



**SWAZILAND**  
**GOVERNMENT GAZETTE**  
**EXTRAORDINARY**

---

**VOL. XXVII]**

**MBABANE, Thursday, June 8th., 1989**

**[No. 667**

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**PUBLISHED BY AUTHORITY**

**SUPPLEMENT TO**  
**THE**  
**SWAZILAND GOVERNMENT**  
**GAZETTE**  
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**THE TRADE MARKS ACT, 1981**

**(Act No. 6 of 1981)**

**THE TRADE MARKS REGULATIONS, 1989**

**(Under Section 14)**

In exercise of the powers conferred by Section 14 of the Trade Marks Act, 1981, the Minister for Justice hereby makes the following Regulations—

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*Section.*

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### PART I: GENERAL REGULATIONS

#### *Citation and commencement.*

1. These Regulations may be cited as the Trade Marks Regulations, 1989 and shall come into operation on a date appointed by the Minister by notice in the Gazette.

#### *Interpretation.*

2. In these Regulations, unless the context otherwise requires—

“the Act” means the Trade Marks Act, 1981;

“agent” means an agent duly authorised to the satisfaction of the Registrar;

“the Office” means the Trade Marks Office established under section 3;

“specification” means the designation of goods or services in respect of which a trade mark, or a registered user of a trade mark, is registered or proposed to be registered.

#### *Administrative instructions.*

3. (1) The Registrar may establish administrative instructions to deal with matters in respect of which these Regulations expressly refer and with details in respect of the application of these Regulations.

(2) The administrative instructions and any modification thereof shall be published by notice in the Gazette.

(3) The Registrar may by notice in the Gazette amend any administrative instructions made under this regulation.

#### PART II: REGULATIONS CONCERNING PART II OF THE ACT

#### *Fees.*

4. The fees to be paid under the Act or these Regulations shall be those prescribed in Schedule I hereto.

*Forms.*

5. The forms contained in Schedule II of these Regulations shall be used in all cases to which they are applicable and may be modified by the Registrar in a manner not inconsistent with the Act or these Regulations.

*Classification.*

6. The International Classification of goods and services which applies under the Act and these Regulations is reproduced in Schedule III.

*Hours of the office and the register.*

7. The Trade Marks office shall be open to the public for business and the register shall, on payment of the prescribed fee, be open for inspection by the public during normal working hours namely, Monday — Friday: 8.30 a.m. — 3.30 p.m.

*Contents and keeping of the register.*

8. In addition to those particulars listed in section 6(1) of the Act, the register shall contain, in respect of each trade mark registered therein, the following particulars—

- (a) where relevant, the dates on which such particulars were received by the office;
- (b) the date and the number of the registration and the dates and numbers, if any, of all subsequent entries relating to that registration;
- (c) the class numbers and specifications of goods and services covered by the registration;
- (d) the name and address of any registered user and of any authorised agent, any address for service, and any changes therein;
- (e) the country or countries of nationality and of residence of the registered proprietor;
- (f) the reference to the date and number of the Gazette in which the registration and any subsequent changes and entries relating thereto were published.

*Registrar's certificates and certified copies.*

9. Upon receipt of a request by any person on TM Form No. 25, together with the payment of the prescribed fee, the Registrar shall issue—

- (a) a certificate, sealed and signed by him, other than a certificate under section 28(2) of the Act, certifying that any entry or any other act which he is authorised or required by the Act or these Regulations to make or do has or has not been made or done;
- (b) a certified and sealed copy of a registered trade mark or of a document relating thereto or of any other entry or extract thereof.

*Documents size and format.*

10. Subject to any other directions that may be given by the Registrar, all applications, notices, statements, papers having representations affixed or other documents authorised or required by the Act or these Regulations to be submitted to the Trade Marks Office or to the Registrar shall be upon strong paper and on one side only of a size (A4 or foolscap) paper and shall have on the left-hand part a margin of not less than one inch and half.

*Signatures by partnerships, companies and associations.*

11. A document purporting to be signed for or on behalf of—
- (a) partnership shall contain the names of all the partners in full and shall be signed by all the partners or by any qualified partner stating that he signs on behalf of the partnership, or by any other person who satisfies the Registrar that he is authorized to sign the document;
  - (b) a body corporate shall be signed by a director or by the secretary or other principal officer of the body corporate, or by any other person who satisfies the Registrar that he is authorized to sign the document; and
  - (c) an association of persons may be signed by any person who appears to the Registrar to be duly qualified.

*Service.*

12. (1) All applications, notices, statements, paper having representations affixed, or other documents authorized or required by the Act or the Regulations to be submitted to the Trade Marks Office or to the Registrar or to any other person may be sent through the post by a prepaid letter and any application or any document so sent shall be deemed to have been submitted at the time when the letter containing the same would be delivered in the ordinary course of post.

(2) In proving sending under this regulation, it shall be sufficient to prove that the letter was properly addressed and sent by registered mail.

*Address.*

13. (1) Where any person is by the Act or these Regulations required to furnish the Registrar with an address, the address given shall in all cases be as full as possible for the purpose of enabling any person to easily find the place of trade or business of the person whose address is given.

(2) The address shall include the name of the street and the number in the street or name of the premises, if any.

*Address for service.*

14. (1) Any applicant or other person requesting matters to be dealt with under the Act or these Regulations shall give to the Registrar an address for service within Swaziland, and such address may be treated as the actual address of that person for all purposes connected with the matter in question.

(2) In any case in which no address for service is entered in the Register, the Registrar may treat any trade or business address in Swaziland of the registered proprietor or registered user as therein entered as his address for service for all purposes connected with the registration.

(3) Any written communication addressed to a party or person at an address given by him, or treated by the Registrar as his address for service under this Regulation, shall be deemed to be properly addressed.

*Agency.*

15. (1) Subject to the requirement of an agent under section 21(2)(e) of the Act, and except as otherwise required by these Regulations, any application, request or notice which is required or permitted by the Act or these Regulations to be made or to be given to the Registrar, and all other communications between an applicant or a person making such

request or giving such a notice and the Registrar and between the registered proprietor or a registered user of a trade mark and the Registrar or any other person, may be signed, made or given by or through an agent.

(2) Any applicant, person making a request or giving notice, registered proprietor or registered user may appoint an agent to act for him in any proceeding or matter before or affecting the Registrar under the Act or the Regulations by signing and sending to the Registrar an authority to that effect on TM Form No. 1, and in the case of such appointment, service upon the agent of any document relating to the proceeding or matter shall be deemed to be service upon the person so appointing him.

(3) All communications to be made to a person who has appointed an agent under subregulation (2) in respect of the proceeding or matter may be addressed to the agent, and all attendances upon the Registrar relating thereto may be made by or through such agent, but in any particular case in which he deems it necessary, the Registrar may require the personal signature or presence of an applicant, apponent, registered proprietor, registered user or other person.

(4) The Registrar shall not recognise as an agent any person whose name is not entered on the Register of Trade Marks Agents kept under section 62 of the Act.

#### *Extension of time.*

16. (1) If in any particular case the Registrar is satisfied that the circumstances are such as to justify an extension of time for doing any act or taking any proceeding under the Act or these Regulations, he may extend the time upon such notice to the parties and upon such terms as he may direct and the extension may be granted though the time has expired for doing the act or taking the proceeding.

(2) Whenever the last day fixed by the Act or by these Regulations for doing any act or taking any proceeding falls on a day when the Trade Marks Office is not open, the act may be done or the proceeding may be taken on the first following day on which the office is open.

#### *Hearing.*

17. (1) Before exercising adversely to any person indicated in section 8 any discretionary power given to the Registrar by the Act or these Regulations, the Registrar shall notify such person of the opportunity to be heard thereon, indicating a time limit, which shall not be less than one month, for filing a request for a hearing.

(2) The request for a hearing shall be made on TM Form No. 13.

(3) Upon receiving such request, the Registrar shall give the person applying at least two weeks' notice of the date and time of the hearing.

### **PART III: REGULATIONS CONCERNING PART V OF THE ACT-APPLICATION FOR REGISTRATION OF TRADE MARKS**

#### *Application form.*

18. (1) An application to the Registrar for the registration of a trade mark shall be made in writing, in the English language, on TM Form No. 2, together with the payment of the prescribed fee, and shall be signed by the applicant or his authorised agent.

(2) Each application may be made for the registration of a trade mark in respect of goods or services in one or more classes of the International Classification.



*Name, address and nationality of applicant.*

19. (1) Names of natural persons shall be given in full, indicating forenames and surnames.

(2) Names of legal entities shall be indicated by their full official designation.

(3) Addresses shall be as full as possible to ensure prompt postal delivery, and, in the case of an applicant having an address outside Swaziland, the address shall include the name of the country of his residence.

(4) The applicant's nationality shall be indicated by the name of the country of which he is a national, and legal entities shall indicate the country under whose laws they are constituted.

*Reproduction of trade mark.*

20. (1) Every application for the registration of a trade mark shall contain a durable graphic reproduction of the mark in the space provided therefor on TM Form No. 2, and, where the reproduction exceeds such space in size, it shall be mounted upon hard and durable paper, and part of the mounting shall be affixed in the space aforesaid and the rest may be folded.

(2) With all applications for the registration of a trade mark, three additional reproduction of the mark on separate TM Form No. 3 shall be submitted but the reproduction of the mark on the application and the additional reproduction shall be identical.

(3) The additional reproduction referred to in subregulation (2) shall in all cases be noted with all such particulars as may from time to time be required by the Registrar, and such particulars shall, if required, be signed by the applicant or his authorised agent.

(4) Subregulation (1) shall apply *mutatis mutandis* to subregulation (2) and (3).

(5) If the Registrar considers any reproduction of a mark unsuitable, he may, at any time, require a suitable reproduction to be substituted.

