

and vegetables, seeds, live plants and flowers, food-stuffs for animals, malt.

32. Beer, ale and porterp, mineral and aerated waters and other non alcoholic drinks, syrups and other preparations for making beverages.

33. Wines, spirits and liqueurs.

34. Tobacco, raw or manufactured, smokers' articles, matches.

35. Marks reserved for services.

36. Goods not mentioned in any one of classes 1 to 36.



than paint brushes), brus-making materials, instruments and materials for cleaning purposes, steelwool, glassware, porcelain and earthenware not included in other classes.

### SECTION V - Textiles.

22. Ropes, strings, nets, tents, awnings, tarpaulins, sails, sacks, padding and stuffing materials (hair, capoc, feathers, sea-weeds, etc), raw fibrous textile materials.

23. Yarns, threads.

24. Tissues (piece goods), bed and table covers, textile articles not included in other classes.

25. Clothing, including boots, shoes and slippers.

26. Lace and embroidery, ribands and braids, buttons, press buttons, hooks and eyes, pins and needles, artificial flowers, materials for covering floors, wall hangings (non-textile).

27. Carpets, rugs, mats and mattings, linoleums and other materials for covering floors;

Wall hangings (non-textile).

### SECTION VI - Games and Playthings.

28. Games and playthings; gymnastic and sporting articles (except clothing), ornaments and decorations for chirstmas trees.

### SECTION VII - Alimentary and Agricultural Products.

29. Meat, fish, poultry and game, meat extracts, preserved, dried and cooked fruit and vegetables, jellies, jams, eggs, milk, and other dairy products, edible oils and fots, preserves, pickles.

30. Coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes, flour, and preparations made from cereals, bread, biscuits, cakes, pastry and confectionery, ice, honey, treacle, yeast, baking-powder, salt, mustard, pepper, vinegar, sauces, spices, ice.

31. Agricultural, horticultural and forestry products and grains not included in other classes, living animals, fresh fruits

Jewellery, precious stones, horology and other chronometric instruments.

15. Musical instruments (other than talking machines and wireless apparatus).

#### SECTION IV

##### - Manufactured Products of different Materials.

16. Paper and paper articles, cardboard, and cardboard articles, printed matter, newspapers and periodicals, books, book-binding material, photographs, stationery, adhesive materials (stationery), artists' materials, paint brushes, typewriters and office requisites (other than furniture), instructional and teaching material (other than apparatus), playing cards, prints'types and cliches (stereotype).

17. Gutta percha, india rubber, balata and substitutes, articles made from these substances and not included in other classes;

materials for packing, stopping or insulating, asbestos, mica, and their products, hose pipes (non metallic).

18. Leather and imitation of leather, and articles made from these materials, and not included in other classes, skins, hides, trunks and travelling bags, umbrellas, parasols and walking sticks, whips, harness and saddlery.

19. Building materials, natural and artificial stone, cement, lime, mortal, plaster, and gravel, pipes of earthenware or cement, asphalt pitch and bitumen, portable buildings, stone monuments, chimney pots.

20. Furniture, mirrors, picture frames, articles (not included in other classes) of wood, cork, reeds, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaun, celluloid and substitutes for all these materials.

21. Small domestic utensils and containers (not of precious metal, nor coated therewith), combs and sponges, brushes (other

## SECTION II - Minerals and metallic items.

6. Unwrought and partly wrought common metals and their alloys, anchors, anvils, bells, rolled and cast building materials, rails and other metallic materials for railway tracks; chains (except driving chains for vehicles), cables and wires (non electric), locksmiths' work, metallic pipes and tubes, safes and cash boxes, steel balls, horse shoes, nails and screws, other goods in other classe, ores.

7. Machines and machine tools, motors (except for vehicles); machine couplings and belting (except for vehicles), large size agricultural implements, incubators.

8. Hand tools and instruments, cutlery, forks and spoons, side arms.

## SECTION III

### - Scientific and industrial apparatus and instruments.

9. Scientific, nautical, surveying and electrical apparatus and instruments (including wireless), photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), lifesaving and teaching apparatus and instruments, coin or countre-freed apparatus, talking machines, cash registers, calculating machines, fire extinguishing apparatus.

10. Surgical, medical, dental, and veterinary instruments and apparatus (including artificial limbs, eyes, and teeth).

11. Installations for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.

12. Vehicles; Apparatus for locomotion by land, air, or water.

13. Firearms, ammunition and projectiles, explosive substances, firworks.

14. Precious metals and their alloys and goods in precious metals or coated therewith (except cutlery, forks, and spoons).

