

Leaflet Trademarks in Guatemala

Duration

The duration of the trademark is 10 years from the date of registration. The trademark is indefinitely renewable for further 10 year periods.

Compulsory use

A registered mark must be sufficiently used within 5 years from the date of registration, and the use thereof must not be discontinued for a period of 5 years or longer, failing which the registration of the mark will become subject to cancellation. A mark will be deemed in use if the goods or services distinguished by it are available on the market under the mark in such quantities and form as are normally appropriate, taking into consideration the size of the market, the nature of the goods or services and the manner in which their commercialization on the market takes place. A mark is also considered used if it distinguishes goods intended exclusively for exportation from Guatemala, or services offered abroad from the territory of Guatemala.

Marking

„Marking is not compulsory. Possible marking: ‘Marca Registrada’, or ‘M.R.’ within a circle, or ‘®’. All products which are marketed in Guatemala must bear a clear indication in Spanish of the place of production or manufacture, the name of the manufacturer, and the link or relation between the manufacturer and the owner of the mark used on the product where these are not the same person.

License

Licence agreements must be recorded with the Intellectual Property Registry in order to be effective as against third parties. We recommend you to contact us if you intend to grant a license under your trademark in Guatemala.