(6) Where a drawing or other reproduction cannot be given in the aforesaid manner a specimen or copy of the trade mark may be sent either of full size or on a reduced scale and in such a form as the Registrar may think most convenient.

*Transliteration and translation of trade mark.*

21. (1) Where a trade mark consists of or contains a word or words in characters other than Roman, the application on TM Form No. 2 and the accompanying TM Form No. 3, shall be accompanied, unless the Registrar otherwise directs, by a sufficient transliteration and translation to the satisfaction of the Registrar of each of such words, stating the language to which each word belongs.

(2) Where a trade mark consists of or contains one or more words in a language other than English, TM Form No. 2, and the accompanying TM Form No. 3, shall be accompanied, unless the Registrar otherwise directs, by a sufficient translation to the satisfaction of the Registrar of each of such words into English, stating the language to which each word belongs.

*Claim to priority under the Convention.*

22. (1) Every applicant who claims priority for his application under the provisions of section 22 of the Act shall indicate in his application on TM Form 2—

- (a) that a priority claims is made under the Convention;
- (b) the date and the number of the earlier application in the Convention country; and
- (c) the name of the Convention country or, where the earlier application is a regional or international application, the notice with which it was filed.

(2) The applicant shall furnish, together with his application or not later than three months after the filing date of the application, a copy of the earlier application certified as correct by the office with which it was filed.

(3) Where the earlier application is not in English, the Registrar may require the applicant to furnish him, within four months of the filing date of the application, with a translation of the earlier application into English.

*Declaration as to use of trade mark.*

23. The declaration referred to in section 21(2)(f) of the Act shall be made on TM Form No. 2.

*Filing date.*

24. The Registrar shall accord as filing date of the application the date on which the following elements are received—

- (a) the name of the applicant;
- (b) an address to which communications can be directed;
- (c) a reproduction of the trade mark;
- (d) a specification of goods or services;
- (e) the required filing fee for at least one class of goods or services.

*Serial number.*

25. Applications shall be given a serial number as received.

*Notification.*

26. The Registrar shall notify the applicant of the filing date and the serial number of the application.

*Information as to foreign application or registration.*

27. The applicant shall furnish the information requested under section 23(1) and (2) of the Act within three months from the date of the Registrar's request.

*Application for registration of series of trade marks.*

28. Where application is made for the registration of a series of trade marks under section 25(2) of the Act, a durable graphic reproduction of each trade mark of the series shall be submitted, as provided in Regulation 20 on a TM Form No. 2 and on the accompanying TM Form(s) No. 3.

*Objection to or conditional acceptance of application.*

29. (1) If, upon examination, the Registrar objects to the application for registration of a trade mark, he shall notify the applicant in writing of his objections with all the relevant details and invite the applicant to amend the application, to submit his observations in writing or to apply for a hearing within two months from the date of the notification:

If the applicant does not comply with the invitation within the set period, he shall be deemed to have withdrawn his application.

(2) If the Registrar decides to accept the application subject to any amendments, modifications, conditions, disclaimers or limitations, he shall communicate such decision to the applicant in writing:

If the applicant—

- (a) objects to such amendments, modifications, conditions, disclaimers or limitations, he shall, within two months from the date of the communication, apply for a hearing or submit his observations in writing;
- (b) does not object to such amendments, modifications, conditions, disclaimers or limitations he shall, within two months from the date of the communication, notify the Registrar in writing and amend his application accordingly;
- (c) does not respond in one way or the other within two months of the date of the communication, he shall be deemed to have withdrawn his application.

*Refusal of application or conditional acceptance to which applicant objects.*

30. If, after a hearing or after consideration of the applicant's amendments or observations in writing, the Registrar refuses the application or accepts it subject to any amendments, modifications, conditions, disclaimers or limitations to which the applicant objects, he shall communicate his decision to the applicant in writing:

Provided that within one month from the date of such communication, the applicant may, on TM Form No. 4, together with the payment of the prescribed fee, request the Registrar to state in writing the grounds of his decision and the material used by him in arriving at his decision.

*Advertisement of trade marks upon acceptance of application.*

31. (1) If the Registrar accepts an application for the registration of a trade mark or of a series of trade marks or accepts it subject to any conditions or limitations to which the applicant does not object, he shall promptly notify the applicant in writing and advertise the trade mark.

- (2) (a) For the purposes of the advertisement referred to in sub-regulation (1), the applicant may, at the appropriate time, supply or be required to supply a printed block (or more than one, if necessary) of the trade mark satisfactory to the Registrar, of such dimensions as may from time to time be approved or directed by the Registrar, or shall supply such information or other means of advertising the trade mark as may be required by the Registrar:

If dissatisfied with the printing block supplied by the applicant or his agent, the Registrar may, before proceeding with the advertisement, require the applicant to supply a fresh block.

- (b) When an application relates to a series of trade marks differing from one another in respect of the particulars mentioned in section 25(2) of the Act, the applicant may be required to supply a printing block (or more than one, if necessary) satisfactory to the Registrar of any or of each of the trade marks constituting the series; or the Registrar may, if he thinks fit, insert with the advertisement of the application a statement of the manner in which the several trade marks differ from one another.

*Correction of errors in and amendment of application.*

32. The Registrar may, at any time, whether before or after acceptance, correct any error in or inconnection with the application and may permit the applicant to correct or amend his application upon a request made on TM Form No. 5.

*Notice of opposition to registration.*

33. (1) The prescribed time for giving notice of opposition under section 7(1) of the Act shall be three months from the date of the advertisement of the application.

(2) The notice shall be given on TM Form No. 6, in two copies together with the payment of the prescribed fee.

(3) The Registrar shall forthwith send a copy of the notice to the applicant.

*Counter statement.*

34. (1) The counter-statement under section 27(4) of the Act shall be submitted, within two months from the receipt of the copy of the notice of opposition, on TM Form No. 7, in two copies, together with the payment of the prescribed fee.

(2) The Registrar shall forthwith send a copy of the counter-statement to the opponent.

*Evidence in support of opposition to registration.*

35. (1) Within two months from the receipt of the copy of the counter-statement, the opponent shall file with the Registrar, in two copies, evidence by way of statutory declaration in support of his opposition, and the Registrar shall forthwith send a copy of the said evidence to the applicant.

(2) If the opponent does not file evidence within the period specified in this Regulation, he shall, unless the Registrar otherwise directs, be deemed to have abandoned his opposition.

*Evidence in support of application for registration.*

36. If the opponent files evidence, the applicant shall within two months from the receipt of the copy of the evidence, file with the Registrar, in two copies, evidence by way of statutory declaration in support of his application, and the Registrar shall forthwith send a copy of the said evidence to the opponent.

*Evidence in reply by opponent.*

37. Within two months from the receipt of the copy of the applicant's evidence, the opponent may file with the Registrar, in two copies, evidence by way of statutory declaration, strictly confined to matters in reply, and the Registrar shall forthwith send a copy of the said evidence to the applicant.

*Further evidence.*

38. No further evidence shall be filed on either side, but, in any proceedings before the Registrar, he may at any time give leave to either the applicant or the opponent to file any evidence on such terms with regard to costs or otherwise as he may think fit.

*Exhibit.*

39. (1) Where there are exhibits to a declaration filed in an opposition, a copy of each exhibit shall be sent to the other party on his request and at his expense.

(2) If any such copy cannot be furnished conveniently, the original shall be filed with the Registrar in order that it may be open to inspection.

(3) The original exhibit shall be produced at the hearing, unless the Registrar otherwise directs.

*Hearing of arguments.*

40. (1) Upon completion of the evidence, the Registrar shall give at least two month's notice to the parties of the date when he will hear the arguments in the case.

(2) (a) A party who receives such notice but does not, within one month from the date thereof, notify the Registrar on TM Form No. 8, in two copies, together with the payment of the prescribed fee, of his intention to appear may be treated as not desiring to be heard, and the Registrar may act accordingly;

(b) The Registrar shall send forthwith to the other party a copy of the said notice.

(3) (a) If the Registrar fails to notify the parties of a date for the hearing within three months of the completion of the evidence or fails to issue his decision within three months after the conclusion of the hearing, the opponent or the applicant may, after having given the Registrar one month's written notice, elect to refer the matter to the Court for hearing and determination;

(b) The Registrar shall then transmit all relevant documents to the Court.

*Security for costs.*

41. Where the opponent or the applicant does not reside nor carry on business in Swaziland, the Registrar may require him to give security for the costs the opposition proceedings for such amount as he thinks fit.

*Registration and entry in the Register.*

42. (1) As soon as may be practicable after the expiration of three months from the date of the advertisement in the Gazette of any application for the registration of a trade mark, the Registrar shall, subject to any opposition and the determination thereof, and subject to the provisions of section 28(1) of the Act, and upon receipt of TM Form No. 9, transmitting the payment of the prescribed fee, enter the trade mark in the Register.

(2) The entry of a trade mark in the register shall include all the particulars specified in section 6(1) of the Act and Regulation 8(1).

*Certificate of registration.*

43. Upon the registration of a trade mark, the Registrar shall cause to be issued to the applicant a sealed certificate of registration on TM Form 10, which shall bear the copy of the

trade mark, the registration number, the date of registration, the registered proprietor's name and address, the class number(s) and specification of goods and services, and any disclaimer, condition or limitation to which the registration is subject, and such registration shall be published in the Gazette.

#### PART IV: REGULATIONS CONCERNING PART VI OF THE ACT

##### *Renewal reminder.*

44. (1) The Registrar shall notify the registered proprietor in writing of the approaching expiration of the term of registration and of the conditions as to payment of fees and other requirements necessary for obtaining renewal.

