



REPUBLIC OF KIRIBATI

**TRADEMARK ACT 2019
(SECTION 2)**

NOTICE OF COMMENCEMENT DATE

IN EXERCISE of the powers conferred upon me by section 2 of the Trademark Act 2019, I hereby appoint the following date as the date on which the Act shall come into force.

Dated the 27th day of April, 2026

HONOURABLE TANGARIKI REETE

Minister for Tourism, Commerce, Industry and Cooperatives

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of May, 2026

DR NAOMI BIRIBO

Secretary to Cabinet



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TRADEMARK REGULATION 2025

(Section 124)

In exercise of the powers conferred upon me by Section 124 of the Trademark Act 2018, and acting in accordance with the advice of Cabinet, I hereby make the following Regulations.

PART I – PRELIMINARY MATTERS

1. Short Title

These Regulations may be cited as the Trademark Regulations 2025.

2. Purpose

The purpose of these Regulations is to establish a Trademark Registration system and matters connected therewith.

3. Commencement

These Regulations shall be deemed to come into operation upon the date of signing by the Minister.

4. Interpretation

In these regulations, unless the context otherwise requires-

'Minister' means the Minister responsible for the Trademark Act 2019 of these Regulations.

'Nice Classification' means the international classification of goods and services applied for the registration of marks, established by the Nice Agreement (1957).

'Paris Convention' means the Paris Convention for the Protection of Industrial Property of March 20, 1883, as revised at Stockholm on July 14, 1967, and as amended on September 28, 1979.

'Principal Act' means the Trademark Act 2019.

'Registrar' shall mean the Registrar of Trademark appointed under section 7 of the Trademark Act 2019.

PART II APPLICATION AND FEES

5. Application for Registration of Trademarks.

- (1) Pursuant to section 24 of the Act, an application for the registration of trademarks shall be made in in a Form provided in Schedule 3 in Kiribati or English language. It shall be submitted together with six representations of the trademark, each measuring unless otherwise allowed, 100mm x 80mm.
- (2) One copy of the representations referred to in Subsection (1) shall be fixed in the space provided for that purpose in the application form and the other five copies attached to the form, except that –
 - (a) Where the trademark is in ordinary Roman typescript, the copy that is required to be fixed in the space in the form may, instead of being so fixed, typed or printed in that space; or
 - (b) Whereby virtue of the nature of the trademark, the representations can only be conveniently reproduced in a larger size. The representations shall be mounted or printed on a linen or other suitable material and attached to the application form.
- (3) The Registrar may, if he considers that a representation of a trademark is on or mounted on material which will not, in the course of time, preserve the features of the trademark, require the applicant to furnish a further representation of the trademark mounted on a material specified by the Registrar.
- (4) Subject to sub-regulation 5(1), an application Form shall contain the following information:
 - (a) where the applicant is a natural person, the person's family name(s) and given name(s);
 - (b) where the applicant is a legal entity, the full official designation and the legal nature of that legal entity, along with the State, and, where applicable, the territorial unit within that State, under the law of which the said legal entity has been organised;
 - (c) the address of the applicant given in such a way as to satisfy the customary requirements for prompt postal delivery;
 - (d) the electronic mail address of the applicant;
 - (e) the name of a State of which the applicant is a national if he/she is a national of any State, the name of a State in which the applicant has his/her domicile, if any, and the name of a State in which the applicant has a real and effective industrial or commercial establishment, if any;
 - (f) where the applicant has appointed an agent, the name and address of that agent;
 - (g) an indication of whether the trademark is a word trademark, a figurative trademark, a combined word/figurative trademark, or another type of

trademark. In the latter case, the type of trademark shall also be specified;