**Article 67.**

From the execution date of this Regulation, the Execution of the Law of Registration of Trade and Industrial Marks, ratified on 29-4-1310 is abolished. This regulation will be in force 10 days after its publication in the Official Journal of the Imperial State of Iran.

**Minister of Justice.**

Dr. Mohamad Aly Hedayaty.

**THE CLASSIFICATION OF GOODS****SECTION I - Industry and Chemical Products.**

1. Chemical products used in industry, science, photography, agriculture, horticulture, forestry, manures (natural and artificial), fire extinguishing compositions, tempering substances and chemical preparations for soldering, Chemical substances for preserving foodstuffs, tanning substances, adhesive substances used in industry.

2. Paints, varnishes, lacquers; preservatives against rust and chemical preparations for soldering, Chemical substances for mordants, resins, metals in foil and powder form for painters and decorators.

3. Bleaching preparations and other substances for laundry use, cleaning, polishing, scouring, and abrasive preparations, soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices.

4. Industrial oils and greases (other than edible oils and fats and essential oils), lubricants, dust laying and absorbing compositions, fuels (including motor spirit) and illuminants, candeles, tapers, night-lights and wicks.

5. Pharmaceutical, veterinary, and sanitary substances; infants' and invalids' foods, plasters, material for bandaging, material for stopping teeth, dental wax, disinfectants, preparations for killing weeds and destroying vermin.

facture or sale of forged or imitated products, the mentioned legal Authorities may - before issuing their order - demand sufficient guarantee from the Plaintiff, so as to recover - if required - all losses suffered by the party, and any loss of profit that the other party may be deprived of.

### Article 65.

If the plaintiff does not file a suit - either through civil or through penal channels, - within 10 days after the issuance date of the order mentioned in Art. 63 of the present Regulations, and in compliance with the provisions of Art. 615 of the Law of the Law of Civil Procedure, the detailed list that he may have taken, or attachment that may have been effected, will be cancelled and void; and he will be held responsible for the losses of the other party, as per Art. 63.

## BOOK IV

### Charges relative to Trade Marks & Patents

#### Article 66.

The relative charges of Trade Marks and Patents will be as follows:-

Para. 1) Fees for translation preparation of certified copies: as per regulations relative to Official Translators and Preparation of copies of documents.

Para. 2) Tariff of advertisements: as per the tariff or the Official Journal of the Imperial State of Iran.

Para. 3) For transactions and transfers relative to inventions - with the exception of the case mentioned in Para. 4 of this Article - as per the Tariff determined for registration of documents, provided that the collected sum does not exceed 40 Gold Rials.

Para. 4) For registering transfer of an Patent through inheritance: 3 Gold Rials.



### CHAPTER III Concerning the Means of Attachments

#### Article 63.

The owner of any Trade Mark, as well as the owner of any Letters Patent, or their legal substitute, may - upon order of the magistrate of the peace, the nearest to the place where the contested goods are located - take a detailed list of such merchandise that they claim to be contrary to their rights acquired from their Trade Mark or Invention. The execution of the above Order will be effected by the Customs Officials, if the goods are still in the Customs, or else by a Bailee. Attachment of the goods may only be effected if the Tribunal explicitly orders to that effect.

The order of the Court, in either of the above two cases, will be issued according to the petition of the owner of the Trade Mark or the owner of the Letters Patent, or their Legal substitute. A certified copy of the Certificate of Registration of the Trade Mark, or that of the Patent must be annexed to the said petition.

If the owner of the Trade Mark or Letter Patent applies for attachment of the products mentioned above, he must give sufficient guarantee, so as to recover - if necessary - all losses suffered by the other party, and any loss of profit that he may be deprived of gaining.

#### Article 64.

In litigations arising from the rights acquired by registering Trade Marks or right of Patent, the plaintiff in the civil actions, and the civil party in penal actions may - at any time - request from the legal Authorities trying the case to issue injunction for securing evidence, or attachment of forged and imitated products, or request to issue an interim injunction Order prohibiting manufacture, or sale, or importation of forged or imitated products; and the legal Authorities shall comply with the request of the mentioned persons. Concerning attachment of products, or issuance of interim injunction Order for prohibition of manu-

documents and evidence, upon his request the Head of the Court will grant him - after investigation, and if necessary - an extension not exceeding six months.

#### **Article 59.**

The above extension will also be granted to the applicant of registration in order that he may submit documents in his defence.

#### **Article 60.**

The other procedure to be followed either in the Court of first instance or in the Court of Appeal are the same as prescribed for trying commercial cases.

