not be allowed if it is proven that the earlier user had explicitly or implicitly consented to the use of the mark by the trademark owner in whose name the trademark is registered.<sup>188</sup>

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<sup>182</sup> Article 23 GCC Trademark Law. A trademark owner may also request the deletion of some of the goods or services for which a mark has been registered under the provisions of Article 16 Regulations

<sup>183</sup> Article 23 Regulations

<sup>184</sup> Article 23 GCC Trademark Law

<sup>185</sup> Article 22 GCC Trademark Law

<sup>186</sup> Article 7.2 GCC Trademark Law

<sup>187</sup> Article 7.2 GCC Trademark Law

<sup>188</sup> Article 7.2 GCC Trademark Law

The request by a third party may be made to the Trademarks Office or to the Civil Court. A request for cancellation or striking off made to the Trademarks Office may be referred by the Trademarks Office to the Civil Court.<sup>189</sup>

If satisfied that the grounds for cancellation are proven, the Civil Court may order the cancellation of the trademark from the Trademark Register.<sup>190</sup>

Guidance on requests to cancel or strike off a registered trademark on grounds of earlier use may be found in the Opposition Guidelines.

- **Request to cancel or strike off based on lack of use of the trademark**

When applying to register a trademark, a trademark owner must be using or intending to use the trademark to distinguish (all) of the goods or services for which registration is being sought.<sup>191</sup>

A trademark owner that is not using the trademark at the time of registration is expected to put the trademark into serious use within five years of it being registered, for the goods or services covered by the registration. Should the trademark owner not put the mark into use within five years of it being registered (or has done so but not for all of the goods or services for which it was registered) the ownership of the mark may be open to a legal challenge<sup>192</sup>.

If the trademark owner has used the trademark for a period of at least five years, the ownership of the mark may not be challenged.<sup>193</sup>

After the initial five years following its registration, a trademark will be open to a legal challenge by any interested party if a period of five years elapses without the trademark being 'seriously' (commercially) used.

In any legal challenge claiming that there has been no serious use of a trademark, the owner may claim the defence of there being a 'reasonable cause for non-use'.<sup>194</sup>

Guidance on requests to cancel or strike off a registered trademark on grounds of non-use may be found in the Opposition Guidelines.

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<sup>189</sup> Article 22 GCC Trademark Law, Article 7 GCC Trademark Law and Article 23 Regulations refer

<sup>190</sup> Article 24 GCC Trademark Law

<sup>191</sup> Article 2 GCC Trademark Law

<sup>192</sup> Article 7.1 GCC Trademark Law and Article 24 GCC Trademark Law

<sup>193</sup> Article 7 GCC Trademark Law

<sup>194</sup> Article 24 GCC Trademark Law

### **Trademark is subject to a license contract**

Where the use of the mark is authorized in accordance with a license contract recorded in the Trademarks Register, the mark may only be struck off following a written agreement from the beneficiary of the license, unless he has explicitly renounced his right in respect of the trademarks license.<sup>195</sup>

### **Re-registration following cancellation**

A trademark that has been struck from the Trademarks Register may not be re-registered by a third party in respect of the same or similar goods or services in the three years following the date on which it was struck from the Trademarks Register. The exception will be where the striking off occurred following a ruling from the Civil Court that determined that a lesser period for re-registration should apply.<sup>196</sup>

### **Trademark to be cancelled or struck from the Trademarks Register**

In all cases, where a trademark is to be cancelled or struck off the Trademarks Register, the Trademarks Office must make a notation of the fact in the Trademarks Register.<sup>197</sup> The cancellation or striking off must be published in the Bulletin, with the announcement including the following information<sup>198</sup>:

- Copy (representation) of the trademark
- Number of the registered trademark
- Name and nationality of the trademark owner
- Reason for the cancellation of the registration
- Date of the cancellation.

### **Submitting a request for amendment or cancellation**

A request for amendment or cancellation by a trademark owner must be done using the form prepared for this purpose.<sup>199</sup> The form for an owner to make a request for

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<sup>195</sup> Article 23 GCC Trademark Law

<sup>196</sup> Article 25 GCC Trademark Law

<sup>197</sup> Article 23 Regulations

<sup>198</sup> Article 23 Regulations and Article 26 GCC Trademark Law

<sup>199</sup> Article 16 Regulations and Article 23 Regulations

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

amendment or cancellation may be downloaded and submitted via the Electronic Industrial Property Services ePortal.