(2) The reminder shall be sent at least six months before the expiration of the registration, but failure to send or receive the reminder, or any error in the reminder, shall not affect the expiration date.

##### *Application to renew registration.*

45. (1) The application to renew the registration shall be made on TM Form 11, and the renewal shall be subject to payment of the prescribed fee.

(2) The application and the payment of the fee may be effected either within a six month period before the expiration of the registration or within a six month period after the expiration of the registration and in the latter case, an addition fee shall be transmitted with TM Form 12.

(3) The statements referred to in section 28(2)(a) and (b) of the Act shall be signed by the registered proprietor.

##### *Notice of renewal.*

46. Upon the renewal of a registration of a trade mark, the Registrar shall send a notice to that effect to the registered proprietor, and the renewal shall be advertised in the Gazette.

##### *Removal of trade mark from register.*

47. If an application for renewal, as prescribed, has not been made, the Registrar shall forthwith remove the trade mark from the Register as of the date of the expiration of the registration, entering the reason therefor in the Register and shall notify the registered proprietor in writing of the removal and advertise the fact of such removal in the Gazette.

#### PART V: REGULATIONS CONCERNING PART III OF THE ACT

##### *Application to remove trade mark or to rectify Register entry.*

48. (1) An application to remove a trade mark from the Register on grounds of non-use under section 34(2) of the Act or an application to make, expunge or vary a Register entry under section 37 of the Act shall be made on TM Form No. 14, in two copies, together with the payment of the prescribed fee.

(2) An application under this Regulation shall contain a statement indicating the nature of the aggrieved person's interest, the facts on which he bases his application and the relief sought.

(3) The Registrar shall forthwith send a copy of the said application to the registered proprietor.

*Procedure.*

49. The provisions of Regulations 34 to 41 shall apply *mutatis mutandis* with respect to the said applications, but the Registrar shall not rectify the Register or remove the trade mark from the Register merely because the registered proprietor has not filed a counter-statement:

Provided that in any case of doubt, any party may apply to the Registrar for directions.

*Application by registered proprietor or registered user to correct Register.*

50. (1) Applications under section 40(1) of the Act shall be made—

- (a) on TM Form No. 15 for correction of any error in the name, address or description of the registered proprietor;
- (b) on TM Form No. 16 to enter any change in the name, address or description of the registered proprietor;
- (c) on TM Form No. 17 for the cancellation of the entry of a trade mark in the Register.
- (d) on TM Form No. 18 for the striking out of any goods or services from those for which the trade mark is registered;
- (e) on TM Form No. 19 for entering a disclaimer or memorandum relating to a registered trade mark.

(2) Applications under section 40(2) of the Act shall be made—

- (a) on TM Form 15 for correction of any error in the name, address or description of the registered user;
- (b) on TM Form No. 16 to enter any change in the name, address or description of the registered user.

(3) In the case of applications under this Regulation, the Registrar shall require such evidence by statutory declaration or otherwise as he may think fit with regard to the circumstances in which the application is made.

(4) Where an application is made on TM Form No. 15, No. 16, No. 17, No. 18 or No. 19 by the registered proprietor, the Registrar shall forthwith send a copy thereof to any registered users of the trade mark.

(5) Where an application is made on TM Form No. 15 or 16 by a registered user, the Registrar shall forthwith send a copy thereof to the registered proprietor of the trade mark.

(6) Where an application is made on TM Form No. 17, No. 18 or No. 19, the Registrar, before deciding upon such application, shall advertise the application in the Gazette and allow any person one month from the date of advertisement to object thereto in writing, stating the reasons therefor.

*Application for addition to or alteration of trade mark.*

51. (1) An application under section 36 of the Act shall be made on TM Form No. 20, together with the payment of the prescribed fee and three additional reproductions of the mark as it will appear when added to or altered on separate TM Form No. 3.

(2) The Registrar shall publish an application made under this Regulation in the Gazette and, to the extent relevant, Regulations 29 to 43 shall apply *mutatis mutandis* to the further proceedings thereon.



(3) If the Registrar allows the application, he shall add to or alter the trade mark in the Register and advertise in the Gazette a notification of that fact.

## PART VI: REGULATIONS CONCERNING PART VIII OF THE ACT

### *Application for entry of assignment or transmission.*

52. An application under section 41(3) of the Act shall be made on TM Form No. 21, together with the payment of the prescribed fee and shall contain the following matters—

- (a) the number of the registered trade mark or of the pending application for registration of the trade mark and the name of the proprietor thereof;
- (b) the goods and services in respect of which the trade mark has been assigned or transmitted;
- (c) the full name, address, trade or business description and the country or countries of nationality and of residence of the applicant;
- (d) the date of acquisition of the pending or registered trade mark;
- (e) a statement that the applicant is entitled to the trade mark by virtue of an assignment or of a transmission, giving full particulars of any instrument of assignment or transmission under which he claims to be entitled to the trade mark;
- (f) in the case of an assignment, the signature of the parties to the transfer and, in the case of a transmission, only the signature of the applicant.

### *Evidence of title.*

53. (1) When the person applying for registration of his title claims under any instrument which is capable in itself of furnishing proof of his title, the application on TM Form No. 21 shall be accompanied by the instrument of title verifying the assignment or transmission on a certified copy thereof.

(2) When a person applying for registration of his title does not claim under any instrument which is capable in itself of furnishing proof of his title, he shall state a case, setting forth the full facts upon which his claim of title is based and showing that the trade mark has been assigned.

(3) The Registrar may call on the applicant for such proof or additional proof of title as he may require for his satisfaction.

### *Assignment or transmission in respect of only some of the goods or services.*

54. When the assignment or transmission of a trade mark is in respect of only some, but not all, of the goods or services for which the trade mark is registered, the Registrar may refuse to accept the application if the effect of the transfer is likely to deceive or cause confusion by the fact of the trade mark being owned by different persons for closely related goods or services.

### *Entry in the Register.*

55. When the Registrar has accepted the application for the transfer of title, he shall—

- (a) in the case of a registered trade mark, promptly cause the applicant to be registered as proprietor of the trade mark in respect of the relevant goods and services, enter in the Register his name, address, trade or business description and the particulars of the assignment or transmission and notify in writing the new proprietor accordingly;



- (b) in the case of a pending trade mark, provisionally record the aforementioned matters and enter them in the Register when the trade mark is registered, and, in such case, the registration certificate issued under Regulation 43 shall be made out in the new proprietor's name.

## PART VII: REGULATIONS CONCERNING PART IX OF THE ACT

### *Application for registered user.*

56. An application under section 42 of the Act shall be made jointly by the registered proprietor and the proposed registered user on TM Form No. 22, together with the payment of the prescribed fee.

### *Entry of registered user and notification.*

57. (1) When the Registrar has accepted the application for the registration of a person as a registered user of a trade mark, he shall record the particulars thereof in the register, indicating the date on which such entry was made, and, if applicable, record, in the Register, the licence.

(2) The Registrar shall send a notification in writing of the registration of the registered user to the registered proprietor of the trade mark, to the registered user, and to every other registered user whose name is entered in the Register in relation to the same trade mark and cause such notification to be published in the Gazette.

### *Application by registered proprietor and registered user to vary registered user entry.*

58. An application under section 46(a) of the Act shall be made on TM Form No. 23, together with the payment of the prescribed fee.

### *Application by registered proprietor and registered user to cancel registered user entry.*

59. An application under section 46(b) of the act shall be made on TM Form No. 24, together with the payment of the prescribed fee.

### *Entry in the Register and notification.*

60. (1) When the Registrar has accepted an application made under Regulation 58 or 59, he shall record the variation in the Register or cancel the Register entry, as the case may be, indicating the date on which such variation or cancellation took place.

(2) A notification of the variation or cancellation shall be sent and published as provided for in Regulation 57.

### *Cancellation of entry or striking out of goods and services by Registrar.*

61. (1) In case of the registration of a registered user for a period of permitted use, in accordance with section 43(1)(b)(vi) of the Act, the Registrar shall cancel the entry of the registered user at the end of that period.

(2) Where some of the goods or services are struck out from those for which a trade mark is registered, the Registrar shall at the same time strike them out from those specifications of registered users of the trade mark in which they are comprised.

(3) The Registrar shall send a notification in writing of every cancellation or striking out hereunder to the registered users whose permitted use is affected thereby and to the registered proprietor of the trade mark and publish such notification in the Gazette.

## PART VIII: REGULATIONS CONCERNING PART XII OF THE ACT

*Reclassification.*

62. (1) When a trade mark on the commencement of the Act is registered and classified under a classification other than the International Classification, the registered proprietor shall, upon application for the renewal thereof under section 29 of the Act, affix to his application for renewal a proposal to reclassify, the specification of the goods and services for which the trade mark is registered, in accordance with the International Classification.

- (2) (a) If the Registrar accepts the registered proprietor's proposal, he shall alter the Register entry accordingly and publish the alteration in the Gazette.
- (b) If the Registrar objects or proposes any amendments to the registered proprietor's proposal, he shall notify the registered proprietor in writing, allowing him one month from the date of the notification to object or to submit a counter-proposal, and then he shall forthwith alter the Register entry as he considers correct and publish the alteration in the Gazette.
- (c) The Registrar's decision shall be final.

*Application to be entered in the Register of Trade Marks Agents.*

63. An application under section 62 of the Act shall be made on TM Form No. 26, together with the payment of the prescribed fee.

*Qualifications for entry in the Register of Trade Marks Agents.*

64. (1) In order to be entered in the Register of Trade Marks Agents, the applicant shall satisfy the Registrar that—

- (a) he is admitted enrolled as an attorney or advocate under the Legal Practitioners Act, 1964; or
- (b) he holds a bachelor of arts degree in law or the degree of bachelor of laws of the former University of Botswana, Lesotho and Swaziland or the former University of Botswana and Swaziland or the University of Swaziland, and has passed the examination prescribed for Trade Marks Agents.

