

## **Trademark Registration in Southern Sudan**

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Following the end of the civil war in Sudan in 2005 and the separation of North and South Sudan the continuous worry for trademark owners is the protection of their rights in Southern Sudan. North Sudan continues to be governed by the earlier Trademark Law through the national Trademark Office.

Unfortunately to date there are no laws in Southern Sudan regulating Intellectual Property and needless to say the Trademark Laws of North Sudan no longer prevail. The Ministry of Justice in Southern Sudan has issued directives to officials at the Trademark Office that they adopt certain procedures known as “Reservation of a Trademark” until issuance of a trademark law i.e. Southern Sudan follows the Cautionary Notice option at the present time. It is to be noted that in the absence of any law one cannot say if any reservation certificate or other document issued, has any real legal effect or value.

### **Procedures to be followed are:**

1. A written application needs to be submitted to the Registrar indicating the trademark to be protected, as well as prints of the mark in question.
2. The Registrar will conduct a search in the database of the Registry to ascertain whether the mark is registered or not.
3. If it turned out that the mark is not registered, it will be “reserved” in the applicant’s name, and no other person will be allowed to use the said mark.

It is also to be noted that no official fees have been fixed yet for this procedure and as the process is not quite clear it is not recommended to file trademark applications in Southern Sudan at the present time.

### ***For more Information, please contact:***

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