

# Trademark Brunei

## Summary

### BRUNEI TRADEMARK

The Emergency (Trade Marks) Order 1999 came into effect as Brunei's new trademarks law on 1 June 2000. The new law is based on the UK Trade Marks Act 1994 and repeals the old Trade Marks Act (Cap 98).

A trademark is defined as any visually perceptible sign capable of being represented graphically and capable of distinguishing goods or services of one undertaking from those of other undertakings.

To be registrable, a trademark must be new (ie: there is no identical or confusingly similar mark in the same class by another applicant) and distinctive.

Shape, colour and aspects of packaging are registrable in Brunei. There is also provision for the protection of well-known trademarks.

The first user of a mark is entitled to its registration in Brunei. Classification is identical with international classification. Service marks are registrable. Multi-class applications, divisional applications, merger of applications and registrations are also available in Brunei.

Under the old law, trademark are viable for an initial period of seven years and renewable for a further period of fourteen years. After the amendment to Brunei's trademarks law on 1 June 2000, a 10-year term of renewal will be granted where the renewal falls due on or after 1 June 2000. The old 14-year term will be granted only if the renewal fell due before 1 June 2000.

## Charges

### Trademark Application in Brunei

TRADEMARK APPLICATIONS Official Fees (USD) Professional Fees (USD) Search per mark per class -  
192

Filing application for one class excluding registration fee 110

470

Reporting the issuance of the Notice of Acceptance of the application for publication, preparing and arranging for advertisement of an accepted application in the government gazette, checking and forwarding the Certificate of Registration

90

410

Recordal of change of name, address, applicant, etc. 30

220

Recordal of Assignment, per mark 47

440

### Documents Required For Filing A Trademark Application

Basic Requirements Documents Legalization/ Notarization

Time of Filing 1. Power of Attorney

Not required

On filing date