

LAW NO. 08/L-075**ON TRADEMARKS**

The Assembly of the Republic of Kosovo;

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves:

LAW ON TRADEMARKS**CHAPTER I
GENERAL PROVISIONS****Article 1
Purpose**

1. This Law defines the conditions and procedures for the registration of trademarks and the rights deriving from the registration and implementation of these rights.
2. This Law is partially in accordance with Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 on the approximation of the laws of the Member States relating to trademarks and Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the Enforcement of Intellectual Property Rights.

**Article 2
Scope**

This Law shall apply to entities that are subject to the registration procedure for the acquisition of a trademark in the Industrial Property Agency.

**Article 3
Definitions**

1. The terms used in this Law shall have the following meaning:
 - 1.1. **Ministry** - Ministry of Industry, Entrepreneurship and Trade;
 - 1.2. **Industrial Property Agency (hereinafter "IPA")** - Executive Agency established within the Ministry of Industry, Entrepreneurship and Trade competent for the registration of trademarks;
 - 1.3. **Register** - the Trademark Register kept by the IPA;
 - 1.4. **Well-Known trademark** - Trademarks according to Article 6bis of the Paris Convention;
 - 1.5. **Collective trademark** – a trademark which is indicated as such in the application for registration of trademark and which is capable of distinguishing the goods or services of the members of an association which is the holder of the trademark from the goods or services of other undertakings;
 - 1.6. **Certification mark** – a mark indicated as such in the application for trademark registration and which is capable to distinguish goods or services which are approved by the trademark holder in relation to the material, the production manner of goods or the application of services, quality, accuracy or other characteristics, from goods and services that are not thus approved;

1.7. **Nice Classification** - the classification established by the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of Trademark Registration, of 15 June 1957, as revised and amended;

1.8. **Trademark** - a trademark obtained in the procedure before the Industrial Property Agency in accordance with the provisions of this law, which has effect throughout the territory of the Republic of Kosovo;

1.9. **Exclusive license** – an agreement between trademark holder and another party through which the holder allows the other party to use the trademark in a form that it will not allow anyone else to use it;

1.10. **Non-exclusive license** - means a license issued by the applicant or the trademark holder whereby only the rights determined by the applicant or the trademark holder are transferred.

Article 4 **Acquisition of trademark rights**

1. A trademark right shall be acquired through registration of trademark in the Trademark Register maintained by the IPA.
2. A local and foreign person may be the holder of a trademark in the Republic of Kosovo.
3. The parties to the procedure or the person who is not a citizen of the Republic of Kosovo or does not have a registered office of business in the Republic of Kosovo shall be represented to the IPA only through authorized representatives, who must specify an official address for all official communications with the IPA.

Article 5 **Signs of which a trademark may consist**

1. A trademark may be any mark, in particular words, including personal names or drawings, letters, numbers, colours, the shape of goods or their packaging, or the sounds-voices, provided that such marks can:
 - 1.1. distinguish the goods or services of an economic entity from those of another economic entity; and
 - 1.2. are represented in the register in such a way as to enable the competent authorities and the public to clearly and precisely define the object of protection recognized to its holder.

Article 6 **Absolute grounds for refusal or invalidity**

1. A trademark shall not be registered or, if registered, shall be declared invalid if:
 - 1.1. it consists of marks which do not comply with the trademark according to Article 5 of this law;
 - 1.2. it consists of signs which do not contain any distinctive features;
 - 1.3. trademark consists exclusively of signs or indications which may be used in trade to determine the type, quality, quantity, intended purpose, value, geographical origin, time of manufacture of goods or performance of services or to indicate the characteristics of other goods and services;
 - 1.4. trademark consists exclusively of signs or indications which have become common

in everyday language or which have been used in good faith (bona fide) and which have established common commercial practices;

1.5. signs which consist exclusively of:

1.5.1. a shape or other characteristic deriving from the very nature of the goods;

1.5.2. a shape or other characteristic which is necessary to obtain a technical result;

1.5.3. a shape or other characteristic which gives the goods a substantial or more important value;

1.6. trademark is contrary to public policy or the principles of morality;

1.7. trademark is of such a nature as to mislead the public, for example as to the nature, quality or geographical origin of goods or services;