### **Section III**

#### **Concerning opposition against registered Trade Marks or Patents**

#### **Article 61.**

Any person who wants to request cancellation of a Trade Mark or Letters Patent registered in Iran must lodge a petition at the Court of First Instance in Teheran. This petition must have the following annexes:-

- 1) Certified excerpt, by the Branch Office of Trade Marks & Invention Registration, attesting to the registration of the Trade Mark or the Patent, cancellation of which is requested.
- 2) Original or certified copies of all the documents on which the claim of the Plaintiff is based.
- 3) Power of attorney if the petition is lodged by an attorney.

#### **Article 62.**

Notification of the petition, written preliminaries of the case, and other manners of procedure will be in conformity with the provisions of the Law of Civil Procedure, but the provisions of Art. 59 must be applied in favour of the defendant.



of the opposer, he must withdraw his application for registration of the Trade Mark.

The procedure for serving the letter of Opposition is in accordance with provisions of the Law of Civil Procedure concerning notification of petitions.

#### **Article 55.**

If the applicant surrenders in writing to the opposition of the opposer, his application will be returned to him, and the matter will be notified in writing to the opposer, and in the event of the Trade Mark or Patent not being previously registered, steps for its registration will be taken in accordance with his application, lodged jointly with his opposition, as per provisions of Art. 53.

#### **Article 56.**

The Opposer must refer to the Court of first instance in Teheran, within 60 days from the date when his opposition was notified to the applicant of registration, unless if the applicant of registration surrenders to his opposition before the expiry of the said period of time, as per above article.

#### **Article 57.**

If the opposer does not refer to the Court of first Instance in Teheran within the period mentioned above, the Branch Office of Trade Marks and Inventions Registration will-upon request of the applicant - register the Trade Mark or invention in the name of the applicant for the registration of the Trade Mark, after having obtained a certificate from the Registry of the Court of first instance in Teheran to the effect that petition was not lodged. In such a case, Fees and Charges paid by the opposer in conformity with Art. 16 of the Law of Trade Marks and Inventions Registration will be appropriated in favour of the State.

#### **Article 58.**

If the opposer be unable to annex to his petition all his

Trade Marks and patents Registration. Against the letter of opposition a receipt will be given indicating the date of its submission.

The opposer must mention the following points in his letter of opposition:

- 1) His name, profession, and address in Teheran.
- 2) Mention of all evidence and proof, according to which he deems himself justified in opposition.

#### Article 52.

Certified copies of documents on which the opposer's claim is based must be annexed to the letter of opposition, if possible.

#### Article 53.

If the opposition of the opposer is based on a right of ownership he claims on a Trade Mark or Patent, the registration of which is applied for by another party, without that Trade Mark or Patent having been registered in Iran in his name, his opposition will only be accepted if he lodges an application for registration of said Trade Mark or Patent, in accordance with the Law of Trade Marks & Patent, and in accordance with the provisions of the present Regulations. This same procedure will be followed in every case when the opposition is made by the opposer in order to safeguard his rights in connection with a Trade Mark or Patent, which Trade Mark or Patent has not yet been registered in Iran, unless if it is not legally possible to register the said Trade Mark or Patent.

#### Article 54.

Within 10 days after receipt of the letter of opposition, the Branch Office of the Trade Marks and Inventions Registration will notify same at the address of the applicant of registration, or of the persons designated as per Art. 46. In the notice, explicit warning must be made that if he surrenders to the opposition

tion, in case his application is rejected as per Art. 7 of the Law of Trade Mark and Inventions:-

- 1) Original or certified copy of the decision due to which the application for registration has been rejected.
- 2) Objections which the applicant has against the said decision.
- 3) Receipt of the deposit as per Art. 47
- 4) Power of Attorney, in case the petition has been submitted through an attorney.

#### **Article 49.**

The Clerk of the Court will fix the day of session, and will notify the plaintiff, as well as the officer in charge of the Branch Office, mentioned in Art. 6 of the Law of Trade Marks & inventions Registration, so that they present themselves on the specified day, the Plaintiff may apply for an extension of time not exceeding 6 months. On the day of the session, the Court will hear the verbal explanations of both parties, and will pronounce the appropriate verdict.

The non-attendance of either party will not hinder the issuance of the verdict, in this case the verdict against the absent party will be considered as pronounced in his presence.

#### **Article 50.**

The procedure to be followed at the Court of Appeal will be the same as determined in the above article.

### **Section II**

#### **Concerning opposition to registration prior to the Registration of a Trade Mark or Invention.**

#### **Article 51.**

Oppositions relative to Trade Marks or Inventions not yet registered must be submitted in writing to the Branch Office of

Registration after printing and publication of the relative advertisements.

