



A trademark is a distinctive sign that identifies certain goods or services produced or provided by an individual or a company from those of other enterprises. A Trademark may consist of any word, symbol, design, slogan, logo, sound, smell, color, label, name, signature, letter, numeral or any combination of them and should be capable of being represented graphically. The Trademark has to be distinctive, non-descriptive and not likely to cause confusion. The Trademark owner has the exclusive rights to prevent others from using the same or confusingly.

A trademark is a sign that is used to distinguish the goods and services offered by one undertaking from those of another. The trademark must be able to distinguish goods and services and should not be misleading. Similar mark.

Registration of Trademark in Rwanda is mandatory to be granted rights over a trademark, as it is a "first to file" jurisdiction. The trademark applications must be filed with the trademark section of the Rwanda Development Board ([RBD](#)).

Rwanda is also a [member state](#) to the Madrid Protocol. Thus, the extension of an international registration of a trademark via the Madrid System is possible for this country.

In Rwanda, the exclusive right to use the trademark is limited to a use of the trademark in the exact configuration or way in which it was filed and registered. If person wish to use the word element of trademark separately from the logo, it is recommended that to register for another trademark including only the word or figurative elements that wish to use and protect separately.

### **THE BENEFITS FOR REGISTERING TRADEMARK**

**Trademark registration in Rwanda grants exclusive nationwide use:** Registering trademark grants protection and the exclusive right to use a trademark in connection to the products and services which registered in Rwanda. As a registered trademark owner can take legal action against anyone who uses brand without permission.

**A registered trademark serves as a deterrent against third parties** that would otherwise use identical or confusingly similar trademarks for identical or similar goods or services. In most countries the prior existence of a considerably similar registered trademark is grounds for government offices to refuse a subsequent registration. Furthermore, trademark owners have the right to oppose similar trademarks from being registered.

**Trade mark registration in Rwanda grants one the right to use the ® Symbol,** upon



registration you will be able to use this symbol in order to demonstrate that your trademark has been registered and is enforceable by law.

It is illegal and punishable by law to use this symbol a trademark has not been registered fines and penalties vary regard to the laws governs Registration of trademark in Burundi. The use of the ® symbol in some countries is also obligatory if a trademark has been registered in order to be able to present legal actions or remedies against a third party that uses a trademark without the owner's consent.

**Trademark registration is necessary to enlist help in Rwanda or outside of Rwanda** if a trademark has been registered, actions can be taken in order to request local customs services to prevent the entering or exportation of goods that use can be identical or confusingly similar trademark.

**Priority for subsequent applications**, the first application for a trademark will grant the holder the right to subsequently claim priority when applying for an identical trademark in the vast majority of countries in the world, for a period of six months. If priority is claimed inside the period of six months from the first application, the subsequent applications will be considered as having been presented.