

Trademark Filing Checklist

A scope document covering search, filing, prosecution, and enforcement of trademarks in India.

Information required to file

- Applicant details — name, address, entity type, PAN
- Startup or MSME certificate (for reduced government fee)
- Clear representation of the mark (word, logo, or device)
- Colour claim (optional) with hex codes if the logo relies on colour
- Date of first use in commerce, with proof (invoice, brochure, website screenshot)
- Digitally signed Form TM-48 (Power of Attorney) authorising the agent

Clearance search

- Registry search across identical and phonetically similar marks
- Common-law search: MCA, domain names, social handles, Play Store, GST portal
- Risk assessment: low / medium / high with recommended action

Class selection

- Identify every class relevant to current products and services
- Add classes for planned 12–24 month expansion
- Confirm goods/services descriptions match NICE classification exactly

Filing and prosecution workflow

- Step 1 — File TM-A with class(es), specification, and government fee
- Step 2 — Use TM symbol from the filing date
- Step 3 — Respond to examination report within 30 days (extendable)
- Step 4 — Attend show-cause hearing if required
- Step 5 — Publication in Trademark Journal — 4-month opposition window
- Step 6 — Registration certificate issued; ® symbol usable

Post-registration maintenance

- Diarise renewal — every 10 years from filing date
- Set up trademark watch for infringing filings
- Record assignments and licences with the Registry
- Issue cease-and-desist notices for infringement within limitation