TRADEMARKS

Table of Contents

	Page
Principal	
Trademarks Act 2019	
Table of Provisions	1149
Table of Amendments	1153
Trademarks Act 2019	1155
Subsidiary	
Trademarks (Forms And Fees) Regulations 2020	
Table of Provisions	1183
Table of Amendments	1185
Frademarks (Forms And Fees) Regulations 2020	

1147 Service 0

Service 0 1148

Trademarks Act 2019

TABLE OF PROVISIONS

Section	Title			
PART 1 — PRELIMINARY				
1	Short title			
2	Commencement			
3	Act binds the Republic			
4	Interpretation			
5	Objectives			
PART 2 — REGISTRAR OF TRADEMARKS				
6	Registrar of Trademarks			
7	Register of Trademarks			
PART 3 — REGISTRATION OF TRADEMARKS				
8	Who may apply to register trademark			
9	Application for registration			
10	Notification of an application in the Gazette			
11	Opposition to application			
12	Registrar may refuse to register a trademark			
13	Rejection of application			
14	Acceptance for registration			
15	Applicant to be notified for non-complying application			
16	Amendment of pending application for registration			
17	Notice of decision			
18	Certificate of registration			
	PART 4 — EFFECT OF REGISTRATION			
19	Effect of registration			
20	Rights attached to a trademark			
21	Conditions and limitations of registration			
22	Rights and obligations of authorised user of trademark			
	PART 5 — TRADEMARKS THAT ARE NOT REGISTRABLE			
23	Non distinctive trademark not registrable			
24	Limitation as to colour			
25	Trademark that contains protected geographical indication			
26	Mark that contains commonly used chemical names			
27	Mark that contains certain words			
28	Mark that contains person's name			
	1140			

1149 Service 0

LAWS OF THE REPUBLIC OF NAURU

Section	Title	
29	Mark that contains representations of the President and Cabinet	
30	Identical or similar mark	
31	Mark that contains representation of flag	
31	Mark that contains representation of mag	
	PART 6 — REFUSAL TO REGISTER A TRADEMARK	
32	Trademark not distinguishing applicant's goods or services	
33	Trademark scandalous or its use is contrary to law	
34	Identical trademarks	
PART 7 — DURATION, RENEWAL, SURRENDER, REMOVAL OF TRADEMARK		
35	Duration of trademark	
36	Application for renewal	
37	Correction of Register	
38	Surrender of trademark	
39	Alteration of a trademark	
40	Addition of goods or services	
41	Removal for non-use of trademark	
42	Rectification of Register	
	PART 8 — ASSIGNMENT OF TRADEMARK	
43	Assignment of trademark	
44	Application to register assignment of trademark	
45	Recording assignment of trademark in Register	
46	Notice of application to be given to person recorded claiming interest in	
	trademark	
	PART 9 — COLLECTIVE TRADEMARKS	
47	Collective Trademarks	
48	Limitation on rights given by registered Collective Trademark	
49	Infringement of Collective Trademark	
PART 10 — INFRINGEMENT OF TRADEMARKS		
50	Infringement of trademarks	
51	Infringement of contractual requirements	
52	Infringement of trademark by breach of restrictions	
53	Trademark not infringed when used in good faith	
54	Goods or services to which the registered trademark has been applied by or	
	with consent of registered owner	
55	Action for infringement	
	PART 11 — OFFENCES	
56	Falsifying trademark	
57	False representation of trademark	
58	False entries in Register	
Service 0	1150	

TRADEMARKS ACT 2019

Section	Title
59	Deceiving or influencing the Registrar
60	Forgery of trademark
	PART 12 — MISCELLANEOUS
61	Minister may authorise officers
62	Liability of Registrar or authorised officers
63	Jurisdiction of District Court
64	Legal practitioners may assist
65	Passing-off actions
66	Regulations
67	Repeal [Repealed]

1151 Service 0