- (h) where the trademark consists of or contains matter in a script other than the script used in the Gilbertese or English language, or numbers expressed in numerals other than numerals used in these languages, it shall be accompanied by a transliteration of such matter in the script and numerals of the Kiribati or English language;
- (i) where the trademark consists of or contains a word or words in a language other than the Gilbertese or English language, it shall be accompanied by a translation of that word(s) in the Gilbertese or English language;
- (j) where the applicant wishes to take advantage of the right of priority by Section 30 of the Act, a declaration to that effect, together with an indication of the country or the regional trademark office in which the earlier application was filed, the date and, if known by the applicant, the file number of the earlier application that serves as the basis for the right of priority. Within three months of the filing date of the application, the applicant shall also file a copy of the earlier application stating the date of filing of that earlier application, accompanied by a translation into Gilbertese or English language;
- (k) where applicable, a statement that the application is for registration of a collective mark or a certification mark in the sense of Part VI of the Trademark Act, including the regulations governing the use of that collective or certification mark. Where the trademark is a collective mark, a copy of the statutes of the collective organisation and a list of its members shall accompany the application.
- (l) the applicant's signature or, if applicable, that of the applicant's agent. The signature of the person who signs shall be accompanied by an indication in letters of the family name and given name(s) of that person, as well as an indication of the capacity in which that person signed. It shall also be accompanied by an indication of the date on which the signing was effected.

6. Priority

- (1) Pursuant to Section 30 of the Act, a person who has filed an application for registration of a trademark in one of the countries parties to the Paris Convention or its legal successor shall enjoy, when filing with the Registrar an application for registration of the same trademark for the goods and/or services, identical or included therein, for which an application was filed, the right of priority within six months of the filing date of the first application.
- (2) The grounds for invoking the right of priority shall be recognised as any application that is equivalent to a regular national filing under the national law of

the State where it was made. A regular national filing means any filing that is sufficient to establish the date on which the application was filed, whatever may be the outcome of the application.

- (3) The right of priority shall have the effect that the date of priority shall count as the date of filing of the trademark application in Kiribati for the purposes of establishing which rights take precedence.
- (4) The declaration of claiming priority shall be accompanied by the proof of payment of the prescribed fee. When requesting multiple priority for a single application, a fee shall be paid for each requested priority.

7. Registration fees and other

Pursuant to section 19, the fees set out in Schedule 1 shall be the prescribed fees for the applications, registrations, and other matters to be collected under the Act and of these Regulations.

8. Registrar may refuse to take any step before the fee is paid -

- (1) The Registrar may refuse to accept any action under the Act or Regulations regarding which a fee is payable unless the fee is first paid.
- (2) The Registrar may refuse to accept any application, notice, or request under the Act or these Regulations in respect of which a fee is payable unless the fee is first paid.

9. Payment of fees -

All fees determined under the Act and of these Regulations must be paid at the account section at the Ministry responsible for trademark.

10. Notice of non-payment of fee -

If a fee that is required to be paid under the Act has not been paid, the Registrar must notify in writing the person concerned, or his or her agent, that the fee has not been paid, within 15 working days after the filing of the document, for which the fee is payable.

11. Refunds etc., of fees -

- (1) Fees are non-refundable, and if an applicant's agent makes an overpayment of fees, the Registrar may hold the overpayment as a credit towards the account of the applicant or agent.

- (2) The Registrar may give notice to the applicant of any amount on hold as credit towards the account of the applicant or the applicant's agent.

PART III EXAMINATION

12. Examination of Requirements for a Filing Date and of Formal Requirements

- (1) Where the Registrar finds that, at the time of its receipt, the application does not fulfil all the requirements referred to in Sections 24 of the Trademark Act, it shall invite the applicant to comply with such requirements within 14 days from the date of receipt of the invitation.
- (2) Where the deficiency concerns requirements referred to in Section 24(4), and if, within the time limit indicated in the invitation, the applicant corrects the deficiency, the filing date of the application shall be the date on which the Registrar receives all the elements required under Section 24(4). If the deficiency is not remedied within this time limit, the application shall not be dealt with as an application and shall be treated as if it had not been filed.
- (3) Where the deficiency concerns any other requirement than those referred to in Section 24(4) of the Act and has not been corrected within the time limit indicated in the invitation, the application shall be considered as withdrawn.
- (4) Where the Registrar finds that, at the time of its receipt, the application does not fulfil all the requirements referred to in Section 30 of the Act, it shall invite the applicant to comply with such requirements within three months from the date of filing of the application. Where the deficiency has not been corrected within the time limit indicated in the invitation, the declaration claiming priority shall be considered not to have been made.

