

## Leaflet Trademarks in India

### Duration

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

### Compulsory use

A mark may be vulnerable to cancellation, if it is shown that the trademark was registered without a bona fide intention to use the same and that in fact there has been no bona fide use earlier than 1 month before the application for removal, or if it is shown that, up to 3 months before the date of the application for removal, a continuous period of 5 years or longer had elapsed during which the mark was registered and during which there was no bona fide use, unless the non-use was due to special circumstances in the trade and not to an intention not to use or to abandon the mark.

### Marking

Marking is not compulsory. However, marked products may have implications for awarding compensation in case of past infringement. Markings for a registered trademark include: 'Registered Trade Mark' or '®'.

### Miscellaneous

If a mark is used by a registered user, the goods concerned must be marked in such manner as to disclose the identity of the registered owner and the fact that the mark is being used by the registered user by permission of the registered owner.