



Registration

A trade mark is registered in the register of trade marks and service marks if:

1. the decision to register a trade mark has not been appealed or the applicant's right to the published trade mark has not been contested or the note specified in [subsection 41¹\(1\) of the Trade Marks Act](#) has not been submitted to the Patent Office **within two months** from the publication of the notification of trade mark registration;
2. regardless of the appeal or the contestation, the decision to register a trade mark and the applicant's right for the published trade mark remain in force.

Pursuant to the Trade Marks Act that entered into force on 1 April 2019, no state fee shall be paid for the registration of the trade mark.

Regarding the applications submitted before 1 April 2019, the payment of the state fee shall be subject to the law in force at **the time of the decision** to register the trade mark:

- if the **decision** to register the trade mark is made on **1 April 2019 or after that**, the state fee shall not be paid;
- if the **decision** to register the trade mark is made **before 1 April 2019**, a state fee of €45 has to be paid for making the registration.

Upon paying the **state fee**, a **unique reference number** shall be used – the applicant receives it from the Patent Office to his or her e-mail address after the expiry of the opposition period. The state fee must be paid by the due date. If the state fee is not paid, the application is deemed to be withdrawn. The applicant has the right to request the resumption of processing if acts required by law **have not been carried out due to force majeure or another impediment unforeseen by the applicant or his/her representative**. A request for resumption of the processing can be filed **within 6 months** from the due date for the act that was not carried out.

If the trade mark is registered, all registration details set out in [subsection 48 \(2\) of the Trade Marks Act](#) will be entered in the register and published in the Official Gazette of the Patent Office.

After registration of the trade mark, the Patent Office issues an **electronic trade mark certificate** to the proprietor within 20 working days.

Upon application by the proprietor of the trade mark, the Patent Office issues a copy of the electronic trade mark certificate in paper form within 20 working days of submission of the application, but not before the payment of the required state fee.

Was this information useful? * Yes

No

Please provide details:

Last modified 02.04.2019

Source URL: <https://www.epa.ee/en/trade-marks/registration>