(2) Notwithstanding subregulation (1), the Registrar may refuse to enter in the Register of Trade Marks Agents any person having been adjudged guilty of criminal conduct or of conduct discreditable to a trade mark agent.

(3) The Registrar may, at any time, request such proof of the applicant's qualifications as he may require for his satisfaction.

*Entry in the Register of Trade Marks Agents.*

65. When satisfied that the applicant qualifies to be entered in the Register of Trade Marks Agents, the Registrar shall enter his name, address and other particulars in the Register of Trade Marks Agents for a term of five years, to be renewable for successive equal periods on confirmation by the Registrar that the qualifications for entry continue to be satisfied.

S17  
SCHEDULE I  
Fees

Matter or proceeding	Amount of fee	Corresponding TM Form
1. Authorisation of Agent in Matter of Proceeding under the Act or the Regulations (Power of Attorney) (Regulation 15) . . . . .	E1.00	No. 1
2. Application for Registration of Trade Mark or of a Series of Trade Marks (Regulations 18, 23 and 28)		
(a) For one trade mark		
(i) In one class . . . . .	E30.00	
(ii) In every additional class . . . . .	E10.00	
(b) For every additional trade mark of the series		
(i) In one class . . . . .	E20.00	
(ii) In every additional class . . . . .	E10.00	No. 2
3. Additional reproduction of Trade Mark to accompany Application for Registration on TM Form 2 or Application by Registered Proprietor for Addition to or Alteration of Registered Trade Mark on TM Form No. 20 (Regulations 20(b) or 51)		
(a) For one trade mark		
(i) In one class . . . . .	E2.00	
(ii) In every additional class . . . . .	E2.00	
(b) For every additional trade mark of the series		
(i) In one class . . . . .	E2.00	
(ii) In every additional class . . . . .	E2.00	
4. Request for Registrar's Statement of Grounds of Decision (Regulation 30 or 51) . . . . .	E10.00	No. 4
5. Request for Correction of Error or for Permission to amend Application (Regulation 32 or 51) . . . . .	E5.00	No. 5
6. (a) Notice of Opposition to Application for Registration of Trade Mark or to Application by Registered Proprietor for Addition to or Alteration of Registered Trade Mark (Regulations 33 - 41 or 51) . . . . .	E20.00	No. 6

	(b) Counter-statement to Notice of Opposition to Application for Registration of Trade Mark or to Application to Remove Trade Mark from Register for Non-use or to rectify a Register Entry or to Notice of Opposition to Application by Registered Proprietor or Addition to or Alteration of Registered Trade Mark (Regulations 33 - 41, 48 - 49 or 51) . . . . .	E20.00	No. 7
	(c) Notice to the Registrar of Intention to Appear at Hearing (Regulations 33 - 41, 48 - 49 or 51) . . . . .	E10.00	No. 8
7.	Fee for Registration of Trade Mark or of a Series of Trade Marks (Regulations 42 - 43 or 51)		
	(a) For one trade mark		
	(i) In one class . . . . .	E50.00	
	(ii) In every additional class . . . . .	E30.00	
	(b) For every additional trade mark of series—		
	(i) In one class . . . . .	E30.00	
	(ii) In every additional class . . . . .	E30.00	No. 9
8.	Certificate of Registration of Trade Mark (Regulations 42 - 43. . . . .	—	No. 10
9.	Request for Renewal of Registration of Trade Mark of a Series of Trade Marks (Regulations 44 - 47)—		
	(a) For one trade Mark—		
	(i) In one class . . . . .	E50.00	
	(ii) In every additional class . . . . .	E30.00	
	(b) For every additional trad mark of the series—		
	(i) In one class . . . . .	E30.00	
	(ii) In every additional class . . . . .	E30.00	No. 11
10.	Additional Fee for Late Renewal (Regulations 44 - 47)—		
	(a) For one trade mark—		
	(i) In one class . . . . .	E10.00	
	(ii) In every additional class . . . . .	E10.00	
	(b) For every additional trade mark of the series—		
	(i) In one class . . . . .	E10.00	
	(ii) In every additional class . . . . .	E10.00	No. 12
11.	Request for Hearing (Regulation 17) . . . . .	E20.00	No. 13
12.	Application to Remove Trade Mark from Register for Non-use or to Rectify a Register Entry (Regulations 48 - 49) . . . . .	R4.00	No. 14

- |     |  |        |        |
|-----|--|--------|--------|
| 13. | Application to Correct Error in the Name, Address or Description of Registered Proprietor (or Registered User) of Trade Mark (Regulation 50)—          |        |        |
|     | (a) For one trade mark . . . . .   | E4.00  |        |
|     | (b) For every additional trade mark . . . . .  | E2.00  | No. 15 |
| 14. | Application to Enter Change in the Name, Address or Description of Registered Proprietor (or Registered User) of Trade Mark (Regulation 50)—           |        |        |
|     | (a) For one trade mark . . . . .   | E4.00  |        |
|     | (b) For every additional trade mark . . . . .  | E2.00  | No. 16 |
| 15. | Application by Registered Proprietor for Cancellation of Trade Mark Entry in the Register (Regulation 50)  | E4.00  | No. 17 |
| 16. | Application by Registered Proprietor to Strike out Goods or Services from those for which Trade Mark is Registered (Regulation 50) . . . . .           | E4.00  | No. 18 |
| 17. | Application by Registered Proprietor for Entry in the Register of Memorandum or Disclaimer Relating to Registered Trade Mark (Regulation 50) . . . . . | E8.00  | No. 19 |
| 18. | Application by Registered Proprietor for Addition to or Alteration of Registered Trade Mark (Regulation 51)  | E8.00  | No. 20 |
| 19. | Application to Register Assignment or Transmission of Trade Mark (Regulations 52 – 55)—  |        |        |
|     | (a) For one trade mark . . . . .   | E10.00 |        |
|     | (b) For every additional trade mark having the same devolution of title . . . . .  | E8.00  | No. 21 |
| 20. | (a) Application for Registration of Registered User of Trade Mark (Regulations 56 – 61)—   |        |        |
|     | (i) For one trade mark . . . . .   | E10.00 |        |
|     | (ii) For every additional trade mark . . . . .   | E5.00  | No. 22 |
| 20. | (a) Application by Registered Proprietor and Registered User of Trade Mark to Vary Entry of Registered User (Regulations 56 – 61)—                     |        |        |
|     | (i) For one trade mark . . . . .   | E10.00 |        |
|     | (ii) For every additional trade mark . . . . .   | E5.00  | No. 23 |
| 20. | (c) Application by Registered Proprietor and Registered User of Trade Mark to Cancel Entry of Registered User (Regulations 56–61)—                     |        |        |
|     | (i) For one trade mark . . . . .   | E5.00  |        |
|     | (ii) For every additional trade mark . . . . .   | E5.00  | No. 24 |

- |     |   |        |        |
|-----|---|--------|--------|
| 21. | Request for Registrar's Certificate or of Certified Copies of Entries in the Register, of Documents or of Extracts (Regulation 9) . . . . . | E4.00  | No. 25 |
| 22. | Application to be Entered in the Register of Trade Marks Agents (Regulations 63 – 65) . . . . .   | E10.00 | No. 26 |
| 23. | Inspection of the Register and to the Search Indexes Regulations 7) . . . . .   | E1.00  |        |

## SCHEDULE II

### Forms

<p>TM FORM No. 1 THE TRADE MARK ACT, 1981</p> <p>Authorisation of Agent in Matter or proceeding under the Act or the Regulations (Power of Attorney)</p> <p style="text-align: center;">(Regulation 15)</p> <p>(PLEASE READ THE NOTES BELOW)</p>	<p style="text-align: center;"><b>FOR OFFICIAL USE ONLY</b></p> <p>Received on:</p>
--	---

(a) I/We .....

(b) have appointed .....

(c) to act as my/our agent for.....

.....No. ....

and request that all notices, requisitions and communications relating thereto may be sent to such agent at the agent's address given above.

I/We hereby ratify all acts done by the agent on my/our behalf in connection with the matter referred to above.

I/We hereby revoke all previous authorisations, if any, in respect of the same matter or proceeding.

(d) I/We hereby declare that I am a/we are national(s) of .....

and resident(s) in .....

(e) Date:.....Signature:.....

To: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE  
Swaziland.

**NOTES:**

- (a) Enter the full name and address of the applicant(s), proprietor(s) or other person(s) appointing the agent. The full names of all the partners in a firm must be inserted, and the country of incorporation of bodies corporate stated.
- (b) Enter agent's full name and address in Swaziland.
- (c) State the application or other proceeding for which the authorisation was made, giving its official reference number, if known.
- (d) State country or countries of nationality and residence.
- (e) To be signed by the person appointing the agent.

TM FORM NO. 2  
FEE: ITEMS 2(a)(i)(ii) and 2(b)(i)(ii) of  
Schedule I  
THE TRADE MARKS ACT, 1981  
Application for Registration of Trade  
Mark or of a series of Trade Marks  
(Regulation 18 - 23 and 28)  
(PLEASE READ THE NOTES  
OVERLEAF)

**FOR OFFICIAL USE ONLY**  
Application received on:

Fee received on:  
Filing date of application:  
Application No:      Date:  
Registration No:      Date:

- (a) On behalf of .....
- .....
- .....
- (b) of .....
- .....
- (c) carrying on business as .....
- .....
- (d) I hereby apply for the registration of the following mark,

## REPRODUCTION OF MARK

Reproduction affixed on separate sheet	
Transliteration accompanies application	
Translation accompanies application	

- 
- (e) in respect of the following goods and/or services, listed under the applicable classes of the International Classification,.....
- .....
- .....
- .....
- .....
- 

- (f) pay the prescribed fee of.....for the registration of the above trade mark in the form of.....and declare that the applicant(s) or his/their proposed registered user is using or proposes to use the above trade mark in Swaziland.

