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Trademark protection in Mongolia

The exclusive rights of the trademark holder will be granted or entitled when the trademark is officially registered with the General authority of Intellectual property and trademark certificate is issued.

"Trademark" means distinctive expression used by an individual or a legal entity, engaged in manufacturing of goods or the provision of services, in order to distinguish the goods or services from those of others. It may be expressed in words, figures, letters, numerals, three-dimensional configurations, colours, sounds, scents and/or any combinations thereof.

Trademark registration: For registering the trademark, the following documents are required:

1. Application form, which shall contain followings:

1.1 a request for registration of the trademark;

1.2 if the applicant is a legal person, then its official name and address, its organisational form, its seal or stamp, and a signature of a competent official;

1.3 if the applicant has an official representative (Power of attorney), then his/her surname, name of father /mother/, given name and address, and a signature of the applicant or his/her official representative;

1.4 if the applicant wishes to claim the priority date, then a declaration claiming the priority of an earlier application;

1.5 trademark to be registered;

1.6 trademark description;

1.7 if the applicant wishes to claim colour or a trademark which is a three-dimension mark, then a statement to that effect;

1.8 if the trademark is a collective mark, then a statement to that effect;

1.9 if the trademark is a certification mark, then a statement to that effect;

1.10 in cases where the trademark is expressed in characters other than Cyrillic or Latin script, or where it is in a foreign language, a translation of the trademark into Cyrillic script or a translation thereof;

1.11 classification of trademark and list of the names of goods and services pertaining to the trademark.

2. Receipt of state stamp duties payment.

3. Other supporting documents related to collective trademark use, certification trademark use, documents related to priority date and POA.

Trademark registration process takes 9 months and can be extended for additional 6 months.

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For more information or any queries, please feel free to contact V. Bolormaa, Partner and Advocate of Absolute Advocates Law Firm (Associate office of GRATA International in Ulaanbaatar) by bvolodya@gratanet.com or 976 99085031.

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