

Steps to follow for the registration of trademarks in Panama

There is a process to register a trademark in Panama, being the main one, the disposition of the trademark.

Everyday companies and entrepreneurs around the world create a trademark. Trademarks are what give life to their products and services, create emotional bonds, promote the association of ideas and support marketing strategies.

Therefore, before registering a trademark it is crucial to take into account that there is a process that must be complied with, especially if you are thinking of starting a new business venture in Panama or extending your participation in new potential markets.

Additionally, the proper registration of a trademark protects the intellectual property of individuals and organizations and allows the products and services of these companies to operate in the national territory.

The registration of trademarks in Panama is in charge of the General Directorate of Industrial Property of the Ministry of Commerce and Industries and is governed by [Law 35 of May 10, 1996](#).

This regulation, as amended in 2012, is aimed at the protection of inventions, utility models and industrial designs, commercial and industrial secrets, trademarks of products and services, collective and guarantee trademarks, geographical indications and indications of origin, as well as appellations of origin, trade names, and advertising expressions and signs.



First steps to register a trademark

In Panama there are different types of trademark registration, among them:

Word mark:

Consists of the registration of a simple trademark, which is constituted by expressions of pronunciation or without meaning, and without any logo.

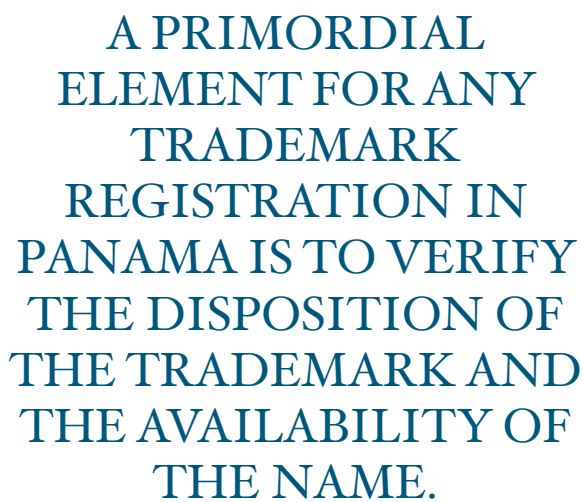
Mixed Trademarks:

This type of registration is focused on those trademarks that are integrated by figurative and denominative elements. In other words, these are identified by a special graphic by which they are considered as mixed trademarks. Additionally, there are advertising expressions of the trademark, which are also registered.

Requirements for trademark registration

- In the case of a natural person, a valid personal identity card must be presented.
- In the case of foreigners of legal age, a valid passport must be presented together with a certificate of legal existence of the company issued by the competent authority of their country of origin.
- For legal entities, a current and original Public Registry Certificate must be submitted.

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- Presentation of a power of attorney and affidavit stating the manner in which the trademark will be used at the time of entry into force.
- Submit six labels of the trademark.
- Submit a detailed description of the product, service or company to be registered. To do so, they must correctly complete the Trademark Registration application, which can be accessed through the following link.
- Certification of the Colon Free Zone.
- Certificate of Guarantee for the total of B/.100.00 endorsed to the national treasury.
- Authenticated photocopy of the Notice of Operation or provisional license.
- The tax fee for trademark registrations is approximately \$140.50 estimated.



A PRIMORDIAL ELEMENT FOR ANY TRADEMARK REGISTRATION IN PANAMA IS TO VERIFY THE DISPOSITION OF THE TRADEMARK AND THE AVAILABILITY OF THE NAME.

For this step, companies must analyze if there is availability of their name because, if there is another previously registered trademark, it opens the way to an opposition lawsuit.

These lawsuits can last approximately four years in which the trademark cannot operate until the case is resolved.

Companies have the option of abandoning the trademark as a last resort, depending on the grounds established in the opposition lawsuit, a cumbersome and onerous process. Trademark registration takes approximately nine months.

Fundamentally, if a company aspires to register its trademark, it should seek advice to adhere to the law and look for the parameters established by the regulatory body and consult with a lawyer specialized in trademark matters to avoid any trademark opposition.

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