

Trade Marks Act, 1999

Section 36B - Definitions.—In this Chapter, unless the context otherwise requires,—

(a) application, in relation to a Contracting State or a Contracting Organisation, means an application made by a person who is a citizen of, or is domiciled in, or has a real and effective industrial or commercial establishment in, that Contracting State or a State which is a member of that Contracting Organisation, as the case may be. Explanation. For the purposes of this clause, real and effective industrial or commercial establishment means and includes any establishment where some bona fide industrial or commercial activity takes place and need not necessarily be the principal place of business; (b) basic application means an application for the registration of a trade mark filed under section 18 and which is used as a basis for applying for an international registration; (c) basic registration means the registration of a trade mark under section 23 and which is used as a basis for applying for an international registration; (d) Common Regulations means the Regulations concerning the implementation of the Madrid Protocol; (e) Contracting Organisation means a Contracting Party that is an intergovernmental organisation; (f) Contracting Party means a Contracting State or Contracting Organisation party to the Madrid Protocol; (g) Contracting State means a country party to the Madrid Protocol; (h) international application means an application for international registration or for extension of the protection resulting from an international registration to any Contracting Party made under the Madrid Protocol; (i) International Bureau means the International Bureau of the World Intellectual Property Organisation; (j) international registration means the registration of a trade mark in the register of the International Bureau effected under the Madrid Protocol; (k) Madrid Agreement means the Madrid Agreement Concerning the International Registration of Marks adopted at Madrid on the 14th day of April, 1891, as subsequently revised and amended; (l) Madrid Protocol means the Protocol relating to the Madrid Agreement Concerning the International Registration of Marks adopted at Madrid on the 27th day of June, 1989, as amendedSection 36C - from time to time