1.8. trademark does not have authorization from the competent authorities and that must be refused or declared invalid under Article 6ter of the Paris Convention;

1.9. trademark is exempt from registration under the legislation of the Republic of Kosovo, or international agreements part of which is the Republic of Kosovo, and which provide protection for designations of origin or geographical indications;

1.10. trademarks that are exempt from registration under the legislation of the Republic of Kosovo or under international agreement to which the Republic of Kosovo and the European Union are parties and which provide protection for traditional wine expressions;

1.11. trademarks that are exempt from registration under the legislation of the Republic of Kosovo or under the international agreement to which the Republic of Kosovo and the European Union are parties, and which provide protection for guaranteed traditional specialties;

1.12. trademarks that consist of a previous plant variety denomination, or reproduction in its essential elements, registered in accordance with the legal provisions of the Republic of Kosovo or an international agreement to which the Republic of Kosovo and the European Union are parties, providing protection for the rights of plant varieties and plant varieties of the same or related species;

1.13. trademarks the use of which may be prohibited under the provisions of any other law applicable in the Republic of Kosovo;

1.14. the trademark contains marks, emblems or coats of arms not covered by Article 6ter of the Paris Convention and which are of public interest, unless the permission of the competent authority for their registration is in accordance with the legal provisions of the Republic of Kosovo.

2. Trademarks shall not be refused registration in accordance with paragraph 1.2., 1.3. or 1.4. of this Article if, prior to the date of application for registration, they have acquired a special or distinctive character through use.

3. Trademarks shall not be declared invalid for the same reasons if before the filing date of the application for declaration of invalidity, they have acquired a special or distinctive character through use.

Article 7

Relative grounds for refusal or invalidity

1. In case of submission of an opposition by the holder of the previous trademark, the trademark for which the application has been submitted shall not be registered or if it is registered shall be declared as invalid if:

1.1. it is identical to the earlier mark and the goods or services for which the application is submitted are identical to the goods or services protected by the earlier mark;

1.2. it is identical or similar to the earlier mark and the goods or services for which the application is made are similar to the goods or services which are protected by the earlier trademark and where due to uniformity or similarity there is a possibility of causing confusion in the public including the possibility of association with the former brand.

2. "Earlier trademark" within the meaning of paragraph 1. of this Article means:

2.1. a trademark registered with an application date or earlier priority date;

2.2. application for registration of a trademark with an application date or earlier priority date in the registration procedure;

2.3. an application for trademark mentioned in sub-paragraphs 2.1. and 2.2. of this Article if they are registered;

2.4. a trademarks which on the date of application for trademark registration or, from the date of priority required for the application for trademark registration, is well-known in the Republic of Kosovo, in the sense in which the expression "well-known" is used as in Article 6bis of the Paris Convention. The definition of criteria for well-known trademarks is done with sub-legal act issued by the Minster.

3. The trademark should not be registered or, if it is registered can be declared invalid when:

3.1. is identical or similar to an earlier trademark, regardless whether the goods or services for which it was applied for or registered are identical, similar or not similar to those for which the earlier trademark was registered, where the earlier trademark has a reputation in the Republic of Kosovo and the use of a later trademark without reasonable cause would unduly benefit from, or be detrimental to the distinctive character or the reputation of the earlier trademark;

3.2. a trademark agent or representative of the trademark holder applies for registration in his name without the holder's authorization, unless the agent or representative justifies their actions;

3.3. if an application for a designation of origin or a geographical indication has already been submitted before the trademark registration application date or the claimed priority date for the application, insofar as the designation of origin or geographical indication entitles the holder to prohibit the use of a later trademark.

4. A registered trademark should not be registered or, if it is registered may be declared invalid when:

4.1. the rights for an unregistered trademark or any other mark that is in use in the Republic of Kosovo are acquired before the date of application for registration of the later trademark, or before the date of the claimed right of priority, and that trademark unregistered or any other sign give its holder the right to prohibit the use of a later trademark;

4.2. the use of a trademark may be prohibited on the basis of an earlier right, in particular:

- 4.2.1. right on a name;
- 4.2.2. right of personal portrait;
- 4.2.3. copyright;
- 4.2.4. industrial property right.

5. The later trademark shall not be refused or declared invalid in accordance with this Article where the holder of a previous trademark or other earlier right gives written consent to such registration.