- (g) The trade mark subject of this application forms part of a series of.....trade marks the registration of which is being applied for under section 25(2) of the Act.

- (h) Additional matter if required.....
- .....
- .....
- .....

- (i) Name of Agent .....



(ii) Address for service in Swaziland.....

Date.....19.....Signature.....

(Agent for Applicant(s))

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland.

**NOTES:**

- (a) Enter the full name and the country or countries of nationality and residence of each applicant. Names of natural persons should be entered in full, and the surnames should be underlined. The names of all partners in a firm must be given in full. Bodies corporate should be designated by their corporate name and the country of incorporation and, where appropriate, the place of incorporation within that country should be entered.
- (b) Enter the full trade or business address of the applicant(s).
- (c) Enter the trade or business description of the applicant(s).
- (d) One reproduction to be provided within the space identified as "REPRODUCTION OF MARK", and (three) other(s) to be sent on separate TM Form(s) No. 3. Reproductions of a large size may be folded but must then be mounted on hard and durable paper and affixed in the space. All reproductions should be of uniform quality and well defined. If a reproduction is affixed on a separate sheet or a transliteration or translation accompanies the application, indicate with a cross in the accompanying box.
- (e) Specify the goods and/or services, grouping and identifying them by class(es).
- (f) Indicate the amount of fees paid and the form in which they are being paid.
- (g) Delete if does not apply.
- (h) Enter any additional matters, e.g., a claim to priority (Regulation 22), limitations of colour (section 18(2)) or disclaimer (section 19). If space provided for is in sufficient, affix additional matter on separate sheet and indicate in space what matter is being affixed.
- (i) The agent's name and an address for service in Swaziland to which all documents and notices may be sent must be entered.

<b>TM FORM NO. 3</b> <b>THE TRADE MARKS ACT, 1981</b> Additional Reproduction of Trade Mark to Accompany Application for Registration on TM Form No. 2 or Application by Registered Proprietor for Addition to or Alteration of Registered Trade Mark on TM Form No. 20 (Regulation 20(1) or 51)	<b>FOR OFFICIAL USE ONLY</b> Received on: Accompanying TM Form No. 2 with: Application No:      Date: Registration No:      Date: Accompanying TM Form No. 20 with: Application No:      Date: with respect to registered Trade Mark No.
--	--

On reproduction of the trade mark must be affixed within the space above. It must correspond exactly, in all respects, with the reproduction on the Application TM Form No. 2 or No. 20, as the case may be.

Any reproduction larger than the space provided may be folded, but must then be mounted upon hard and durable paper and affixed hereto.

(Three) **ADDITIONAL REPRODUCTION(S)** of the Trade Mark must accompany each Application TM Form No. 2 or No. 20, as the case may be.

<b>TM FORM NO. 4</b> <b>FEE: ITEM 4 of Schedule 1</b> <b>THE TRADE MARKS ACT, 1981</b>  Request for Registrar's Statement of Grounds of Decision for Refusal of Application or Conditional Acceptance to which Applicant objects  (Regulation 30 or 51) <b>(PLEASE READ THE NOTES BELOW)</b>	<b>FOR OFFICIAL USE ONLY</b> Request received on: Fee received on:
--	--

(a) **IN THE MATTER OF:**

1. Application No:.....for Registration of Trade Mark  
OR
2. Application No:.....for Addition to or Alteration of  
registered Trade Mark No:.....

(b) I/We, .....

being the applicant(s) in the above-mentioned Application, request the Registrar to state in writing the grounds of his decision, dated / /19...., and the materials used by him in arriving at the decision.

Name of Agent (if any).....

(c) Date: ..... Signature: ..... Agent

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland

#### NOTES:

- (a) Delete whichever does not apply.
- (b) Enter the full name and address of the person(s) making the request.
- (c) Attention is directed to Regulation 15; the word "Agent" should be deleted if inappropriate.

TM FORM NO. 5  
FEE: ITEM 5 of Schedule 1  
THE TRADE MARKS ACT, 1981  
Request for Correction of Error or for  
Permission to Amend Application

(Regulation 32 or 51)

(PLEASE READ THE NOTES BELOW)

#### FOR OFFICIAL USE ONLY

Request received on:  
Fee received on:

#### (a) IN THE MATTER OF:

1. Application No:.....for Registration of Trade Mark  
OR
2. Application No:.....for Addition to or Alteration of  
registered Trade Mark No:.....

(b) I/We, .....

being the applicant(s) in the above-mentioned Application, request that

.....

.....

.....

.....

.....

.....

.....

.....

.....

Name of Agent (if any).....

(c) Date:.....Signature:.....Agent

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland.

#### NOTES:

- (a) Delete whichever does not apply;
- (b) Enter the full name and address of the person(s) making the request;
- (c) Attention is directed to Regulation 15; the word "Agent" should be deleted if inappropriate.

<p>TM FORM NO. 6 FEE: ITEM 6(a) of Schedule 1 THE TRADE MARKS ACT, 1981 Notice of Opposition to Application for Registration of Trade Mark or to Appli- cation by Registered proprietor for Addi- tion to or Alteration of Registered Trade Mark(s).</p> <p>(Regulations 33 - 41 or 51) (To be submitted in duplicate) (PLEASE READ THE NOTES BELOW)</p>	<p>FOR OFFICIAL USE ONLY</p> <p>Notice received on:</p> <p>Fee received on :</p> <p>No. of Opposition:</p>
--	--

(a) IN THE MATTER OF:

1. Application No.....for Registration of Trade Mark OR

2. Application No:.....for Addition to or Alteration of  
registered Trade Mark No:.....

(b) I/We, .....

- (a) give notice of my/our intention to oppose the registration of the Trade Mark/  
addition to or alteration of the Trade Mark advertised under the above number  
for class(s)

.....in the Gazette of the.....day of.....19.....

No:.....page: .....

The grounds of opposition are as follows: .....

.....

.....

.....

.....

(c) .....

.....

.....

.....

Name of Agent (if any).....

Address for service in Swaziland in these proceedings.....

.....

(d) Date: .....19.....Signature: .....Agent for Opponent(s)

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland.

#### NOTES:

- (a) Delete whichever does not apply.
- (b) Enter full name and address.
- (c) If registration is opposed on the ground that the mark resembles marks already on the Register, the numbers of those marks and of the Gazettes in which they have been advertised are to be entered.

- (d) Attention is directed to Regulation 15, the words "Agent for Opponent(s)" should be deleted if inappropriate.

TM FORM NO. 7  
 FEE: ITEM 6(b) of Schedule 1  
 THE TRADE MARKS ACT, 1981  
 Counter-statement to Notice of Opposition to Application for Registration of Trade Mark or to Application to Remove Trade Mark from Register for Non-use or to rectify a Register Entry or to Notice of Opposition to Application by Registered Proprietor for Addition to or Alteration of Registered Trade Mark.  
 (Regulations 33 – 41, 48 – 49 or 51)  
 (To be submitted in duplicate)  
 (PLEASE READ THE NOTES BELOW)

FOR OFFICIAL USE ONLY  
 Counter-statement received on:  
 Fee received on:

(a) IN THE MATTER OF:

1. Opposition No: ..... to application No. ....  
 for Registration of Trade Mark  
 OR
2. Application No: ..... for Removal/ Rectification of registered  
 Trade Mark No: .....  
 OR
3. Opposition No: ..... to Application No: .....  
 for Addition to or Alteration of registered Trade Mark No: .....

(b) I/We, .....

.....  
 .....

being the proprietor(s) of the above Trade Mark, give notice that the following are the grounds on which I/we rely as supporting my our application/registration:

.....  
 .....  
 .....

Name of Agent (if any) .....

Address for service in Swaziland in these proceedings.....

(c) Date:..... Signature:..... Agent for Proprietor(s)

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland

**NOTES:**

- (a) Delete whichever does not apply;
- (b) Enter full name and address;
- (c) Attention is directed to Regulation 15; the words "Agent for Proprietor(s)" should be deleted if inappropriate.

<p>TM FORM NO. 8 FEE: ITEM 6(c) of Schedule 1 THE TRADE MARKS ACT, 1981 Notice to the Registrar of Intention to appear at Hearing (Regulations 31 – 41, 48 – 49 or 51) (To be submitted in duplicate) (PLEASE READ THE NOTES BELOW)</p>	<p><b>FOR OFFICIAL USE ONLY</b> Notice received on: Fee received on:</p>
---	--

(a) I/We, .....

(b) give notice that the hearing of the arguments IN THE MATTER OF:

1. Opposition No:.....to Application No:.....  
for Registration of Trade Mark

OR

2. Application No:.....for Removal/Rectification of registered Trade

Mark No:.....

OR

3. Opposition No:.....to Application No:.....

for Addition to or Alteration of registered Trade Mark No:.....

which by the Registrar's notice to me/us dated / /19 is fixed

for.....a.m. or p.m. at the Trade Marks Office on / /

19 will be attended by me/us or by some person on my/our behalf.

Name of Agent (if any).....

Address for service in Swaziland in these proceedings .....

(c) Date: ..... Signature: ..... Agent

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland.

**NOTES:**

- (a) Enter full name and address;
- (b) Delete whichever does not apply;
- (c) Attention is directed to Regulation 15; the word "Agent" should be deleted if inappropriate.