The request for amendment or cancellation must be submitted to the Trademarks Office via the Electronic Industrial Property Services ePortal which can be found at <https://service.moic.gov.bh/ipd/login><sup>200</sup>

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<sup>200</sup> If a VPN is being used the hyperlink may not open.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

### Check of the request by the Trademarks Office

**Correct form and fees:** The Examiner must ensure that the request for amendment or cancellation has been made using the prescribed form (QF403) and that the required fee has been paid.<sup>201</sup>

Provided the request has been correctly made and the fee paid, the Examiner should check:

- **Eligibility to request the amendment of the mark:** This requires the Examiner to verify that the individual or entity making the request to amend the mark has the right to make the request. The request may be made by:
  - the owner of the trademark
  - the legal agent/legal representative of the trademark owner

The signature panel of the form should indicate whether the request has been made by the trademark owner, or a representative:

Declaration (statement)	إعلان (بيان)
<p><b>I am the undersigned I confirmed that:</b></p> <ul style="list-style-type: none"> <li>• All data in this form is correct and shall accept any error contained therein.</li> <li>• I will make sure to attach the required evidence and documents during the submission of the application otherwise; the application will be neglected.</li> <li>• I have been authorized / delegated as a legal representative on behalf of the mark owner / owners (this paragraph is valid only in the case of assigning a legal representative).</li> </ul> <p><b>Who signed:</b></p> <p>Please tick the appropriate box according to whether the applicant for whose name and signature is the owner of the mark or his legal agent registered in the trademark registers or who signed or stamped on behalf of one of them.</p> <div style="border: 1px solid red; padding: 5px;"> <input type="checkbox"/> Mark owner  <input type="checkbox"/> The agent or legal representative                 </div>	<p><b>أنا الموقع أدناه أقر بأن:</b></p> <ul style="list-style-type: none"> <li>▪ جميع البيانات في هذه الاستمارة صحيحة واتحمل أي خطأ وارد فيها.</li> <li>▪ التزم بإرفاق الإثباتات المطلوبة من المستندات أثناء تقديم الطلب وإلا اعتبر الطلب كأن لم يكن / مهمل.</li> <li>▪ قد تم تخويلي كممثل قانوني نيابة عن الشخص أو الأشخاص مودعي الطلب (هذه الفقرة يعتد بها في حال تعيين ممثل قانوني فقط).</li> </ul> <p style="text-align: right;"><b>صفة الموقع</b></p> <p>يرجى وضع علامة في الخانة المناسبة حسب ما إذا كان مقدم الطلب والمبين اسمه وتوقيعه هو مالك العلامة أو وكيله القانوني المقيد في سجلات العلامات التجارية أو لمن وقع أو وضع ختمه نيابة عن أحدهما.</p> <p style="text-align: right;"><input type="checkbox"/> مالك العلامة</p>

There are two tick boxes in the signature panel. One box must be ticked to indicate whether the request to amend the mark is being made by the trademark owner or a by a legal agent/legal representative. If the tick box has not been completed the request cannot be accepted until the status of the individual or entity making the request is identified.

<sup>201</sup> Article 16 Regulations

**Request by the trademark owner:** If the tick box indicates that the request is being made by the trademark owner, the Examiner should check that there is an entry in the ‘Owner’s data” part of the request form.

The name entered in ‘Owner’s data’ and the name entered in the signature panel must be the same. If the names do not correspond, it may be that the wrong tick box has been used and the request to amend the mark has, in fact been submitted by an agent or representative:

- If there is an entry in the **The legal representative of mark owner registered in the mark registers’** that corresponds with the name in the signature panel, the request should be treated as one filed by the agent or representative.
- If there is a name in the signature panel and the same name is entered in the ‘Owner’s data” panel but also an entry of a different name in **The legal representative of mark owner registered in the mark registers’**, the details entered for the legal representative should be disregarded and the request treated as one filed by the trademark owner.

**Request by an agent or representative:** If the tick box indicates that the request it is the trademark owner making the request, the Examiner should check that there is an entry in ‘**The legal representative of mark owner registered in the mark registers’**’.

- **Mark data:** that the mark to which the request relates has been identified:

A request to amend or cancel a registration may only relate to a single registration; a separate form must be used for each request.

**Mark Data**

بيانات العلامة

	رقم العلامة Mark number
	الفئة Class
	شكل العلامة Mark logo

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

	تاريخ تقديم طلب تسجيل العلامة Filling Date /Application Date
	تاريخ انتهاء الحماية End of protection date
	سبب الشطب Cancellation Reasons

- **Mark number:** the registration number allocated by the Trademarks Office of the Kingdom of Bahrain.
- **Class:** the 'category' or class of the Nice Classification in which the trademark is registered.
- **Mark logo:** the image of the mark as it is recorded in the Trademarks Register. This must be an exact replica of the mark as it is registered.
- **Filing date/Application date:** The date on which the trademark was formally accepted by the Trademarks Office has having been filed.
- **End of protection date:** The date on which the trademark registration will expire if not renewed.
- **Cancellation reasons:** For example, this may be that the trademark owner is no longer using the trademark.
- **Owner's data:** The Examiner should also check the Trademarks Register for the mark listed in 'Mark data' to ensure that the individual or entity listed as the mark owner is, in fact the owner.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