### **Article 46.**

If the applicant for registration of a Trade Mark or patent is not residing in Iran, he must choose a known and distinct address in Teheran, or designate another person residing in Teheran, competent to receive all notifications concerning Trade Marks and inventions. The same duty rests upon a person not residing in Iran who opposes a Trade Mark or a Letters Patent. All notifications will be served at the address of the interested party, or at the address of the person or persons designated in accordance with the present Article.

## **CHAPTER II**

### **Concerning the Legal Procedures relative to Trade Marks & Patents**

### **Article 47.**

Any person opposing a Trade Mark or a Letters Patent, either before registration of the Trade Mark or the Patent, or after it, must deposit the equivalent of one hundred gold Rials at the Treasury of Ministry of Justice, and must annex the receipt thereof to his petition of opposition. Should the Opposer lose the case, the Defendant's losses will be covered from this sum, and should his losses exceed the sum of 100 Rials, he will refer to the Court for the balance.

### **Section I**

### **Concerning appeals against rejection of registration application.**

### **Article 48.**

The following documents must be annexed to the petition lodged by the applicant for registration of a Trade Mark or inven-

**Article 41.**

The Legal documents of the transfer, the power of attorney, and the Letters Patent of registration in Iran must be annexed to the application. (The Letters Patent will be returned to its owner after registration of the transfer).

**Article 42.**

If the transfer has taken place outside Iran and the local branch offices of the Registration of inventions have registered the said transfer, and excerpt of the above-mentioned registration will be the evidence of transfer

**Article 43.**

The owner of an invention registered in Iran can grant licence to another person for utilization of his invention, under any condition. This Licence must be registered in the Register of Inventions, on the special pages of that invention, and must be published in the official Journal.

**Article 44.**

The Registration Office, - after examining the application in its conformity with the provisions of the Law and the Regulation will effect its registration, and will publish an advertisement containing the name of the owner of the invention, and that of the licensee of the invention, number of the invention, and a summary of the contents of the Licence Agreement, and will deliver to the interested person an excerpt of the said registration.

**BOOK III****Common Provisions****CHAPTER I****Article 45.**

The Branch office of Trade Marks and inventions Registration will issue the Letters Patent or Certificate of Trade Mark

**Article 37.**

In case the applicant for a complementary Letters Patent is another person, and not the owner of the original invention, the complementary Letters Patent does not permit him to utilize the original invention, and the owner of the original invention, cannot benefit from the complementary invention, unless an agreement is reached between them.

**Article 38.**

Changes concerning the name, address, nationality, and representative of the owner of invention will not be officially recognized unless if registered in Iran.

Registration of these changes will be effected by means of an official application, signed by the owner of the invention or his legal representative. The application must be in triplicate, and the changes must be mentioned therein in detail, and the relative documents and the payment receipt of the registration Fee must be annexed to it. Examination of the application, and the registration of changes will be effected in accordance with the principles set forth for the registration of the invention. Changes concerning the address and name of the owner of the invention or those of his legal representative in Iran need not be published.

**Article 39.**

Registration, and the matter must be inscribed on the reverse side of the Letters Patent by the Branch Office of Registration of Trade Marks and Inventions.

**Article 40.**

In case an invention is leagally transfered, the following points must be distinctly stated in the application:-

- a) The number of registration in Iran.
- b) Name, address and nationality of the Transferee.
- c) Name and address of his legal representative in Iran.



Name and complete address of the owner of the patent.

Subject of the invention.

The mentioned advertisement, signed by the Head of the Branch Office of Trade Marks, and Patents Registration, will be published in the Official Gazette of the Imperial State of Iran.

### Article 33.

The validity period of the Letters Patent will be calculated as from the submission date of the application.

## CHAPTER III

### Changes

#### Article 34.

Any changes or addition or accomplishment brought about in an invention during the validity period of the relative Letters Patent will be subject to the provisions of Art. Nos. 23 and 24.

#### Article 35.

For the mentioned change and or accomplishment, and/or additions, a Letters Patent will be issued complementing the original Letters Patent.

The complementary Letters Patent will be subject to the same provisions as prescribed for the original Letters Patent, but the validity period of the complementary Patent cannot exceed the validity period of the original Letters patent.

#### Article 36.

Any owner of a letters Patent desirous of obtaining for a change, or accomplishment, or additions, a separate original Letters Patent instead of a complementary one, must comply with the provisions of the Law of Trade Marks and Inventions Registration, as well as the provisions of the present Regulations in that they are concerned with the Letters Patent, and must pay the registration Fee and other charges.

nection with the invention, must be gistered in the mentioned pages.