13. Examination as to Absolute Grounds for Refusal

- (1) Where, pursuant to Section 27 of the Act, the trademark may not be registered for all or any part of the goods or services applied for, the Registrar shall notify the applicant of the grounds for refusing registration. The Registrar shall invite the applicant to submit his/her observations within 14 days from the date of receipt of the invitation.
- (2) Where the applicant fails to overcome the ground for refusing registration within the time limit, the Registrar shall reject the application in whole or in part and notify the applicant accordingly.

14. Reinstatement of the Application

- (1) Pursuant to Section 31(7) of the Act, a request for the reinstatement of an application, shall contain:
 - (a) the file number of the application;
 - (b) the name and address of service of the applicant;
 - (c) the request for reinstatement;
 - (d) an explanation of the cause of failure to comply with the time limit for the action in question;
 - (e) evidence of the date of the removal of the cause of failure to comply with the time limit;
 - (f) a statement of reasons for the failure to comply with the time limit; and
 - (g) all information and indications necessary to comply with the application requirements in respect of which the applicant had failed to comply with the time limit.
- (2) The request shall be accompanied by the proof of payment of the prescribed fee in schedule 1.
- (3) Where the Registrar finds that the requirements referred to in paragraphs (1) and (2) of this Rule are fulfilled, it shall notify the applicant accordingly. The application shall be processed as if the failure to comply with the time limit had not occurred.

PART IV PUBLICATION

15. Publication of Trademark -

- (1) Pursuant to section 20 of the Act, the Registrar of Trademark shall publish the trademark application on the Government Gazette or newsletter or a website of the Ministry responsible for this Regulation or on any available mode of communication which the Registrar sees fit after the search or prior mark is complete.
- (2) The publication of the application shall contain:
 - (a) the application number and its filing date;
 - (b) the applicant's name and address of service;
 - (c) where the applicant has appointed an agent, the name and address of that agent;
 - (d) the indication of the type of trademark;
 - (e) the representation of the mark, together with the elements and descriptions referred to in application form, where applicable;
 - (f) where applicable, the transliteration or translation of the trademark in Gilbertese or English language;
 - (g) the list of goods or services, grouped according to the classes of the Nice Classification, each group being preceded by the number of the class of that classification to which that group of goods or services belongs, and presented in the order of the classes of that classification;
 - (h) where applicable, particulars of the claim of priority filed by the applicant; and
 - (i) where applicable, a statement that the application is for a collective mark or a certification mark.

PART V
WITHDRAWAL, RESTRICTION, AMENDMENT AND DIVISION OF
APPLICATION

16. Withdrawal, Restriction of Application

- (1) Pursuant to Section 33 of the Act, a request for the withdrawal or restriction of an application shall contain:
 - (a) the application number;
 - (b) the name and address of service of the applicant; and
 - (c) an indication of whether the request concerns all the goods and services listed in the application (withdrawal of the application) or only some of the goods or services (restriction of the goods or services covered by the application).
- (2) The request shall be accompanied by proof of payment of the prescribed fee.
- (3) Where the Registrar finds that the requirements referred to in paragraphs (1) and (2) of this Regulation are fulfilled, it shall notify the applicant accordingly. Depending on the request, the application shall be considered to have been withdrawn or restricted to the goods and services not covered by the request of restriction.
- (4) Where the application has already been published, the Registrar shall publish the following information about the withdrawal or restriction:
 - (a) the application number;
 - (b) the name and address of service of the applicant;
 - (c) in case of withdrawal, the fact that the application has been withdrawn; and
 - (d) in case of a restriction, the goods or services indicated in the request of restriction.