### Owner or Owner's data Listed in the Trademarks register

بيانات المالك أو ملاك التسجيل المقيد في سجلات  
العلامات التجارية

	العربي In Arabic الإنجليزي In English	الاسم Name
	العربي In Arabic الإنجليزي In English	العنوان Address
	البريد الإلكتروني E-mail	
<p>يرجى وضع علامة في هذه الخانة إذا كان هناك أكثر من مالك للتسجيل، وفي هذه الحالة يرجى إعداد قائمة بهم على ورقة إضافية وذكر البيانات المشار إليها في هذا البند.</p> <p><b>Please tick this box if there is more than one owner to the same mark, and prepare their list on an additional sheet</b></p>		<div style="border: 2px solid red; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> <input type="checkbox"/> </div>

The check of the trademark owner's details in the Trademarks Register may show there to be more than one named owner. If this is the case:

- the tick box in the 'Owner's data' section must be ticked to indicate that there is more than one recorded owner of the trademark.
- The name and address of the owner signing the form on behalf of the owners should be entered in the form (in English and Arabic) along with their email address.
- Each of the other trademark owners must be listed in a separate sheet attached to the request, indicating the total number of owners and giving their name(s) and address(es) (in English and Arabic) and an email address provided where they may be contacted.

If the Examiner finds a discrepancy that causes doubt that the request has been made by the trademark owner, the request cannot be accepted.

- **Representative's data:** the named legal agent/legal representative is recorded as the representative for the trademark for which the amendment is requested.



## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

### The legal representative of mark owner registered in the mark registers.

الممثل القانوني لمالك العلامة المعين والمقيد في سجلات العلامات التجارية (إن وجد).

This item must filled out for applications submitted through a legal representative appointed by the owner or owners of the registered mark only.

يملأ هذا البند للطلبات المقدمة من خلال ممثل قانوني معين من قبل مالك أو ملاك العلامة المسجلة فقط.

When appointing or changing a legal representative, an application for appointment or change of agent must first be submitted.

عند تعيين ممثل قانوني، أو تغييره، فوجب أولاً تقديم طلب لتعيين أو تغيير الوكيل.

الرقم التسلسلي للوكيل المعتمد لدى مكتب العلامات التجارية إن وجد Serial number of the approved agent at the	
العربي In Arabic	الاسم Name
الإنجليزي In English	
العربي In Arabic	العنوان Address
الإنجليزي In English	
البريد الإلكتروني E-mail	

- the name under which the request shown in the signature panel of the request form and the name in '**The legal representative of mark owner or licensor registered in the mark registers**' is the same.
- The serial number of the approved agent at the Trademarks Office has been entered, that it is a valid number and relates to the named agent.
- **Language of the request:** that where the form requires the information in Arabic, English or both, that the information has been entered in the correct language.
- **Signature:** The request must be signed, either by the trademark owner, or their authorized representative.

The person signing must indicate whether the request is being made by the owner of the mark identified in the form or is an agent or representative by checking the box in the 'Declaration (Statement) section of the form.

If the check of the Trademark owner's details shows there to be more than one named trademark owner, the Examiner should ensure that the tick box indicating that there is more than one owner has been ticked, and that their

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

name(s) and address(es) have been listed in a separate sheet (in English and Arabic) and each has provided an email address where they may be contacted.

Provided the signature is indicated as being that of the trademark owner, and the name in which the request is signed is one of the owners noted for the mark, the signature may be made by one of them on the understanding that they have the authority and consent of all of the named owners to make the requested cancellation or amendment. The Examiner does not need to obtain confirmation of this.

- **Additional documents:** the number of additional documents or attachments is indicated, and the documents listed.

Additional papers and attachments (if any)		الأوراق الإضافية والمرفقات (إن وجدت)
		عدد الأوراق الإضافية المرفقة مع هذه الاستمارة Number of additional attached papers to this application
بيانات المستند المرفق Attachment data	رقم المرفق Attachment number	سرد لقائمة المستندات المرفقة مع الطلب List of document attached

The trademark owner or legal agent/legal representative is required to provide the following documents with the request for the amendment of the mark:

- If the request has been submitted by an individual, a copy of their personal identity document.
- If the request has been submitted by a legal agent or legal representative, the origin of the agency.

The documents must be notarized, duly authenticated, and translated into Arabic.

- **Attachment data:** this should show a description of the document, for example, Power of Attorney.
- **Attachment number:** each document attached should be allocated a number in order of attachment, so if the Power of Attorney is first, the attachment number is '1', the next document is '2'. This is an administrative requirement to enable the identification of the document. Provided all of the required documents have been properly submitted,

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

an error in this listing/numbering is not a reason to refuse acceptance of the request.

The Examiner should ensure that:

- all required documents have been submitted with the request
- the list of documents and the documents actually submitted correspond.

If a required document is missing the trademark owner and representative must be informed that the request for cancellation cannot be formally accepted until the missing document is received by the Trademarks Office; the request will be deemed not to have been made.

### **Announcement (publication) of the cancellation of a registered mark**

The Trademark Office must publish the cancellation of amendment to a trademark registration in the Bulletin.<sup>202</sup>

Before publication can take place, a 'publication fee' must be paid before the publication will take place<sup>203</sup>. The fee for publication is paid as part of the fee for making the request; there is no separate fee for publication.