### Article 31.

After registration of the invention, the Letters Patent that is handed over to the owner of the invention must comprise the following points:

- 1) Number of registration of the invention.
- 2) Date of registration of the invention.
- 3) Number of the Register of application.
- 4) Subject of the invention.
- 5) Date of submission of the application.
- 6) Name and complete address of the owner of the invention and his attorney.
- 7) The address of the owner of the invention in Iran.
- 8) Validity period of the Letters Patent.
- 9) Number of registration and validity period of the invention in foreign country.
- 10) Signature of the Head of the Branch Office of Trade Marks and Patents Registration.
- 11) Signature of the Director General of the Registration Administration.
- 12) Number and issuance date of the Letters Patent.

One copy of the description of the invention, its summary, and the drawings, must be attached to the Letters Patent by means of a ribbon or staple press, and must be sealed.

### Article 32.

Within thirty days after registration of each invention, the relative registration office will publish an advertisement comprising the following points:-

- Registration number of the Patent.
- Validity period of the Letters Patent.

period prescribed in the Law - can complain at the Court of First Instance against rejection of application.

## CHAPTER II

### Registration of Patents

#### Article 30.

If the application is found to be correct and in conformity with the law, the invention will be registered in a special Register, with a mention of the following points:

- 1) Number of registration.
- 2) Number of the Register of applications.
- 3) Date of receipt of the application mentioning hour, day, month and the year.
- 4) Name and complete address of the submitter of the application.
- 5) Name and address of the attorney of the applicant, if the request for registration of the invention has been made through an attorney.
- 6) Subject of the invention.
- 7) Validity period of the Letters Patent.
- 8) Number of registration and validity period of the foreign Letters Patent.
- 9) Registration date of the invention.
- 10) Signature of the Head of the Branch Office of Trade Marks and Patents Registration.
- 11) Signature of the applicant for registration for the invention or his representative.

Note: Two pages will be reserved for each invention in the Register for Registration of Inventions. Any change or accomplishment concerning the subject of invention, as well as all transfers and re-transfers that may be effected, partly or totally in con-

bers and must be affixed to each other by means of a ribbon or staple press.

The drawings must be traced on special drawing paper, and must have consecutive ordinal numbers.

#### Article 28.

The Branch Office of Trade Marks and Patents registration will, upon receipt of the application - investigate the correctness of its preliminary formalities and, after entering the application in the Register of Received Applications, will return to the applicant its second copy which contains the same specifications as the original one - after signing and sealing it with the seal of the Office of Registration, and after inscribing in it the date: hour, day, month and year of its receipt, all in words.

#### Article 29.

Within 15 days from the date of receipt to the Registrar's office, the officer in charge of the Inventions Branch will study the application and its annexes from the view point of conformity with the provisions of the Law and articles of the present Regulation. Should deficiencies be noticed in the application or its annexes, the matter will be communicated to the applicant in writing, and in the meantime, for elimination of the mentioned deficiencies a time period of about two months will be prescribed - if the applicant is residing in Iran, or six months if the applicant is residing outside Iran. In the event of a plausible reason, the Branch Office of Trade Marks and Patents Registration will extend this period only for once.

If the applicant does not eliminate the mentioned deficiencies within the prescribed of time, or if the application is not in conformity with the provisions of the Law, the Branch Office of Trade Marks and Patents will reject the deficient application mentioning the reason, and will notify the applicant about the matter in writing. The applicant - in compliance with the time

**Article 24.**

The application must be limited to the main subject of one invention and to the detailed subjects relative to that same main subject.

Note: If the Patent has formerly been registered in a foreign country, the applicant can apply for a single Letters Patent based on the original invention and its relative complemental invention.

**Article 25.**

The detailed description of the invention which is annexed to the application in accordance with Art. 23 must be in Persian, and at the end of it a summary of the invention, and the method of its application must be added. However, if it is not practicable for the applicant to prepare it in Persian, he may prepare the complete specification either in French or English, and annex its summary in Persian.

**Article 26.**

The mentioned description, in whichever language it may be, must be legible, and written in such a way that, by reading it, people in possession of informations be enabled to understand its subject and novelty. Effacing, erasing, and writing between lines is prohibited. Superfluous words must be crossed out and their number noted at the end and signed. All pages, as well as copies, must be signed by the applicant or his attorney.

Drawings must be in ink and on a metric scale, and must bear the signature or seal of the applicant or his attorney.

**Article 27.**

Description of the invention and its drawings must be drawn up on papers 34 centimeters length and 22 centimeters width, and only on one side of the paper, in such a way that the reverse side remain blank.

The pages of the description must have consecutive num-

1) Name, profession, address and nationality of the applicant.

2) Name and address of his attorney in Teheran, if the application is made through an attorney.

3) The subject of the invention, concisely and clearly.