<p>TM FORM NO. 9 FEE: ITEMS 7(a)(i)(ii) and 7(b)(i)(ii) of Schedule 1 THE TRADE MARKS ACT, 1981 Fee for Registration of Trade Mark or of a Series of Trade Marks.</p> <p>(Regulations 42 – 43 or 51) (PLEASE READ THE NOTES BELOW)</p>	<p>FOR OFFICIAL USE ONLY Received on:</p>
--	---

- (a) The prescribed fee in the amount of ..... for the registration of the Trade  
Mark(s) No: ..... advertised in (Gazette) .....  
..... Class(es) ..... is being

- (b) transmitted in the form of .....

Name of Agent (if any) .....

(c) Date: ..... Signature: ..... Agent

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland

**NOTES:**

- (a) Indicate the amount of fees paid.
- (b) Indicate the form in which fees are being paid.



- (c) Attention is directed to Regulation 15; the word "Agent" should be deleted if inappropriate.

TM FORM NO. 10

---

THE TRADE MARKS ACT, 1981  
SWAZILAND

(National Emblem)

The Trade Mark shown above has been registered in the Register under No.

as of the date

in Class(es)

in respect of

in the name of

sealed at my direction this

day of

19.....

The Trade Marks Office,  
P.O. Box 460,  
MBABANE Swaziland.

REGISTRAR

Registration is for ten years from the date first above mentioned and may then be renewed for additional successive ten-year periods. This certificate is not for use in legal proceedings or for obtaining registration abroad.


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**NOTE:**

Upon any change of ownership of this Trade Mark, or change in address of the registered proprietor, application should at once be made to the Registrar to register the change.

TM FORM NO. 11  
 FEE: ITEMS 9(a)(i)(ii) and 9(b)(i)(ii) of  
 Schedule 1  
 THE TRADE MARKS ACT, 1981  
 Application for Renewal of Registration  
 of Trade Mark or of a Series of Trade  
 Marks  
 (Regulations 44 - 47)  
 (PLEASE READ THE NOTES BELOW)

FOR OFFICIAL USE ONLY  
 Request received on:  
 Fee received on:

- (a) I/We, .....
- (b) pay the prescribed fee of.....in the form of.....
- for renewal of the registration of the Trade Mark(s) No:.....
- (c) registered in Class(es).....(which I am directed by the proprietor of the  
 Trade Mark, that is to say by .....  
 to pay,) and affix hereto the statement(s) required by Regulation 45, duly signed by  
 the registered proprietor.
- (d) A proposal for reclassification under Regulation 62 is affixed here 
- (e) The Registrar is requested to send notice of renewal of the registration to the  
 Registered Proprietor at the following address:  
 .....  
 .....  
 .....
- (f) Date:.....Signature:.....

TO: The Registrar, Trade Marks Office,  
 P.O. Box 460,  
 MBABANE, Swaziland

**NOTES:**

- (a) Enter the full name and address of the person(s) leaving the fee.
- (b) Indicate the amount of fee paid and the form in which it is being paid.
- (c) If the fee is left by the registered proprietor himself, the passage in parenthesis should be deleted. If the fee is not left by the registered proprietor himself, enter his name and address.
- (d) If a proposal for reclassification under Regulation 62 is affixed hereto, indicate with a cross in the accompanying box.
- (e) If the request is signed by the registered proprietor, delete the words "the Registered Proprietor", and substitute the word, "me".
- (f) Enter the signature of the person leaving the fee.
- (g) This form will be returned if it is filed more than six months before the expiration of the last registration.

<p><b>TM FORM NO. 12</b>  <b>FEE: ITEMS 10(a)(i)(ii) and 10(b)(i)(ii)</b>  <b>of Schedule 1</b>  <b>THE TRADE MARKS ACT, 1981</b>  <b>Additional Fee for Late Renewal</b></p> <p>(Regulations 44 – 47)          (To accompany TM Form No. 11)  <b>(PLEASE READ THE NOTES BELOW)</b></p>	<p><b>FOR OFFICIAL USE ONLY</b></p> <p>Received on:</p>
---	---

(a) I/We, .....

(b) pay the additional fee of ..... in the form of .....

along with the submission of TM Form No. 11, for the renewal of registration of the

Trade Mark(s) No: ..... registered in Class(es) .....

(c) Date: ..... Signature: .....

**TO: The Registrar, Trade Marks Office,**  
**P.O. Box 460,**  
**MBABANE, Swaziland**

**NOTES:**

- (a) Enter the full name and address of the person(s) leaving the fee.
- (b) Indicate the amount of fee paid and the form in which it is being paid.
- (c) This form must be signed by the person(s) signing TM Form No. 11 which it accompanies.

<b>TM FORM NO. 13</b> <b>FEE: ITEM 11 of Schedule 1</b> <b>THE TRADE MARKS ACT, 1981</b> <b>Request for Hearing</b> <b>(Regulation 17)</b> <b>(PLEASE READ THE NOTES BELOW)</b>	<b>FOR OFFICIAL USE ONLY</b>  Request received on: Fee received on:
--	--

- (a) **IN THE MATTER OF:** registered Trade Mark/Application for Registration of Trade Mark

No: .....

- (b) I/We, .....

in response to the Registrar's notice to me/us dated     /     19.....request the Registrar for an opportunity to be heard with respect to the said matter.

Name of Agent (if any) .....

Address for service in Swaziland in these proceedings .....

- (c) Date:.....Signature:..... Agent

**TO:** The Registrar, Trade Marks Office,  
 P.O. Box 460,  
 MBABANE, Swaziland.

**NOTES:**

- (a) Delete the words that do not apply and insert registration number or application number as appropriate.
- (b) Enter full name and address.
- (c) Attention is directed to Regulation 15; the word "Agent" should be deleted if inappropriate.

TM FORM NO. 14  
 FEE: ITEM 12 of Schedule 1  
 THE TRADE MARKS ACT, 1981  
 Application to Remove Trade Mark from  
 Register for Non-use or to Rectify a Regi-  
 ster Entry  
 (Regulations 48 - 49)  
 (To be submitted in duplicate)  
 (PLEASE READ THE NOTES BELOW)

FOR OFFICIAL USE ONLY  
 Application received on:  
 Fee received on:

IN THE MATTER OF registered Trade Mark No: .....

registered in the name of.....

in Class(es) .....

(a) I/We, .....

(b) being .....

(c) request that the entry in the Register in respect of the above-mentioned Trade Mark  
 be removed/rectified as follows: .....

The grounds of my/our application are as follows:

No action concerning the Trade Mark in question is pending in the Court.

(d) Name of Agent (if any).....

(e) Address for service in Swaziland in these proceedings .....

(f) Date:..... Signature:..... Agent of the  
 Applicant for Removal/Rectification

TO: The Registrar, Trade Marks Office,  
 P.O. Box 460,  
 MBABANE, Swaziland.

**NOTES:**

- (a) Enter full name and address.
- (b) Indicate the interest of the applicant(s).
- (c) Delete whichever does not apply.
- (d) If the applicant has appointed an agent to act on his behalf, the agents' name and address should be entered at (d) and (e).
- (e) An address for service in Swaziland to which all documents in these proceedings may be sent must be entered.
- (f) Attention is directed to Regulation 15; the words "Agent for the Applicant for Removal/Rectification" should be deleted if inappropriate.

TM FORM NO. 15  
 FEE: ITEMS 13(a) and 13(b) of  
 Schedule 1  
 THE TRADE MARKS ACT, 1981  
 Application to Correct Error in the  
 Name, Address of Description of Regi-  
 stered Proprietor (or Registered User) of  
 Trade Mark  
 (Regulation 50)  
 (PLEASE READ THE NOTES BELOW)

**FOR OFFICIAL USE ONLY**

Application received on:  
 Fee received on:

(a) I/We, .....

request that my/our name(s), address(es) and description(s) appear in the

(b) Register as (proprietor(s))  
 (registered user(s))

(c) of the Trade Mark(s) No. .... registered in Class(es) .....

.....  
 (the said Trade Mark(s))

(b) I am/we are entitled to

(use the said Trade Mark(s) as registered user(s)).  
 (actual proprietorship)

There has been no change in the

.....  
 (identity of the registered user(s))

of the said Trade Mark(s).

The entry at present standing in the Register gives my/our name(s), address(es) and  
 description(s) all as follows: .....

Name of Agent (if any) .....

(d) Date: ..... Signature: ..... Agent.

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland.

#### NOTES:

- (a) Enter present name, address and trade or business description of registered proprietor or registered user.
- (b) Delete the words that are not applicable.
- (c) Additional numbers may be given on a signed schedule attached to this form.
- (d) Attention is directed to Regulation 15; the word "Agent" should be deleted if inappropriate.

TM FORM NO. 16  
FEE: ITEMS 14(a) and 14(b) of Schedule 1  
THE TRADE MARKS ACT, 1981  
Application to Enter Change in the Name,  
Address or Description of Registered  
Proprietor (or Registered User) of Trade  
Mark  
(Regulation 50)  
(PLEASE READ THE NOTES BELOW)

FOR OFFICIAL USE ONLY  
Application received on:  
Fee received on:

(a) I/We, .....

request that my/our name(s), address(es) and description(s) be entered in

(b) the Register as (proprietor(s))  
(registered user(s))

(c) of the Trade Mark(s) No. .... registered in  
Class(es) .....

(the said Trade Mark(s))

(d) I am/We are entitled to (use the said Trade Mark(s) as registered user(s)).  
(actual proprietorship)

There has been no change in the (identity of the registered user(s))

(c) of the said Trade Mark(s), but .....

The entry at present standing in the Register gives my/our name(s), address(es) and description(s) all as follows:.....

Name of Agent (if any).....

(e) Date: ..... Signature: ..... Agent

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland.