The publication will be made in the Bulletin and must include the following information:<sup>204</sup>

- copy of the trademark
- number of the registered trademark
- name and nationality of the trademark owner
- reason for the cancellation of the registration
- date of the cancellation.

### **Amendment of the goods or services**

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<sup>202</sup> Article 16 Regulations in the case of an amendment to the owner's details. Article 16 Regulations and Article 23 Regulations in respect of a partial deletion/cancellation of the goods or services. Article 18 GCC Trademark Law in respect of an alteration to the mark. Changes to an agent/representative are not published.

<sup>203</sup> Article 18 Regulations

<sup>204</sup> Article 23 Regulations

The owner of a registered trademark may request an amendment to the goods or services for which their mark is registered. The permitted change is the deletion of some of the goods or services for which a trademark has been registered<sup>205</sup>.

Deletion can be by the removal of the specific descriptions of goods or services listed in the registration. Deletion can also be achieved by a rewording provided the new descriptions do not add any goods or services not originally covered by the list of goods or services and the new wording meets the requirements for 'clarity' and 'precision'. See the Classification Guidelines for further guidance.

Where the amendment to the goods or services is the result of a partial transfer (assignment) of the trademark registration for some of the goods or services, this should be requested as a **'Change/assignment related to the owner'**.

### **Check of the request by the Trademarks Office**

**Correct form and fees:** The Examiner must ensure that the request for amendment or cancellation has been made using the prescribed form (QF410) and that the required fee has been paid.

Provided the request has been correctly made and the fee paid, the Examiner should check:

- **Eligibility to request the amendment of the mark:** This requires the Examiner to verify that the individual or entity making the request to amend the mark has the right to make the request. The request may be made by:
  - the owner of the trademark
  - the legal agent/legal representative of the trademark owner

The signature panel of the form should indicate whether the request has been made by the trademark owner, or a representative:

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<sup>205</sup> Article 16.2 Regulations

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

### Declaration (statement)

### اعلان (بيان)

#### I am the undersigned I confirmed that:

- All data in this form is correct and shall accept any error contained therein.
- I will make sure to attach the required evidence and documents during the submission of the application otherwise; the application will be neglected.
- I have been authorized / delegated as a legal representative on behalf of the mark owner / owners (this paragraph is valid only in the case of assigning a legal representative).

- أنا الموقع أدناه أقر بأن:
- جميع البيانات في هذه الاستمارة صحيحة واتحمل أي خطأ وارد فيها.
  - التزم بإرفاق الاثباتات المطلوبة من المستندات أثناء تقديم الطلب وإلا اعتبر الطلب كأن لم يكن / مهمل.
  - قد تم تخويلي كممثل قانوني نيابة عن الشخص أو الأشخاص مودعي الطلب (هذه الفقرة يعتد بها في حال تعيين ممثل قانوني فقط).

#### Who signed:

Please tick the appropriate box according to whether the applicant for whose name and signature is the owner of the mark or his legal agent registered in the trademark registers or who signed or stamped on behalf of one of them.

- ☐ Mark owner  
☐ The agent or legal representative

#### صفة الموقع

يرجى وضع علامة في الخانة المناسبة حسب ما إذا كان مقدم الطلب والمبين اسمه وتوقيعه هو مالك العلامة أو وكيله القانوني المقيد في سجلات العلامات التجارية أو لمن وقع أو وضع ختمه نيابة عن أحدهما.

☐ مالك العلامة

There are two tick boxes in the signature panel. One box must be ticked to indicate whether the request to amend the mark is being made by the trademark owner or a by a legal agent/legal representative. If the tick box has not been completed the request cannot be accepted until the status of the individual or entity making the request is identified.

**Request to by the trademark owner:** If the tick box indicates that the request is being made by the trademark owner, the Examiner should check that there is an entry in the 'Owner's data' part of the request form.

- The name entered in 'Owner's data' and the name entered in the signature panel must be the same. If the names do not correspond, it may be that the wrong tick box has been used and the request to amend the mark has, in fact been submitted by an agent or representative:
  - If there is an entry in the **The legal representative of mark owner registered in the mark registers'** that corresponds with the name in the signature panel, the request should be treated as one filed by the agent or representative.
  - If there is a name in the signature panel and the same name is entered in the 'Owner's data' panel but also an entry of a different name in **The legal representative of mark owner registered in the mark registers'**, the details entered for the

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

legal representative should be disregarded and the request treated as one filed by the trademark owner.

**Request by an agent or representative:** If the tick box indicates that the request has been submitted by a legal agent/legal representative making the request, the Examiner should check there is an entry in 'The legal representative of mark owner registered in the mark registers'.

- the name under which the request shown in the signature panel of the request form and the name in 'The legal representative of mark owner or licensor registered in the mark registers' is the same.
- **Mark data:** that the mark to which the request relates has been identified:

A request to amend or cancel a registration may only relate to a single registration; a separate form must be used for each request.