4) The validity period that the applicant wants to reserve for his Letters Patent, within the limits of Art. 33 of the Law of registration of Trade Marks and Patents, and without any conditions or restrictions.

5) Date, place of issuance, and number of the Letters Patent issued outside Iran, if a letter Patent has been issued for that invention outside Iran.

6) The address chosen by the applicant in Tehran.

7) Name and address of the person or persons residing in Iran, competent to receive all notifications concerning the invention, for registration of which application is lodged.

Note: In the application, the name and address of the applicant, subject of the invention, the name of the country where the invention was formerly registered, and the number and date of registration in the foreign country may be written in French or English.

### Article 23.

The application must have the following annexes:

1) A detailed description in triplicate of the invention or of the new process for which a Letters Patent is requested.

2) Drawings necessary for comprehension of the mentioned description, in triplicate.

3) Receipt of the Cashier of the Registration Bureau, attesting to the payment of the amounts specified in Art. 32 of the Law of Registration of Trade Marks and Patents.

4) The Power of attorney, if the application is submitted through an attorney.



of Trade Marks in continuation of the original registration. If a change is made in the Trade Mark when renewing the registration, the provisions in connection with changes must be totally complied with in every respect.

Renewal of registration need not be published if no changes have been made in the Trade Mark.

If the duration of the validity of a Trade Mark has expired, registration of the same Trade Mark by its original owner, or by others, is subject to provisions and formalities in connection with registration of Trade Marks. Interested persons can submit their opposition within 30 days from the date of the publication of the advertisement.

## **CHAPTER V**

### **Classification of Merchandise**

#### **Article 21.**

Classes of products for Trade Marks, that a special fee is charged for registration of each class as per Art. 15 of the law, are defined in the list annexed to this Regulation.

At the time when renewing the registration, or in accordance with the request of the owner of a registered Trade Mark, the Branch office of Trade Mark registration shall rectify the class of the products, both in the Register and in the Certificate of Registration, as per list annexed to this regulation.

## **BOOK II**

### **Concerning Registration of Patents.**

#### **CHAPTER I**

### **Concerning application of patents.**

#### **Article 22.**

The application lodged for registration of a patent must be drawn up in Persian, dated, signed, and comprising the following points:

legal substitute grants another person the licence to utilize that Trade Mark, this licence will be valid if the relative Licence Agreement is registered in Iran. Registration of this Licence Agreement will be effected as per a written request of the owner of the Trade Mark or his authorized representative, or the Licensee. Payment receipt of the registration Fee and of the advertisement charges must be annexed to the application. In the application for registration of the mentioned Licence Agreement, the duration of the licence and the limits of its conditions must be defined.

A summary of the contents of the Licence Agreement will be published.

The Branch office of Trade Mark and Patents Registration, after examining and comparing of the application with the provisions of the Law and the Regulation, will act for its registration, and will publish an advertisement containing the name of the Trade Mark owner, and that of the licensee of the same Mark, number of the Trade Mark, and a summary of the contents of the Licence Agreement, and will deliver to the interested person an excerpt of the mentioned registration.

## CHAPTER IV

### Renewal of Registration

#### Article 20.

Up to six months after the expiry of the validity of a Trade Mark registration, any Trade Mark owner, or his substitute or legal representative, can apply for renewal of the registration once in every ten years. The application for renewal of a Trade Mark registration must be drawn up in two copies, duly signed by the owner of the Trade Mark or his substitute or his legal representative, and a specimen of the Trade Mark affixed on it. Renewal of a Trade Mark registration will be effected by payment of the same Fees and Charges as provided for registration of a Trade Mark.

Renewal of Registration will be entered in the Register

and the payment receipt of the Registration Fee must be attached to it. Examination of the application and registration of changes will be effected in accordance with the principles set forth for registration of the Trade Mark. Changes concerning the residence, or the name, or the main address of the owner of the Trade Mark or his legal representative in Iran need not be published.

#### Article 15.

If the changes are concerned with the Trade Mark itself, ten specimen of the new Trade Mark must be annexed to the application.

#### Article 16.

Registration of changes must be effected on the special page of that Trade Mark, and the matters be inscribed on the reverse side of the Certificate by the office of Registration.

#### Article 17.

If the Trade Mark has been transfered by any legal means, in the application for changing the name of the Trade Mark owner the following points must be explicitly defined.

- a) Number of Registration in Iran.
- b) Name, address, and nationality of the new owner.
- c) Name and address of his legal representative in Iran.

#### Article 18.

Legal documents of the transfer, the power of attorney, and the Certificate of Registration in Iran must be annexed to the application. (The Certificate of Registration will be returned to the new owner of the Trade Mark, after registration of changes and their inscription on the reverse side of the Certificate.)