17. Amendment of Application

- (1) Pursuant to Section 33 of the Act, a request for the amendment of an application shall contain:
 - (a) the application number;
 - (b) the name and address of service of the applicant;
 - (c) the indication of the element necessary to correct in the applicant's name or address, the clerical error or inaccuracies in drafting or writing or misprints so that such amendments do not substantively change the trademark and do not expand the list of goods and/or services; and
 - (d) the indication of the element indicated under item (c) in its amended version.
- (2) The request shall be accompanied by proof of payment of the prescribed fee.

- (3) Where the Registrar finds that the requirements referred to in paragraphs (1) and (2) of this Rule are fulfilled, it shall amend the application and notify the applicant accordingly.
- (4) Where the application has already been published, the Registrar shall publish the following information about the amendment:
 - (a) the application number;
 - (b) the name and address of service of the applicant; and
 - (c) the element subject to amendment and that element in its amended version.
- (5) Following publication pursuant to paragraph (4), the period for filing an opposition against the application shall recommence and be recalculated from the date of the publication of the amendment. The Registrar shall publish the new period for filing an opposition together with the amendment.
- (6) An opposition already filed based on the information that was published earlier and subsequently amended shall not be examined further at the opponent's request. Such a request shall be made before the end of the new period to file an opposition that results from the amendment in accordance with the preceding paragraph. The fees already paid shall be refunded. If the opponent has not submitted a request to withdraw the opposition, it shall be deemed to have been filed within the new period for filing an opposition.

Division of Trademarks

18. Division of trademark application

An applicant for registration of a trademark may apply for division from the application of:

- (a) part of a series of trademarks, in the case of a series of applications; or
- (b) classes within an application; or
- (c) specific goods or services within an application

19. Application for division

An application for division must—

- (a) be in writing;
- (b) contain the information set out in regulation 20; and
- (c) be accompanied by proof of payment of the prescribed fee in Schedule 1.

20. An application for division must contain the following information:

- (a) the applicant's name and address for service;
- (b) if the applicant has an agent, the agent's name and address;
- (c) the initial application number of the application for registration;
- (d) in the case of division of a series of marks, the part of the series to be divided out;
- (e) in the case of division of classes, a list of the classes to be divided out;

- (f) in the case of division of goods or services, a list of the goods or services to be divided out; and
- (g) if a notice of opposition to the application for registration has been filed with the Registrar, a statement that the opponent has consented to the application for division.

21. Effect of division

- (1) If the Registrar allows an application for division, the part that is divided out:
 - (a) is independent of the original application for registration; and
 - (b) retains the filing date of the original application for registration.
- (2) The Registrar shall assign a new application number to each new divisional application and publish each new divisional application in accordance with Regulation 15.

22. Division instead of striking out

An applicant for registration of a trademark may, instead of striking out items from the specification, apply for division in respect of those items, provided that there is no outstanding application fee for the class or classes in which the items divided out are to be included.

Merger

23. When a merger is allowed

- (1) An applicant for registration of a trademark, or an owner of a trademark, as the case may be, may apply for the merger of:
 - (a) 2 or more applications; or
 - (b) 2 or more registrations; and
 - (c) pay the prescribed fee in Schedule 1.
- (2) The Registrar may merge the applications or registrations if they:
 - (a) are for the same trademark;
 - (b) have the same filing dates and, if applicable, the same convention priority dates;
 - (c) have the same status, for example, accepted for registration or registered;
 - (d) are in the name of the same applicant or owner;
 - (e) are classified according to:
 - (i) the Nice Classification; or
 - (ii) the same previous edition of the Nice Classification, as the case may be.

24. Application for merger

An application for a merger must;

- (a) be in writing; and
- (b) contain the information specified in regulation 25.