### Mark Data

### بيانات العلامة

	رقم العلامة Mark number	
	اسم / شكل العلامة Mark name / logo	
	الفئة Class	
	تاريخ انتهاء الحماية End of protection date	
	العربي In Arabic	السلع و / أو الخدمات المقيدة في سجل العلامات Goods and / or services registered in the Trademark register
	الإنجليزي In English	
	العربي In Arabic	السلع و / أو الخدمات بعد الشطب Goods and / or services after the cancellation
	الإنجليزي In English	

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

- **Mark number:** the registration number allocated by the Trademarks Office of the Kingdom of Bahrain.
- **Mark name/logo:** the words and/or a reproduction of the image of the mark as it is recorded in the Trademarks Register
- **Class:** the 'category' or class of the Nice Classification in which the trademark is registered.
- **End of protection date:** The date on which the trademark registration will expire if not renewed.
- **Goods and/or services registered in the trademark:** an entire list of including the names of the goods or services as it exists in the trademark register at the time of the request.
- **Goods and/or services after the cancellation:** a list of the names of the goods or services as it will exist in the trademark register after the request (should it be accepted). See the **Classification Guidelines** for guidance on the amendment of lists of goods or services.
- The Examiner should also check the Trademarks Register for the mark listed in 'Mark data' to ensure that the individual or entity listed as the mark owner is, in fact the owner.
- **Owner's data:** the check must confirm that the trademark owner entered in the Owner or Owner's data Listed in the Trademarks register' panel is the owner recorded for the trademark to which the request relates.

Owner or Owner's data Listed in the Trademarks register

بيانات المالك أو ملاك التسجيل المقيد في سجلات العلامات التجارية

	العربي In Arabic	الاسم Name
	الإنجليزي In English	
	العربي In Arabic	العنوان Address
	الإنجليزي In English	
	البريد الإلكتروني E-mail	

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

يرجى وضع علامة في هذه الخانة إذا كان هناك أكثر من مالك للتسجيل، وفي هذه الحالة يرجى إعداد قائمة بهم على ورقة إضافية وذكر البيانات المشار إليها في هذا البند.

Please tick this box if there is more than one owner to the same mark, and prepare their list on an additional sheet referring to this item.

☐

The check of the trademark owner's details in the Trademarks Register may show there to be more than one named owner. If this is the case:

- the tick box in the 'Owner's data' section must be ticked to indicate that there is more than one recorded owner of the trademark.
- The name and address of the owner signing the form on behalf of the owners should be entered in the form (in English and Arabic) along with their email address.
- Each of the other trademark owners must be listed in a separate sheet attached to the request, indicating the total number of owners and giving their name(s) and address(es) (in English and Arabic) and an email address provided where they may be contacted.

If the Examiner finds a discrepancy that causes doubt that the request has been made by the trademark owner, the request cannot be accepted.

- **Representative's data:** the named legal agent/legal representative is recorded as the representative for the trademark for which the amendment is requested.



## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

### The legal representative of mark owner registered in the mark registers.

الممثل القانوني لمالك العلامة المعين والمقيد في سجلات العلامات التجارية (إن وجد).

This item must filled out for applications submitted through a legal representative appointed by the owner or owners of the registered mark only.

يملأ هذا البند للطلبات المقدمة من خلال ممثل قانوني معين من قبل مالك أو ملاك العلامة المسجلة فقط.

When appointing or changing a legal representative, an application for appointment or change of agent must first be submitted.

عند تعيين ممثل قانوني، أو تغييره، فوجب أولاً تقديم طلب لتعيين أو تغيير الوكيل.

	الرقم التسلسلي للوكيل المعتمد لدى مكتب العلامات التجارية إن وجد Serial number of the approved agent at the	
	العربي In Arabic	الاسم Name
	الإنجليزي In English	
	العربي In Arabic	العنوان Address
	الإنجليزي In English	
	البريد الإلكتروني E-mail	

- The serial number of the approved agent at the Trademarks Office has been entered, that it is a valid number and relates to the named agent.
- the named legal agent/legal representative is recorded as the representative for the trademark for which the amendment is requested
- **Correct language used:** that where the form requires the information in Arabic, English or both, that the information has been entered in the correct language.
- **Signature of the request:** The request for amendment of the goods or services must be signed, either by the trademark owner, or their authorized representative.

If the check of the Trademark owner's details shows there to be more than one named trademark owner, the Examiner should ensure that the tick box indicating that there is more than one owner has been ticked, and that their name(s) and address(es) have been listed in a separate sheet (in English and Arabic) and each has provided an email address where they may be contacted.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

Provided the signature is indicated as being that of the trademark owner, and the name in which the request is signed is one of the owners noted for the mark, the signature may be made by one of them on the understanding that they have the authority and consent of all of the named owners to make the requested amendment. The Examiner does not need to obtain confirmation of this.

- **Additional documents:** the number of additional documents or attachments is indicated, and the documents listed.