#### NOTES:

- (a) Enter present name, address and trade or business description or registered proprietor or registered user.
- (b) Delete the words that are not applicable.
- (c) Additional numbers may be given on a signed schedule on the back of this form.
- (d) State the circumstances under which the change of name or description took place.
- (e) Attention is directed to Regulation 15; the word "Agent" should be deleted if inappropriate.

<p>TM FORM NO. 17 FEE: ITEM 15 of Schedule 1 THE TRADE MARKS ACT, 1981 Application by Registered Proprietor for cancellation of Trade Mark Entry in the Register (Regulation 50) (PLEASE READ THE NOTES BELOW)</p>	<p>FOR OFFICIAL USE ONLY Application received on: Fee received on:</p>
--	--

IN THE MATTER OF registered Trade Mark No:.....

registered in class(es) .....

(a) I/We, .....

request the cancellation of the entry in the Register of the registered Trade Mark

No:.....in Class(es) .....

Name of Agent (if any).....

(b) Date: ..... Signature: ..... Agent for Proprietor



TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland.

## NOTES:

- (a) Enter the full name and address of registered proprietor.
- (b) Attention is directed to Regulation 15; the words "Agent for Proprietor" should be deleted if inappropriate.

TM FORM NO. 18  
FEE: ITEM 16 of Schedule 1  
THE TRADE MARKS ACT, 1981  
Application by Registered Proprietor to  
Strike out Goods or Services from those  
for which Trade Mark is Registered

(Regulation 50)

(PLEASE READ THE NOTES BELOW)

## FOR OFFICIAL USE ONLY

Application received on:

Fee received on:

IN THE MATTER OF: registered Trade Mark No: .....

registered in Class(es) .....

(a) I/We, .....

(b) request the striking out of.....

from the goods or services for which the registered Trade Mark No: .....

is registered in Class(es) .....

Name of Agent (if any) .....

(c) Date:.....Signature:.....Agent for Proprietor

- (a) Enter the full name and address of registered proprietor.
- (a) Specify the goods or services to be struck out.
- (c) Attention is directed to Regulation 15; the words "Agent for Proprietor" should be deleted if inappropriate.

(PLEASE READ THE NOTES BELOW)

Fee received on:

[illegible]

Name of Agent (if any) .....

(c) Date: ..... Signature: ..... Agent for Proprietor

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland.

# NOTES:

- (a) Enter the full name and address of registered proprietor.
- (b) Delete the word that is not applicable.
- (c) Attention is directed to Regulation 15; the words "Agent for Proprietor" should be deleted if inappropriate.

TM FORM NO: 20  
FEE: ITEM 18 of Schedule 1  
THE TRADE MARKS ACT, 1981  
Application by Registered Proprietor for  
Addition to or Alteration of Registered  
Trade Mark

(Regulation 51)

(PLEASE READ THE NOTES BELOW)

## FOR OFFICIAL USE ONLY

Application received on:

Fee received on:

IN THE MATTER OF: registered Trade Mark No: ..... registered in

Class(es) .....

(a) I/We, .....

(b) request the addition to or alteration of the above-mentioned Trade Mark in the following particulars:

(Three) reproduction(s) of the mark as it will appear, when so altered, are filed herewith on TM Form(s) No. 3.

Name of Agent (if any) .....

(c) Date: ..... Signature: ..... Agent for Proprietor

TO: The Registrar, Trade Marks Office  
P.O. Box 460,  
MBABANE, Swaziland.

**NOTES:**

- (a) Enter the full name and address of registered proprietor.
- (b) Enter full particulars. Additions or alterations shall concern only the trade mark itself and not the specification of goods and services.
- (c) Attention is directed to Regulation 15; the words "Agent for Proprietor" should be deleted if inappropriate.

<p>TM FORM NO. 21 FEE: ITEMS 19(a) and 19(b) or Schedule 1 THE TRADE MARKS ACT, 1981 Application to Register Assignment or Transmission of Trade Mark</p> <p>(Regulations 52 – 55) (PLEASE READ THE NOTES OVER- LEAF)</p>	<p><b>FOR OFFICIAL USE ONLY</b></p> <p>Application received on: Fee received on:</p>
---	--

- (a) I/We, .....
- (b) of .....
- (c) carrying on business as .....  
.....  
request that my/our name(s) be entered in the Register as proprietor(s) of
- (d) registered Trade Mark(s) No: .....  
OR  
Trade Mark(s) subject of Application(s) No: .....  
for Registration in Class(es).....
- (e) and currently owned by.....  
.....
- (f) as from the .....  
with respect to the following goods or services .....

(g) I am/We are entitled to the above-mentioned Trade Mar(s) by virtue of

.....

.....

.....

.....

(h) The instrument/certified copy of the instrument of title verifying the assignment/  
transmission accompanies this application ..... ☐

(i) Name of Agent (if any) for applicant(s).....

Address for service in Swaziland for applicant(s).....

(j) Date:..... Signature:..... Applicant(s)

(k) Date:..... Signature:..... Assignor(s)

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland.

#### NOTES:

- (a) Enter full name and the country or countries of nationality and residence of each applicant. Bodies corporate should be designated by their corporate name and the country of incorporation, and, where appropriate, the place of incorporation within that country should be entered. Delete whichever words do not apply.
- (b) Enter full trade or business address.
- (c) Enter trade or business description.
- (d) Delete whichever does not apply. Additional numbers may be given in a signed schedule below these Notes.
- (e) Enter full name and address of registered proprietor.
- (f) Enter date of acquisition of proprietorship.
- (g) Indicate whether the applicant is entitled to the trade mark by virtue of an assignment or of a transmission, giving full particulars of any instrument of assignment or transmission or a statement of the case.
- (h) If the instrument of title or a certified copy of the instrument of title verifying the assignment or transmission, as required by Regulation 53(1) accompanies the application, indicate with a cross in the accompanying box and delete whichever words do not apply.

- (i) Attention is directed to Regulation 15.
- (j) Enter signature of transferee applicant(s).
- (k) Enter also signature of transferor(s) in the case of an assignment, as required by Regulation 52(f).

<p>TM FORM NO. 22  FEE: ITEMS 20(a)(i) and 20(a)(ii) of  Schedule 1  THE TRADE MARKS ACT, 1981  Application for Registration of Registered  User of Trade Mark    (Regulations 56 – 61)    (PLEASE READ THE NOTES OVER-  LEAF)</p>	<p><b>FOR OFFICIAL USE ONLY</b></p> <p>Application received on:  Fee received on:</p>
--	---

- (a) I/We, .....
- .....
- (b) being the proprietor(s) of registered Trade Mark(s) No:...../of
- (c) Trade Mark(s) subject of Application(s) No: .....
- for Registration in Class(es) .....
- (d) in respect of .....
- .....
- (e) request that .....
- .....
- (f) of .....
- .....
- (g) who is .....  
and who joins in the application, be registered as a registered user of the
- (h) above-mentioned Trade Mark(s) in respect of .....
- .....
- subject (in each case) to the following conditions or restrictions:-.....
- .....
- .....

- (i) The proposed permitted use is to end on.....  
OR
- (j) The proposed period of permitted use is without limit.
- (k) This application is accompanied by (a statement containing information that the proposed registered user is wholly controlled by the proprietor and that there is no other contractual relationship between the parties)/ (a copy of the licence contract between the parties).

Name of Agent (if any) for proprietor(s).....

(l) Date:.....Signature:.....Agent for Proprietor(s)

Name of Agent (if any) for proposed registered user.....

Address for service in Swaziland for registered user .....

(m) Date:.....Signature:.....Agent for proposed Registered User

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland.

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**NOTES:**

- (a) Enter the full name and address of proprietor(s) of the trade mark(s).
- (b) Delete as appropriate.
- (c) Additional numbers and corresponding particulars may be given in a signed Schedule below these Notes.
- (d) Enter the specification of the goods or services as in the Register.
- (e) Enter full name of the individual, firm, or body corporate, proposed as registered user. The names of all partners in a firm must be given in full.
- (f) Enter the full trade or business address of the proposed registered user.
- (g) Enter the trade or business description of the proposed registered user.
- (h) Specify the goods or services for which the proposed registered user is to be registered (and which must be comprised within the specification at (d)).
- (i) Delete the words which do not apply.
- (j) Delete whichever is inappropriate.
- (k) Attention is directed to Regulation 15; the words "Agent for Proprietor(s)" and "Agent for proposed Registered User" should be deleted if inappropriate.

<p>TM FORM NO. 23  FEE: ITEM 20(b)(i) and 20(b)(ii) of  of Schedule 1  THE TRADE MARKS ACT, 1981  Application by Registered Proprietor and  Registered User of Trade Mark to Vary  Entry of Registered User</p> <p>(Regulations 56 – 61)  (PLEASE READ THE NOTES OVER-  LEAF)</p>	<p>FOR OFFICIAL USE ONLY</p> <p>Application received on:  Fee received on:</p>
---	--

- (a) I/We, .....  
.....  
.....  
being the registered proprietor(s) of registered Trade Mark(s)
- (b) No: ..... registered in Class(es) .....
- (c) in respect of .....  
.....  
.....
- (d) request that the registration of .....  
.....  
.....
- (e) as a registered user of the above-numbered Trade Mark(s) in respect of.....  
.....
- (f) and who joins in this application, be varied in the following manner:  
.....  
.....  
.....  
on the following grounds:.....  
.....  
.....  
.....
- Name of Agent (if any) for proprietor(s).....
- Date:.....



(g) Signature: ..... Agent for Proprietor(s)

Name of Agent (if any) for registered user .....

Date: .....