25. Information required for application for merger

A merger application must contain the following information:

- (a) the applicant's name and address for service;
- (b) if the applicant has an agent, the agent's name and address; and
- (c) the number of each application or registration sought to be merged.

26. Recording of an assignment

- (1) Pursuant to Section 47 of the Act, a request for recording of an assignment of a registered trademark must contain:
 - (a) the registration number of the trademark;
 - (b) particulars of the successor in title;
 - (c) where the assignment is partial, particulars of the registered goods or services to which the assignment relates;
 - (d) evidence duly establishing the act of assignment; and
 - (e) where applicable, the name and address of the agent of the successor in title.
- (2) The request shall be accompanied by the proof of payment of the prescribed fee in Schedule 1.
- (3) Where the Registrar finds that the requirements referred to in paragraphs (1) and (2) of this Regulation are fulfilled, it shall notify the registered owner and its successor in title accordingly, record it in the Register and publish a notice of the assignment.
- (4) Where the request for assignment relates only to some of the goods or services for which the trademark is registered, the goods or services in the initial registration shall be distributed between the remaining initial registration and the request for partial assignment so that the goods or services in the remaining registration and the new registration do not overlap. The Registrar shall assign a new registration number to the new registration.
- (5) The publication of the assignment shall contain:
 - (a) the registration number of the trademark;
 - (b) where the assignment is partial, the new registration number and the particulars of the registered goods or services to which the assignment relates;
 - (c) particulars of the successor in title; and
 - (d) where applicable, the name and address of the agent of the successor in title.
- (6) The preceding paragraphs shall apply *mutatis mutandis* to a request for recording of an assignment of an application for registration in accordance with Section 50(1) of the Act.

27. Recording of a License

- (1) Pursuant to Section 48 of the Act, a request for recording of a license, must contain the following indications:
 - (a) a request for recording of a license;
 - (b) the registration number of the trademark which is the subject of the license;
 - (c) the name and address of service of the owner of the trademark;
 - (d) where the owner has an agent, the name and address of that agent;

- (e) where the owner has an address for service, such address;
 - (f) the name and address of service of the licensee;
 - (g) where the licensee has an agent, the name and address of that agent;
 - (h) where the licensee has an address for service, such address;
 - (i) the indication of the goods and/or services for which the license is granted, grouped according to the classes of the Nice Classification;
 - (j) whether the license is an exclusive license, a non-exclusive license or a sole license;
 - (k) where applicable, that the license concerns only a part of the territory covered by the registration, together with an explicit indication of that part of the territory; and
 - (l) the duration of the license.
- (2) The request for recording of a license shall be accompanied, by one of the following:
- (a) an extract of the license contract indicating the parties and the rights being licensed, certified by a notary public or any other competent public authority as being a true extract of the contract; or
 - (b) an uncertified statement of license, the content of which corresponds to the statement of license in the request, and signed by both the owner and the licensee.
- (3) The request shall be accompanied by the proof of payment of the prescribed fee in Schedule 1..
- (4) Where the Registrar finds that the requirements referred to in paragraphs (1) to (3) of this Regulation are fulfilled, it shall notify the parties to the license agreement, record the license in the Register and publish a notice of it.
- (5) The publication of the recording of a license must contain the following indications:
- (a) the registration number of the trademark which is the subject of the license;
 - (b) the name and address of service of the owner of the trademark;
 - (c) where the owner has an agent, the name and address of that agent;
 - (d) where the owner has an address for service, such address;
 - (e) the name and address of service of the licensee;
 - (f) where the licensee has an agent, the name and address of that agent;
 - (g) where the licensee has an address for service, such address;
 - (h) the indication of the goods and/or services for which the license is granted, grouped according to the classes of the Nice Classification;
 - (i) whether the license is exclusive, a non-exclusive license or a sole license;
 - (j) where applicable, that the license concerns only a part of the territory covered by the registration, together with an explicit indication of that part of the territory; and
 - (k) the duration of the license.
- (6) The preceding paragraphs shall apply *mutatis mutandis* to a request for the recording of a license in respect of an application for registration in accordance with Section 50(1) of the Act.