Additional papers and attachments (if any)

الأوراق الإضافية والمرفقات (إن وجدت)

		عدد الأوراق الإضافية المرفقة مع هذه الاستمارة Number of additional attached papers to this application
بيانات المستند المرفق Attachment data	رقم المرفق Attachment number	سرد لقائمة المستندات المرفقة مع الطلب List of document attached

The trademark owner or legal agent/legal representative is required to provide the following documents with the request for the cancellation of the mark:

- If the request to cancel the registration has been submitted by an individual, a copy of their personal identity document.
- If the request to cancel the registration has been submitted by a legal agent or legal representative, the origin of the agency.

The documents must be notarized, duly authenticated and translated into Arabic.

- **Attachment data:** this should show a description of the document, for example, Power of Attorney.
- **Attachment number:** each document attached should be allocated a number in order of attachment, so if the Power of Attorney is first, the attachment number is '1', the next document is '2'. This is an administrative requirement to enable the identification of the document. Provided all of the required documents have been properly submitted, an error in this listing/numbering is not a reason to refuse acceptance of the request.

The Examiner should ensure that:

- all required documents have been submitted with the request for renewal.

- the list of documents and the documents actually submitted correspond.

If a required document is missing, such as a Power of Attorney for the appointment of a representative, the trademark owner and representative must be informed that the request for amendment cannot be formally accepted until the missing document is received by the Trademarks Office.

If a required document is missing the trademark owner and representative must be informed that the request for amendment to the goods or services cannot be formally accepted until the missing document is received by the Trademarks Office; the request will be deemed not to have been made.

### **Announcement (publication) of the amendment of the goods or services**

The Trademark Office must publish the cancellation of a trademark registration in the Bulletin.

Before publication can take place, a 'publication fee' must be paid. The fee for publication is paid as part of the fee for making the request; there is no separate fee for publication.

### **Withdrawal**

A trademark owner (or their authorized representative) may request the withdrawal of an application for registration at any time. A request to withdraw is made using the form prepared for this purpose.

### **Submitting a request to withdraw an application**

The request for amendment must be done using the form prepared for this purpose. The form is downloaded and submitted via the Electronic Industrial Property Services ePortal which can be found at <https://service.moic.gov.bh/ipd/login><sup>206</sup>

### **Check of the request by the Trademarks Office**

**Correct form has been used:** The Examiner must ensure that the request to record a licensing agreement has been made using the prescribed form QF401 and that the required fee has been paid.

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<sup>206</sup> If a VPN is being used the hyperlink may not open.

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

Provided the request has been made using the correct form and the prescribed fees have been paid, the Examiner should check:

- **Eligibility to request the withdrawal of the mark:** This requires the Examiner to verify that the individual or entity making the request to withdraw the mark has the right to make the request. The request may be made by:
  - the owner of the trademark
  - the legal agent/legal representative of the trademark owner

The signature panel of the form should indicate whether the request has been made by the trademark owner, or a representative:

Declaration (statement)	إعلان (بيان)
<p><b>I am the undersigned I confirmed that:</b></p> <ul style="list-style-type: none"> <li>All data in this form is correct and shall accept any error contained therein.</li> <li>I will make sure to attach the required evidence and documents during the submission of the application otherwise; the application will be neglected.</li> <li>I have been authorized / delegated as a legal representative on behalf of the mark owner / owners (this paragraph is valid only in the case of assigning a legal representative).</li> </ul> <p><b>Who signed:</b></p> <p>Please tick the appropriate box according to whether the applicant for whose name and signature is the owner of the mark or his legal agent registered in the trademark registers or who signed or stamped on behalf of one of them.</p> <div style="border: 1px solid red; padding: 5px; margin-top: 5px;"> <input type="checkbox"/> Mark owner  <input type="checkbox"/> The agent or legal representative                 </div>	<p><b>أنا الموقع أدناه أقر بأن:</b></p> <ul style="list-style-type: none"> <li>جميع البيانات في هذه الاستمارة صحيحة واتحمل أي خطأ وارد فيها.</li> <li>التزم بإرفاق الإثباتات المطلوبة من المستندات أثناء تقديم الطلب وإلا اعتبر الطلب كأن لم يكن / مهمل.</li> <li>قد تم تخويلي كممثل قانوني نيابة عن الشخص أو الأشخاص مودعي الطلب (هذه الفقرة يعتد بها في حال تعيين ممثل قانوني فقط).</li> </ul> <p style="text-align: right;"><b>صفة الموقع</b></p> <p>يرجى وضع علامة في الخانة المناسبة حسب ما إذا كان مقدم الطلب والمبين اسمه وتوقيعه هو مالك العلامة أو وكيله القانوني المقيد في سجلات العلامات التجارية أو لمن وقع أو وضع ختمه نيابة عن أحدهما.</p> <p style="text-align: right;"><input type="checkbox"/> مالك العلامة</p>

There are two tick boxes in the signature panel. One box must be ticked to indicate whether the request to amend the mark is being made by the trademark owner or a by a legal agent/legal representative. If the tick box has not been completed the request cannot be accepted until the status of the individual or entity making the request is identified

- **Request by a trademark owner:** If the tick box indicates that the request is being made by the trademark owner, the Examiner should check that there is an entry in the 'Owner's data' part of the request form. The name entered in 'Owner's data' and the name entered in the signature panel must be the same. If the names do not correspond, it may be that the wrong tick box has been used and the request to

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

amend the mark has, in fact been submitted by an agent or representative:

- If there is an entry in the **The legal representative of mark owner registered in the mark registers** that corresponds with the name in the signature panel, the request should be treated as one filed by the agent or representative.
- If there is a name in the signature panel and the same name is entered in the 'Owner's data' panel but also an entry of a different name in **The legal representative of mark owner registered in the mark registers**, the details entered for the legal representative should be disregarded and the request treated as one filed by the trademark owner.

