



Companies and Intellectual
Property Commission
a member of the dtic group

PRACTICE NOTE 2 OF 2022

TRADE MARK CERTIFICATES

**SECTIONS 29, 38, 40 AND 41 AND REGULATIONS 23, 43 AND 58
OF THE TRADE MARKS ACT, ACT 194 OF 1993**

TRADE MARKS DIVISION

COMPANIES AND INTELLECTUAL PROPERTY COMMISSION (CIPC)

Notice is hereby given that as from **Tuesday 3 May 2022** all trade mark related certificates issued in accordance with the above provisions, will be **issued electronically via automated e-mail**, to the e-mail address as provided in the CIPC customer profile of the customer code of the address for service as reflected in the electronic Trade Marks Register at the date on which the certificate/s were issued.

In addition, copy/ies of the certificate/s may be accessed electronically and printed via the IP Online portal available from the CIPC website, at no additional costs, and will be available from either of the following links:-

1. <https://iponline.cipc.co.za/Trademarks/Search/DatabaseSearch.aspx>*

** when using this link the nominal prescribed fee in relation to conducting a search of the Trade Marks Register will be payable; however there will be no fee payable in relation to the obtaining of the copy of the document as already issued.*

2. <https://iponline.cipc.co.za/Trademarks/Search/FreeTMSearch.aspx>

When accessing the above listed links, search for the particular trade mark record/s using the official trade mark application number/s, and then access the copy/ies of the certificate/s in respect of such application/s and/or registration/s.

Refer to the **annexure** herewith for further information on the operational requirements.

RORY VOLLER (MR)
COMMISSIONER: CIPC
...12 April 2022

OPERATIONAL REQUIREMENTS
TRADE MARK CERTIFICATES

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TRADE MARKS DIVISION
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A. INTRODUCTION

To utilise this new automated service, you need to:-

1. Be registered as a CIPC customer; AND
2. Upon registration as a CIPC customer, select from the IP e-Services suite, the IP Online option in order to access the IP e-functionalities you would wish to make use of; AND
3. Use your CIPC username and password to log in.

It is further strongly recommended that before using this new automated service you review the **user guide for accessing and downloading trade mark certificates** as made available in IP Online on the CIPC website.

For assistance, or if experiencing technical difficulties in using the new automated service, kindly log a call on the CIPC Online Enquiries System (QRS), available on the CIPC website, by selecting the following categories*:-

- i. Department: Intellectual Property
- ii. Category: E-Filing IP
- iii. Sub category: IP Trade Marks

*** Note: Calls logged via QRS NOT in accordance with the categories as outlined above will NOT be responded to and will be deleted.**

B. PROCEDURAL ARRANGEMENTS

As indicated in the main notice hereto, original trade mark related certificates will henceforth be issued via automated e-mail.

This new automated service will be in respect of the following trade mark related certificates:-

1. Registration certificate
2. Assignment certificate
3. Hypothecation certificate
4. Registered user certificate
5. Cancellation of registered user certificate
6. Change of name certificate
7. Certified extract

The **original certificate** can be accessed via the link provided in the automated e-mail, or via IP Online directly. Refer to the user guide (above) for guidance on the latter.

In both instances, and in order to gain access to and download the original certificate/s, **upfront user verification** will be required by way of logging in to IP Online, using valid user credentials.

In the instances of certificates where prescribed official fees are payable in order to obtain the certificate, the **prescribed official fee will automatically be deducted** from the user's customer account when the user selects the "download" option in the automated e-mail, and before the original certificate will be displayed.

Where there are **not sufficient funds** in the customer account for the prescribed fee for the applicable certificate, the original certificate will NOT be displayed and the user will be prompted to deposit funds into its customer account in order to provide for the prescribed official fee of the applicable certificate/s.

VERY IMPORTANT

The link in the automated e-mail will **only be active ONCE** so as to allow downloading of the **original certificate**.

In addition, the **ORIGINAL certificate itself can only be DOWNLOADED ONCE**. A "counter" functionality within IP Online will record an entry against each trade mark once the certificate is downloaded successfully.

Once the original certificate has been downloaded, only a copy/ies of the certificate will be available to download via the links in IP Online as detailed in the main notice hereto.

The downloading of the copy/ies of the certificates will be at no cost to the user.

The following security features form an integral and important part of the original trade mark certificate/s as issued by automated e-mail under this new automated service:-

1. Upfront user verification (above)
2. Original certificate can only be downloaded once (above)
3. Watermark of the Seal of the Office of the Registrar of Trade Marks
4. Electronic signature with name and e-mail address of staff member who generated the certificate
5. Official disclaimer statement (with watermark of the Seal of the Office of the Registrar of Trade Marks)
6. Active QR code providing (i) trade mark number, (ii) trade mark, (iii) class, and (iv) name of applicant/proprietor

Where a certificate contains a typographical error/s, the link in the automated e-mail must be used to send an e-mail directly to the staff member who issued the certificate/s, in order for the error to be corrected and a new, original certificate to be issued. Queries of this nature may NOT be submitted via the electronic query system (QRS) on the CIPC website.

C. OBTAINING TRADE MARK CERTIFICATES IN HARD COPY

Hard copy trade mark certificates may be requested by submitting an original form TM2 – via post, courier or placing same in the drop box for “trade marks” at the **dtic** Campus – with payment of the prescribed fee of R34-00 (for each certificate requested), as provided for in Schedule 1 of the official fee schedule accompanying the Regulations promulgated under the Trade Marks Act.

The time period for the generation of such requested hard copy certificates will be no less than 30 days after receipt of the official file/s from off-site storage, and after successful billing of the prescribed fee. The hard copy certificate/s will be dispatched by standard SAPO postal services only.

The fee payable in respect of the requested hard copy certificate/s will be in addition to the prescribed fee already paid for purposes of downloading an original (electronic) certificate/s (above).