(h) Signature : ..... Agent for Registered User

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland

**NOTES:**

- (a) Enter the full name and address of registered proprietor(s).
- (b) Additional numbers may be given in a signed schedule below these Notes.
- (c) Enter the specification of the goods or services as in the Register.
- (d) Enter the full name, address and trade or business description of the registered user whose entry is sought to be varied.
- (e) Specify the goods or services for which the registered user is registered.
- (f) Specify the manner in which the entry should be varied.
- (g) Attention is directed to Regulation 15; the words "Agent for Proprietor(s)" or "Agent for Registered User" should be deleted if inappropriate.

TM FORM NO. 24  
FEE: ITEMS 20(c)(i) and 20(c)(ii) of  
Schedule 1  
THE TRADE MARKS ACT, 1981  
Application by Registered Proprietor and  
Registered User of Trade Mark to Cancel  
Entry of Registered User

(Regulations 56 – 61)

(PLEASE READ THE NOTES OVER-  
LEAF)**FOR OFFICIAL USE ONLY**

Application received on:  
Fee received on:

(a) I/We, .....

.....  
being the registered proprietor(s) of registered Trade Mark(s)

(b) No: ..... registered in Class(es).....

(c) in respect of .....

.....  
request the cancellation of the entry under the above-mentioned

(d) registration(s) of .....

.....

.....

.....

(e) as a registered user of the above-numbered Trade Mark(s) in respect of .....

.....

.....

and who joins in this application, on the following grounds: .....

.....

.....

.....

Name of Agent (if any) for proprietor(s) .....

Date: .....

(f) Signature: ..... Agent for Proprietor(s)

Name of Agent (if any) for registered user: .....

Date: .....

(g) Signature: ..... Agent for Registered User

TO: The Registrar, Trade Marks Office,  
P.O. Box 460,  
MBABANE, Swaziland.

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#### NOTES:

- (a) Enter the full name and address of registered proprietor(s).
- (b) Additional numbers may be given in a signed schedule below these Notes.
- (c) Enter the specification of the goods or services as in the Register.
- (d) Enter the full name, address and trade or business description of the registered user whose entry is sought to be cancelled.
- (e) Specify the goods or services for which the registered user is registered.
- (f) Attention is directed to Regulation 15; the words "Agent for Proprietor(s)" or "Agent for Registered User" should be deleted if inappropriate.

TM FORM NO. 25  
FEE: ITEM 21 of Schedule 1  
THE TRADE MARKS ACT, 1981  
Request for Registrar's Certificate or of  
Certified Copies of Entries in the Register,  
of Documents or of Extracts thereof

(Regulation 9)

(PLEASE READ THE NOTES BELOW)


Request received on:

Fee received on:

- Application No:.....for Registration of Trade Mark, in

Class(es) \_\_\_\_\_

- request the Registrar to furnish me/us with

- 

- .....

- [illegible]

TO: The Registrar, Trade Marks Office  
P.O. Box 460,  
MBABANE, Swaziland.

**NOTES:**

- (a) Delete as appropriate.
- (b) Enter the full name and address of the person making the request.
- (c) Enter the particulars requested and delete as appropriate.
- (d) Enter the name and address of the person to whom the matter requested is to be sent.

<p>TM FORM NO. 26          FEE: ITEM 22 of Schedule 1          THE TRADE MARKS ACT, 1981          Application to be Entered in the Register          of Trade Marks Agents</p> <p>(Regulations 63 – 65)          (PLEASE READ THE NOTES BELOW)</p>	<p><b>FOR OFFICIAL USE ONLY</b>          Application received on:          Fee received on:</p>
--	---

(a) I, .....

.....  
 hereby apply to be entered in the Register of Trade Marks Agents.

I qualified as an attorney/advocate under the Legal Practitioners Act, 1964.  
 OR

I hold the degree of bachelor of arts in law or the degree of bachelor of laws of the former University of Botswana, Lesotho and Swaziland or the former University of Botswana and Swaziland or the University of Swaziland. I have also passed the examination prescribed for Trade Marks Agents.

- (b) Furthermore, I have not been adjudged guilty of criminal conduct or of conduct discreditable to a trade marks agent.  
 OR

- (c) I have been adjudged guilty of (criminal conduct) (conduct discreditable to a trade marks agent) and a record thereof with a statement of explanation accompanies this application.

Date: ..... Signature: .....

TO: The Registrar, Trade Marks Office,  
 P.O. Box 460,  
 MBABANE, Swaziland.

**NOTES:**

- (a) Enter the applicant's full name and address in Swaziland.
- (b) Delete whichever does not apply.

## SCHEDULE III

INTERNATIONAL CLASSIFICATION OF GOODS AND SERVICES FOR  
THE PURPOSES OF THE REGISTRATION OF MARKS

## (NICE CLASSIFICATION)

## LIST OF CLASSES AND GOODS

1. Chemical products used in industry, science, photography, agriculture, horticulture forestry; artificial and synthetic resins; plastics in the form of powders, liquids or pastes; manures (natural and artificial); fire extinguishing compositions; tempering substances and chemical preparations for soldering; chemical substances for preserving foodstuffs; tanning substances; adhesive substances used in industry.
2. Paints varnishes, lacquers; preservatives against rust and against deterioration of wood; colouring matters, dyestuffs; mordants; natural resins; metals in foil and powder form for painters and decorators.
3. Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.
4. Industrial oils and greases (other than edible oils and fats and essential oils) lubricants; dust laying and absorbing compositions; fuels (including motor spirit) and illuminants; candles, tapers, night-lights and wicks.
5. Pharmaceutical veterinary and sanitary substances; infants' and invalids' foods; plasters, material for bandaging; material for stopping teeth, dental wax; disinfectants; preparations for killing weeds and destroying vermin.
6. Unwrought and partly wrought common metals and their alloys; anchors, anvils, bells, rolled and cast building materials; rails and other metallic materials for railway tracks; chains (except driving chains for vehicles); cables and wires (non-electric); locksmiths' work; metallic pipes and tubes; safes and cash boxes; steel balls; horseshoes; nails and screws; other goods in non-precious metal not included in other classes; ores.
7. Machines and machine tools; motor (except for land vehicles); machine couplings and belting (except for land vehicles); large size agricultural implements; incubators.
8. Hand tools and instruments; cutlery, forks and spoons; side arms.
9. Scientific nautical, surveying and electrecl apparatus and instruments (including wireless), photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), lifesaving and teaching apparatus and instruments; coin or counter-freed apparatus; talking machines; cash registers; calculating machines, fire-extinguishing apparatus.
10. Surgical, medical, dental and veterinary instruments and apparatus (including artificial limbs, eyes and teeth).
11. Installations for lighting, heating, steam generating, cooking, refrigerasting, drying, ventilating, water supply and sanitary purposes.
12. Vehicles; apparatus for locomotion by land, air or water.

13. Firearms; ammunition and projectiles; explosive substances; fireworks.
14. Precious metals and their alloys and goods in precious metals or coated therewith (except cutlery, forks and spoons); jewellery, precious stones; horological and other chronometric instruments.
15. Musical instruments (other than talking machines and wireless apparatus).
16. Paper, cardboard, articles of paper or of cardboard (not included in other classes); printed matter, newspapers and periodicals, books; bookbinding material; photographs; stationery, adhesive materials (stationery); artists' materials; painting brushes; typewriters and office requisites (other than furniture); instructional and teaching material (other than apparatus); playing cards; printers' type and clichés (stereotype).
17. Gutta percha, indiarubber; balata and substitutes, articles made from these substances and not included in other classes; plastics in the form of sheets, blocks and rods, being for use in manufacture; materials for packing, stopping or insulating; asbestos, mica and their products; hose pipes (non-metallic).
18. Leather and imitations of leather, and articles made from these materials and not included in other classes; skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.
19. Building materials, natural and artificial stone, cement, lime, mortar, plaster and gravel; pipes of earthenware or cement; road-making materials; asphalt, pitch and bitumen; portable buildings; stone monuments; chimney pots.
20. Furniture, mirrors, picture frames; articles (not included in other classes) of wood, cork, reeds, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum, celluloid, substitutes for all these materials, or of plastics.
21. Small domestic utensils and containers (not of precious metals, or coated therewith); combs and sponges, brushes (other than paint brushes); brush-making materials; instruments and material for cleaning purposes, steelwool; unworked or semi-worked glass (excluding glass used in building); glassware, porcelain and earthenware not included in other classes.
22. Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks; padding and stuffing materials (hair, kapok, feathers, seaweed, etc.); raw fibrous textile materials.
23. Yarns, threads.
24. Tissues (piece goods); bed and table covers; textile articles not included in other classes,
25. Clothing, including boots, shoes and slippers.
26. Lace and embroidery, ribands and braid; buttons, press buttons, hooks and eyes. pins and needles; artificial flowers.
27. Carpets, rugs, mats and matting; linoleums and other materials for covering existing floors; wall hangings (non-textile).
28. Games and playthings; gymnastic and sporting articles (except clothing); ornaments and decorations for Christmas trees.
29. Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and other dairy products; edible oils and fats; preserves, pickles.

30. Coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes; flour, and preparations made from cereals; bread, biscuits, cakes, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; pepper, vinegar, sauces, spices; ice.
31. Agricultural horticultural and forestry products and grains not included in other classes; living animals; fresh fruits and vegetables; seeds; live plants and flowers; foodstuffs for animals, malt.
32. Beer, ale and porter; mineral and aerated waters and other non-alcoholic drinks; syrups and other preparations for making beverages.
33. Wines, spirits and liqueurs.
34. Tobacco, raw or manufactured; smokers: articles; matches.

### SERVICES

35. Advertising and business.
36. Insurance and financial.
37. Construction and repair.
38. Communication.
39. Transportation and storage.
40. Material treatment.
41. Education and entertainment.
42. Miscellaneous.

P.S. MNGOMEZULU  
*Principal Secretary*

MBABANE,  
6th June, 1989.