**Request by a legal agent/legal representative:** If the signature panel indicates that the legal agent/legal representative appointed by the trademark owner has submitted the request to record the license, there must be an entry in **'The legal representative of mark owner registered in the mark registers.'**

- the name given for the legal agent/legal representative that has signed the request to withdraw the trademark and the name in **'The legal representative of mark owner or licensor registered in the mark registers'** is the same.
- **Mark data:** In the section 'Registered TM data' the mark to which the withdrawal applies should be identified:

### Mark Data

### بيانات العلامة

	رقم العلامة Mark number
	الفئة Class
	شكل العلامة Mark logo
	تاريخ تقديم طلب تسجيل العلامة Filling Date /Application Date
	تاريخ انتهاء الحماية End of protection date

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

	سبب الشطب Cancellation Reasons
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The information for mark data should include all of the following data:

- **Mark number:** the application number allocated by the Trademarks Office of the Kingdom of Bahrain.
- **Class:** the 'category' or class of the Nice Classification in which the trademark has been applied for.
- **Mark logo:** the image of the mark as it is recorded in the Trademarks Register. This must be an exact replica of the mark as it has been applied for.
- **Filing date/Application date:** The date on which the trademark was formally accepted by the Trademarks Office has having been filed.
- **End of protection date:** The date on which the trademark registration will expire if not renewed.
- **Cancellation reasons:** For example, this may be that the trademark owner is no longer using the trademark, or there is a refusal by the trademarks office and the owner has decided not to continue with the registration, etc.
- **Owner's data:** the check must confirm that the trademark owner entered in the Owner or Owner's data Listed in the Trademarks register' panel is the owner recorded for the trademark to which the request relates.

Owner or Owner's data Listed in the Trademarks register

بيانات المالك أو ملاك التسجيل المقيد في سجلات العلامات التجارية

	العربي In Arabic	الاسم Name
	الإنجليزي In English	
	العربي In Arabic	العنوان Address
	الإنجليزي In English	
	البريد الإلكتروني E-mail	

## Guidelines on the Maintenance of the register and registrable transactions in the Kingdom of Bahrain

<p>يرجى وضع علامة في هذه الخانة إذا كان هناك أكثر من مالك للتسجيل، وفي هذه الحالة يرجى إعداد قائمة بهم على ورقة إضافية وذكر البيانات المشار إليها في هذا البند.</p> <p><b>Please tick this box if there is more than one owner to the same mark, and prepare their list on an additional sheet referring to this item.</b></p>	<input type="checkbox"/>
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- The Examiner should also check the Trademarks Register for the mark listed in 'Mark data' to ensure that the individual or entity listed as the mark owner is, in fact the owner.

The check of the trademark owner's details in the Trademarks Register may show there to be more than one named owner. If this is the case:

**Owner or Owner's data Listed in the Trademarks register**

بيانات المالك أو ملاك التسجيل المقيّد في سجلات العلامات التجارية

	العربي In Arabic الإنجليزي In English	الاسم Name
	العربي In Arabic الإنجليزي In English	العنوان Address
	البريد الإلكتروني E-mail	
<p>يرجى وضع علامة في هذه الخانة إذا كان هناك أكثر من مالك للتسجيل، وفي هذه الحالة يرجى إعداد قائمة بهم على ورقة إضافية وذكر البيانات المشار إليها في هذا البند.</p> <p><b>Please tick this box if there is more than one owner to the same mark, and prepare their list on an additional sheet referring to this item.</b></p>	<div style="border: 2px solid red; padding: 5px; display: inline-block;"> <input type="checkbox"/> </div>	

- the tick box in the 'Owner's data' section must be ticked to indicate that there is more than one recorded owner of the trademark.
- The name and address of the owner signing the form on behalf of the owners should be entered in the form (in English and Arabic) along with their email address.
- Each of the other trademark owners must be listed in a separate sheet attached to the request, indicating the total number of owners, and giving their name(s) and address(es) (in English and Arabic) and an email address provided where they may be contacted.

If the Examiner finds a discrepancy that causes doubt that the request has been made by the trademark owner, the request cannot be accepted.

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- **Representative's data:** the named legal agent/legal representative is recorded as the representative for the trademark for which the amendment is requested.

**The legal representative of mark owner registered in the mark registers.**

الممثل القانوني لمالك العلامة المعين والمقيد في سجلات العلامات التجارية (إن وجد).