28. Cancellation of the Recording of a License

- (1) Pursuant to Section 48(6)(b) of the Act, a request for cancellation of the recording of a license must contain the following indications:
 - (a) a request for cancellation of the recording of a license;
 - (b) the registration number of the trademark which is the subject of the license;
 - (c) the name and address of service of the owner of the registration of the trademark;
 - (d) where the owner has an agent, the name and address of that agent;
 - (e) the name and address of service of the licensee;
 - (f) where the licensee has an agent, the name and address of that agent; and
 - (g) the nature and scope of the cancellation to be recorded.
- (2) The request for cancellation of the recording of a license shall be accompanied, by one of the following:
 - (a) documents substantiating the requested cancellation of the recording of the license; or
 - (b) an uncertified statement of cancellation of license, the content of which corresponds to the statement of cancellation in the request, and signed by both the owner and the licensee.
- (3) The request shall be accompanied by the proof of payment of the prescribed fee in Schedule 1..
- (4) Where the Registrar finds that the requirements referred to in paragraphs (1) to (3) of this Regulation are fulfilled, it shall notify the parties to the license agreement, remove the particulars from the Register and publish a notice of it.
- (5) The publication of the cancellation of the recording of a license must contain the following indications:
 - (a) the name and address of service of the owner of the trademark;
 - (b) the registration number of the trademark which is the subject of the license;
 - (c) where the owner has an agent, the name and address of that agent;
 - (d) the name and address of service of the licensee;
 - (e) where the licensee has an agent, the name and address of that agent;
 - (f) the nature and scope of the cancellation.

PART VI OPPOSITION TO REGISTRATION

29. Requirements for notice of opposition.

- (1) A notice of opposition to an application for registration of a trademark under section 32(4) of the Act must:
 - (a) be in writing; and
 - (b) be accompanied by the prescribed fee; and
 - (c) contain the information specified in Regulation 30; and
 - (d) be signed by the opponent.

- (2) The notice of opposition and all accompanying documents shall be submitted in two copies.

30. Information required in the notice of opposition

A notice of opposition to an application for registration of a trademark must contain the following information:

- a) the name and address for service of the opponent;
- b) if the opponent has an agent, the agent's name and address;
- c) the number of the application;
- d) the class or classes, or the goods or services, to which the opposition relates;
- e) the ground or grounds of opposition and the provisions of the Act to which those grounds relate and evidence in support; and
- f) if a ground of opposition relates to identical issues, the trademark numbers of the earlier trademarks.

31. Time for filing notice of opposition

- (1) A party who opposes an application for registration of a trademark must file a notice of opposition with the Registrar within 3 months after the date when acceptance of registration was first advertised.
- (2) The Registrar may, if requested, extend the deadline for filing a notice of opposition:
 - (a) by up to 1 month, without the applicant's consent; and
 - (b) by up to 2 months, with the applicant's consent.
- (3) The Registrar must not extend the deadline if the request for extension is received after the deadline has expired.

32. Registrar must send a copy of notice to applicant for registration

The Registrar must, as soon as practicable after a notice of opposition is filed, send a copy of the notice to the applicant for registration.

33. Registrar must notify each opponent that notice of opposition filed

If an application for registration is opposed by more than one opponent, the Registrar must, as soon as practicable after each notice of opposition is filed, notify each opponent that the notice has been filed.

Counter-statement

34. Time for sending counter-statement

An applicant for registration to whom a notice of opposition has been sent must file a counter-statement to the notice with the Registrar within two months after the notice was sent to the applicant.

35. Information required in counter-statement

- (1) A counter-statement must contain the following information:
 - (a) the applicant's name and address for service;
 - (b) if the applicant has an agent, the agent's name and address;
 - (c) a response to the opponent's grounds of opposition, by admitting, denying, or claiming lack of knowledge of each assertion made in the grounds of opposition; and
 - (d) a brief statement of the grounds on which the applicant relies in support of the application for registration.
- (2) The counter-statement must be signed by the applicant..