Note: If the assignment has been registered out-side Iran, a certified copy of the excerpt of the Registration of the foreign Trade Mark office is sufficient.

#### Article 19.

In the event when the owner of the Trade Mark or his

6. Date, number and place of foreign registration, if the Trade Mark has been previously registered outside Iran.

7. Issuance date of the Certificate.

8. Validity period of the Registration of the Trade Mark.

9. Signature of the Director of the Branch office of Trade Mark Registration, and of Director General of the Registration Office for Documents and Estates.

### Article 12.

Within thirty days after registration of each Trade Mark, the office of Registration shall publish an advertisement comprising all the points set forth in Art. 11.

### Article 13.

If a Trade Mark, registered for products set forth in Art. 1 of the Law 1st Tir 1310, concerning Registration of Trade Marks and Patents, is not commercially utilized - without a plausible reason - within three years from date of registration, either by the owner of the Trade Mark or his legal representative or substitute, in Iran or outside Iran, or outside Iran, any interested person can apply to the Court of First instance for its cancellation.

## CHAPTER III

### Changes

### Article 14.

Changes concerning the Trade Mark, or the class of Merchandise, or the owner of the Trade Mark, as well as changes in his address, nationality, or his legal representative in Iran will not be officially recognized unless if registered in Iran. Registration of these changes will be made on the special pages of the relative Trade Mark. Registration of changes will be effected as per an official Application signed by the owner of the Trade Mark or his legal representative.

The application must be made in three copies, and changes must be described therein in detail, and the relative documents

**CHAPTER II****Registration of the Trade Mark****Article 10.**

The registration of a Trade Mark will be made in a special Register, with a mention of the following points:-

- a) Date and ordinal number of the application..
- b) Date and registration number, and the specifications mentioned in the Art. 1 of this regulation.
- c) Affixing one sample on the place reserved for this purpose.
- d) Registration Fee and other fees received for each class.
- e) Signature of the applicant or his substitute, in such a way that part of his signature be on the paper and part of it on the Trade Mark.
- f) Signature of the Head of the Branch office of Trade Mark Registration or his substitute.

Note: Two pages will be reserved for registration of each Trade Mark, in the Register of the Trade Mark registration.

**Article 11.**

After registration of the Trade Mark, a certificate comprising the following points, and a complete sample of the Trade Mark affixed on it, will be delivered to the owner of the Trade Mark or his representative.

1. Reception date of the application and its entry number in the Register of Applications for Registration.
2. Registration date of the Trade Mark and the number of its Registration.
3. Name, profession, residence, and nationality of the owner of the Trade Mark.
4. Kind of merchandise, or product, or group of products for distinction of which the Trade Mark is used.
5. Specification of the parts for which the owner of the Trade Mark has reserved the right of exclusive use.

in Art. 9 of the Law, may be from the point of outer appearance, or pronounciation, or writing, or in any other way that causes ordinary consumers to err.

#### Article 6.

In the following cases, if - within 15 days from receipt of the application - it is found out that the application is unacceptable, or if the applicant does not act for its completion within the prescribed period of time, the Branch Office of Registration of Companies, Trade Marks and Patents, will notify the applicant of registration in writing, about the rejection of his application, mentioning - in the meantime - the causes of rejection.

#### Article 7.

For each Trade Mark, the application for registration of which has been accepted as per Art. 5, the Branch Office of Registration of Companies and Trade Marks will publish an advertisement in the Official Gazette. This advertisement will contain the name and address of the owner of the Trade Mark, the Trade Mark, itself and its characteristics, and the goods for which the Trade Mark will be used.

#### Article 8.

All sorts of modifications, done by the applicant of registration after publication of the advertisement, must be performed by submission of a new application. This application will be subjected to examination, as per the order prescribed in Art. 5 of the present Regulation. If the modifications and changes be accepted by the Office of Registration of Trade Marks, same will be announced for information of the public, by means of a new advertisement.

#### Article 9.

30 Days after publication of the advertisement, if no opposition is lodged, the Branch Office of Registration of Companies and Trade Marks shall register the Trade Mark.



tion is made through an attorney - as per one power of attorney only - the original power of attorney shall be attached to one of the applications, and a certified copy of it must be attached to each one of the other applications.

### Article 5.

Within 15 days from date of its submission, each application shall be subjected to an examination from the following points:-

1) From the formal point of view, so as to verify if the application and its annexes are in accordance with the principles set forth in the Law and in the present Regulation. If imperfections are found in the application, the applicant will be warned about the matter in writing, so that he may act for their elimination in an appropriate time. (For those residing in Iran up to two months, and for those residing outside Iran up to six months.)