This item must filled out for applications submitted through a legal representative appointed by the owner or owners of the registered mark only.

When appointing or changing a legal representative, an application for appointment or change of agent must first be submitted.

يملأ هذا البند للطلبات المقدمة من خلال ممثل قانوني معين من قبل مالك أو ملاك العلامة المسجلة فقط. عند تعيين ممثل قانوني، أو تغييره، فوجب أولاً تقديم طلب لتعيين أو تغيير الوكيل.

	الرقم التسلسلي للوكيل المعتمد لدى مكتب العلامات التجارية إن وجد
	Serial number of the
	العربي In Arabic
	الاسم Name
	الإنجليزي In English
	العربي In Arabic
	العنوان Address
	الإنجليزي In English
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In particular, the Examiner should check that:

- The serial number of the approved agent at the Trademarks Office has been entered, that it is a valid number and relates to the named agent.
- the named legal agent/legal representative is recorded as the representative for the trademark.

If a discrepancy is found in any of these checks, the request to record the license cannot be accepted and should be returned to the legal agent/legal representative that submitted it.

**Signature for the request:** The request for renewal must be signed, either by the trademark owner, or their authorized representative.



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If the check of the Trademark owner's details shows there to be more than one named trademark owner, the Examiner should ensure that the tick box indicating that there is more than one owner has been ticked, and that their name(s) and address(es) have been listed in a separate sheet (in English and Arabic) and each has provided an email address where they may be contacted.

Provided the signature is indicated as being that of the trademark owner, and the name in which the request is signed is one of the owners noted for the mark, the signature may be made by one of them on the understanding that they have the authority and consent of all of the named owners to make the request to withdraw the trademark. The Examiner does not need to obtain confirmation of this.

- **Additional documents:** the number of additional documents or attachments is indicated, and the documents listed.

### Additional papers and attachments (if any)

الأوراق الإضافية والمرفقات (إن وجدت)

		عدد الأوراق الإضافية المرفقة مع هذه الاستمارة Number of additional attached papers to this application
بيانات المستند المرفق Attachment data	رقم المرفق Attachment number	سرد لقائمة المستندات المرفقة مع الطلب List of documents attached

These documents must be submitted with the request to withdraw a trademark:

- If the request to amend the mark has been submitted by an individual, a copy of their personal identity document.
- If the request to amend the mark has been submitted by a legal agent or legal representative, the origin of the agency.

The documents must be notarized, duly authenticated and translated into Arabic.

- **Attachment data:** this should show a description of the document, for example, Power of Attorney.
- **Attachment number:** each document attached should be allocated a number in order of attachment, so if the Power of Attorney is first, the

attachment number is '1', the next document is '2'. This is an administrative requirement to enable the identification of the document. Provided all of the required documents have been properly submitted, an error in this listing/numbering is not a reason to refuse acceptance of the request.

The Examiner should ensure that:

- all documents have been submitted with the request for renewal.
- the list of documents and the documents actually submitted correspond.

If a required document is missing, the trademark owner and representative must be informed that the request for withdrawal cannot be formally accepted until the missing document is received by the Trademarks Office.

Requests for withdrawal of a trademark are not required to be published in the Bulletin.

### **Temporary protection for exhibitions**

The owner of a trademark intending to display goods or services at an exhibition organized in a GCC Member State may request the grant of temporary protection for the trademark(s) for specific products or services. The grant of temporary protection will only be available for national and international exhibitions deemed suitable at the discretion of the competent authority responsible for granting protection<sup>207</sup>.

If granted, temporary protection for the trademarks will be given for the duration of the exhibition.<sup>208</sup> The trademark owner does not need to be the exhibitor, but any request for temporary protection must still be made by the trademark owner.

Where temporary protection is required, the trademark owner must notify the competent administration responsible for the registration of trademarks in the GCC State in which the exhibition is to take place. The notification must indicate the intention to show the trademark(s) in relation to specific products or services.<sup>209</sup>

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<sup>207</sup> Article 22 Regulations

<sup>208</sup> Article 21 GCC Trademark Law

<sup>209</sup> Article 19 Regulations

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Notification is by the trademark owner using the form prepared for this purpose and must be submitted at least one month prior to the opening of the exhibition. The form must be accompanied by four copies of the mark, and proof of payment of the prescribed fee.<sup>210</sup>

Where temporary protection to a trademark for use during an exhibition is granted, this will be recorded in a special Register called the Temporary Protection Register. The Register will contain the following information:

- The number of the temporary protection claim
- The date of submission of the application
- The name of the exhibitor
- The name of the exhibition and the date of its official opening
- The products or services for which protection has been requested and their respective category (class)

Where temporary protection of a trademark for use in an exhibition is, the competent administration will issue a certificate of temporary protection of the mark to be used. This certificate will be for a period not exceeding six months from the opening date of the exhibition.<sup>211</sup>

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<sup>210</sup> Article 19 Regulations

<sup>211</sup> Article 21 Regulations