



Grounds for Refusal of Trademarks

Absolute Grounds for Refusal of Registration

- Lacks distinctive character and does not differentiate goods or services.
- Consists solely of descriptive elements (e.g., type, quality, quantity, purpose, values, geographical origin, or production time) unless it has acquired distinctiveness or is well-known.
- Comprises marks or indications that are customary in the language or established trade practices.
- It is likely to deceive or confuse the public.
- Contains material likely to offend religious sentiments.
- Includes scandalous or obscene content.
- It is prohibited under the Emblems and Names (Prevention of Improper Use) Act, 1950.
- Consists exclusively of the shape of goods, whether naturally occurring, technically necessary, or conferring substantial value.

Relative Grounds for Refusal of Registration

- Identical or similar to an earlier trademark for identical or similar goods or services, causing public confusion.
- Identical or similar to a well-known trademark, where its use without due cause would unfairly take advantage of or harm the mark's distinctiveness or reputation.
- Likely to be prevented by other laws, including those protecting unregistered marks (passing off) or by copyright law.