If the above periods be insufficient, the applicant may apply only for once-for another extension of time.

2) From the point of accordance between the Class stated by the applicant of registration for his merchandise and the Classes relative to the kind of merchandise. If the merchandise be not in accordance with the Class mentioned in the application, the applicant of registration will be invited to rectify the classification of the specified merchandise.

3) From the point of accordance of the Trade Marks with the provisions of the Law and the present Regulation.

Note 1.) From the point of individualization and distinction, as mentioned in Article 1 of the Law, common names of products, or geographical names that mislead the purchaser as to the origin and quality of merchandise, cannot be considered as Trade Marks of distinction.

Note 2.) The resemblance of Trade Marks, as mentioned

4) If the Trade Mark has been registered outside Iran, the submission fo a copy, certified by the Office that has issued it, in the original language to gether with an unofficial translation in Persian at the responsibility of the applicant - is inperative.

5) If the Trade Mark is adopted in order to distinguish the privilege of the products of a group of people, or the products of a town or a district of the country, a certificate issued by a competent authority concerning confirmatiton for use of the said mark by producers of the relative merchandise. (In Iran the competent authorities, whose certificate, issued in connection with this paragraph, the Registration Office is obliged to accept are, respectively:-

1. Association of the Guild. 2. Chamber of Commerce or Industry. 3. The Municipality. 4. The Governor's Office.)

### Article 3.

The official receiving the application shall make a preliminary examination of its contents, and after entering it in the Register of received Applications, shall return to the applicant its second copy - which contains the same specifications as the original - after signing and sealing it with the seal of the Office of Registration of Companies and Trade Marks, as a receipt.

The third copy of the application, which contains the same specifications as the original one, will immediately be promulgated at the Branch Offic of the Registration of Companis, Trade Marks and patents, up to the date of its definite acceptance or rejection, so that every interested person may obtain information concerning its contents, and submit his opposition in accordance with the following articles.

### Article 4.

A person requesting the registration of several Trade Marks shall submit separate applications for each one of them, as per provisions of the present Regulation. In this case, if the applica-

8) A description and specification of the Trade Mark, and the special manner of its use, if any.

9) A mention of the annexes.

Note: The name and address of applicants residing outside Iran must be written in Latin characters, besides Persian, and must be registered and advertised in the same characters.

## Article 2.

The application must have the following annexes:-

1) The original or a certified copy of the power of attorney, if the application is made through an attorney.

2) Ten specimen of the Trade Mark as it is used, plus additional specimen, to equal one specimen for each additional class requested for registration.

The applicant must affix one specimen of the Trade Mark each application and sign it. The third specimen will be affixed to the relative page of the Registration Book during registration, and the fourth specimen will be affixed on the Certificate of Registration.

Trade Marks that are embossed, or engraved in the goods, must be sketched on the paper.

The dimensions of the specimen should not exceed ten centimeters on each side.

Over each specimen affixed in the above manner, the seal of the Branch Office of the Registration of Companies and Trade Marks and Patents will be affixed in such a way that part of the seal be placed over the specimen and the other part on the sheet of paper.

3) A (stereotype) plate for printing the Trade Mark distinctly. (the dimensions of the said plate should not exceed ten centimeters on each side). If the Trade Mark is composed of one or several words, without any device or special letters, then the applicant is not obliged to annex a printing plate.

اصلاح آئين نامه اجراءى قانون علائم تجارتي واختراعات

مصوب اول تير ۱۳۱۰ در سال ۱۳۳۷

**REVISED REGULATIONS FOR THE EXECUTION OF THE LAW OF  
1st TIR 1310 RELATIVE TO THE REGISTRATION  
OF TRADE MARKS AND PATENTS.**

**BOOK 1.**

**PROVISIONS RELATIVE TO TRADE MARKS.**

**CHAPTER I**

**CONCERNING SUBMISSION OF APPLICATION**

**Article 1.**

The application for registration of an industrial or Commercial Trade Mark must be lodged in persian, duly dated, signed and comprising the following points:-

1) name, address and nationality of the applicant and the original address of his firm.

2) Name and address of the applicant's attorney in Teheran if the application is made through an attorney.

3) The line of trade, or the type of industry of the trade mark owner.

4) Date, place and number of registration at the country or origin, if that Trade Mark has been registered outside Iran.

5) The residence in Teheran chosen by the Trade Mark owner.

6) The name and address of the person or persons in Teheran, who are competent to receive legal notices and warnings.

7) A description of the kind of merchandise or products, for distinction of which the Trade Mark is being used, with a mention of the requested classes, as per the Classification annexed to this Regulation.