36. Registrar to send copy of counter-statement to opponent

The Registrar must send a copy of the counter-statement to the opponent as soon as practicable after a counter-statement is filed.

37. Discontinuance of opposition

An opponent (O) discontinues opposition if:

- (a) O does not within the applicable deadline file evidence or notify the Registrar that O does not intend to file evidence; or
- (b) anytime before the Registrar made a decision, O can withdraws his or her application of opposition but she or he must notifies the Registrar in writing. .

PART VII– AGENTS

38. Agents-

- (1) An applicant for any right, proceeding, process or record under the Act whose ordinary residence or principal place of business is outside Kiribati must be represented by a legal practitioner domiciled and practising in Kiribati. Natural and/or legal persons, established or domiciled in Kiribati, may directly represent themselves before the Registrar or, as the case may be, through an employee.
- (2) Any applicant wishing to use an agent for any application under this Act must notify the Registrar in writing of their nominated agent.
- (3) An agent nominated in Regulation 39(2) shall provide the following information:
 - (a) full name;
 - (b) business address;
 - (c) business license;
 - (d) registration of business names certificate; and
 - (e) confirmation from Kiribati Law Society as an active legal practitioner.

39. Registrar may refuse a person to be an agent –

- (1) The Registrar must refuse to recognise a person as an agent:
 - (a) whose name has been removed or struck off from the roll of barristers and

- solicitors of Kiribati under the provisions of the Lawyers and Legal Practice Act 20..., and has not been restored to the roll; or
- (b) who is suspended from practice as a barrister or a solicitor; or
 - (c) who does not fulfil the requirements specified in Regulation 39.

(2) Where the Registrar refuses to recognise a person as an agent, the Registrar shall, within 14 days, notify that person and that person's employer in writing.

40. Revocation of appointment of agent-

- (1) An employer may revoke the appointment of his or her agent by applying in writing to the Registrar.
- (2) The Registrar must accept any application made under sub-regulation (1) and provide written notice of the application to the affected agent.

PART VIII THE REGISTER

41. The Register

- (1) Pursuant to Section 9 of the Act, any entries or amendments, produced in the Register shall be published in the official publication.
- (2) The recording of the registration of a trademark, shall contain:
 - (a) the date of filing the application;
 - (b) the file number of the application;
 - (c) the date of the publication of the application;
 - (d) the applicant's name and address of service;
 - (e) where applicable, particulars of the claim of priority filed by the applicant;
 - (f) where applicable, the name and address of the agent appointed by the applicant;
 - (g) the representation of the mark, together with the elements and descriptions referred to in application form, where applicable;
 - (h) the list of goods or services, grouped according to the classes of the Nice Classification, each group being preceded by the number of the class of that classification to which that group of goods or services belongs, and presented in the order of the classes of that classification;
 - (i) where applicable, particulars of the claim of priority filed by the applicant;
 - (j) where applicable, a statement that the registration is for a collective mark or a certification mark;
 - (k) the date of registration of the mark in the Register;
 - (l) the registration number; and
 - (m) the date on which the period of validity of the registration expires.
- (3) The Register shall be available for public consultation. On request and provided the prescribed fee has been paid, the Registrar may issue extracts of the Register.

Renewal of registration

42. Notice of expiry

- (1) Pursuant to section 38(7) of the Act, the Registrar shall inform the trademark owner of the expiry date of the mark.
- (2) The Registrar must send the notice:
 - (a) to the owner's address for service; and
 - (b) not later than 2 months before the expiry of registration.
- (3) The notice must state the following:
 - (a) registration will expire if it is not renewed;
 - (b) the last day when it can be renewed; and
 - (c) the renewal fee amount, and how and where it may be paid.

