

ABSTRACT

PROTECTION OF TRADEMARK: SAFEGUARD AGAINST REGISTERED AND SIMILAR TRADEMARKS

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“Every Trade Mark you build adds to the financial value of your business, much more than your tangible assets”. A Trademark is a mark, logo, or symbol of the goods and services given to enterprises for distinguishing their goods and services from another person. Once the trademark gets registered after going through all the processes then the owner gets legal right on the mark for ten years. Refusal of registration of the trademark is introduced under this act to protect the legal rights of the owner, that once a trademark is registered then another person can't apply for the registration for the same trademark. The trademark gets refuse if it is not able to distinguish between services or goods from another person. If the mark is unprotected then the mark will conflict with the other and get refuse if the sign or mark wasn't registered under the trademark act. Therefore while applying for registration of the trademark, the mark should be original, creative, and unique, etc. as a trademark provides a kind of guarantee of products. Trademark also helps the customers to distinguish between the mark so they don't get confused or misguide while identifying the goods and services. Nowadays, we should give importance to the trademark and its registration because now the trademark shows the goodwill of enterprises in the world. In this paper the researcher adopt the doctrinal method while writing this research paper. This paper inform that why the registration of the trademark is necessary under this act and how the refusal of registration for trademark protects the legal rights of registered trademark.