43. Application for renewal

- (1) An application for the renewal of the registration of a trademark must be:
 - (a) in writing;
 - (b) filed with the Registrar within 6 months before the date of expiry; and
 - (c) accompanied by the prescribed fee.
- (2) The application must contain the following information:
 - (a) the trademark's registration number; and
 - (b) if the trademark is registered in more than 1 class, details of the class or classes for which registration is to be renewed.
- (3) Where the requirements referred to in paragraphs (1) and (2) of this Regulation are fulfilled, the Registrar shall renew the registration of the trademark, record the renewal of the registration in the Register by changing the expiry date of the registration, send a confirmation of renewal to the owner and publish a notice on the renewal.
- (4) The publication of the renewal or the lapse of the registration of the trademark shall contain:
 - (a) the registration number and its date;
 - (b) the name and address of service of the owner of the registration of the trademark;
 - (c) the fact that the registration of the trademark has been renewed or has lapsed; and
 - (d) in case of renewal, the new date of expiry of the registration of the trademark.

44. Registrar may specify conditions for restoration to register

- (1) To restore the registration of a trademark, the trademark owner must apply to the Registrar to restore a trademark within 12 months from the date it was removed from the register, accompanied with the prescribed fee.

- (2) The request for the restoration shall contain:
 - (a) the registration number and its date;
 - (b) the name and address of service of the trademark owner;
 - (c) the request for restoration with a statement of reasons for the failure to comply with the time limit.
- (3) While considering the request for such restoration, the Registrar shall have regard to the interest of other affected persons and must not extend 12 months referred to in sub-regulation (1).
- (4) Upon restoring a trademark, a notice to that effect shall be sent to the registered proprietor. Every registered user shall be advertised in the government gazette or in any other means of communication which the Registrar may use for such purpose.

45. Voluntary cancellation

- (1) The trademark owner who voluntarily cancels registration under section 40(2) of the Act must notify the Registrar of the cancellation.
- (2) The notice must:
 - (a) be in writing; and
 - (b) be signed by the owner; and
 - (c) contain the following information:
 - i. the trademark's registration number;
 - ii. the owner's name;
 - iii. if the owner has an agent, the agent's name and address;
 - iv. if registration is cancelled in part only, a list of the goods, services, or classes for which registration is to be cancelled; and
 - v. if registration is cancelled in part, a copy of the amended specification.
- (3) When the requirements referred to in Regulation 47 (1) and (2) are fulfilled, the Registrar shall record the voluntary cancellation, notify the owner of the registration accordingly and publish a notice of it.
- (4) The publication shall contain:
 - (a) the name and address of the owner of the registration of the trademark;
 - (b) where the owner has appointed an agent, the name and address of that agent;
 - (c) the registration number of the trademark, which is the subject of the voluntary cancellation and its date, and the fact that the owner has cancelled the trademark.
- (5) Where a license has been recorded, cancellation of the trademark shall be entered in the Register after the date on which the owner has demonstrated to the Registrar that he/she has informed the licensee of his/her intention to cancel it.

PART IX
MISCELLANEOUS

46. Seal of Registry

Pursuant to section 6 of the Act, the Registrar shall approve a 'Seal' which shall be used for the purposes of this Act and of these Regulations.

47. Certificate of Registration

Pursuant to section 34(3) of the Act, the Registrar shall issue a Certificate of Registration provided in Schedule 2 to the applicant upon completing his or her application.

48. Forms

The Registrar shall develop the forms required under these Regulations and the Act and may modify them from time to time.

49. Repeal

The Registration of the United Kingdom Trade Marks Regulations is hereby repealed without prejudice to anything done under such Regulation before these Regulations come into force.

SCHEDULE 1
FEES

Activity	Fees
For inspection of any documents filed or any entry in the Register or both	25
For registering assignments.	50
Application to register a trademark in class.	100
Renewal of registration of a trademark.	50
Application for opposition to registration of a trademark.	25
Application for counter-statement.	25
Application for a merger of trademarks.	50
Application for making alteration.	50