6. Trademark application may be refused or if it was registered may be invalid if the request for trademark registration was made in bad faith by the applicant.

Article 8

Reasons for refusal or invalidity in respect of only some of the goods or services

Where there are grounds for refusing registration or invalidating a trademark in respect of only some of the goods or services for which that trademark has been applied or registered, the refusal of registration or the invalidity shall cover only those goods or services.

CHAPTER II

RIGHTS ACQUIRED BY A TRADEMARK REGISTRATION

Article 9

Rights acquired by a Trademark

1. The registered trademark shall be exclusive right of its holder.
2. The holder of a registered trademark has the right to prohibit all third parties who do not have his consent from using it during commercial business related to goods or services any sign that:
 - 2.1. is identical to the trademark, for goods or services that are identical to those for which the trademark is registered;
 - 2.2. is identical or similar to the trademark or which, because of being identical or similar of the goods or services for which the mark is used, to goods or services covered by the registered trademark may cause confusion to the public as to the trademark;
 - 2.3. is identical or similar to the trademark, regardless of whether the goods and services of the trademark used are similar or identical to the registered trademark, when the latter has a reputation in the Republic of Kosovo and the use of the mark without reasonable cause would misuse the distinctive character or reputation of the brand.
3. The trademark holder may also prohibit these actions:
 - 3.1. placing the mark on goods or on their packaging;
 - 3.2. placing goods on the market, offering them for sale and providing services using this mark, or storing them for these purposes;
 - 3.3. import or export of goods with that mark;
 - 3.4. use of the mark as a trade name of the economic entity or part of the trade name or economic entity;
 - 3.5. using the sign on business papers and in advertising.

4. The holder of a registered trademark has the right to prohibit all third parties from entering the goods in the Republic of Kosovo, without being issued for free trade, when such goods, including their packaging, come from countries of which the right of trademark has not been exhausted and use without authorization the trademark that is identical to the registered trademark in relation to the goods.

5. The rights conferred by a registered trademark shall prevail against third parties from the date of publication of registration of the trademark. Reasonable compensation may, however, be claimed in respect of acts occurring after the date of publication of a trademark application, which acts would, after publication of the registration of the trademark, be prohibited by virtue of that publication. The court judging the case may not decide upon the merits of the case until the registration has been published.

Article 10

The right to prohibit preparatory actions in connection to the use of packaging and other means

1. Where there is a risk that packaging, labels, features or marks of security or authenticity, or any other means to which the trademark is affixed, may be used in connection with goods or services and that such use would constitute a violation of rights of a trademark holder according to Article 9, paragraphs 2. and 3., of this law the holder of such trademark has the right to prohibit the following actions if they are performed during the circulation, such as:

1.1. affixing a mark identical to or similar with the trademark on the packaging, label, features or marks of security or authenticity or any other object on which the mark may be affixed;

1.2. offering or placing on the market or storing them for those purposes, importation or exportation, packaging, labelling, features or marks of security or authenticity, or any other object on which the mark is affixed.

Article 11

Citation of trademarks in the dictionary

If trademark has been cited in dictionary, encyclopaedia or similar material which is used as reference and it gives impression that constitutes the generic name of the goods or services for which the trademark is registered, and including those in electronic form, the publisher, upon the request of trademark holder, in next edition with a reference shall indicate that trademark is registered trademark.

Article 12

Trademarks registered in the name of the trade representative

1. When the trademark is registered in the name of the trade representative without the authorization of the trademark holder, the holder has the right to request the following:

1.1. object the use of the trademark by the trademark agent or his representative by submitting a claim to the competent court and request the transfer of the trademark on his behalf. When the transfer request has been made in whole or in part by the court and the judgment has become final, the IPA shall ensure that the partial or complete transfer of the trademark is recorded in the Register and published.

2. Instead of carrying the trademark according to sub-paragraph 1.1 of this Article, the holder may request the declaration of abrogation of this trademark in accordance with Article 52 of this Law.

Article 13

Limitation of trademark effects

1. The trademark holder shall not have the right to prohibit a third party from using trademark in

its business activity during the commercial circulation:

1.1. name or address of a third party, when such third party is a natural person;

1.2. signs or indications which are indistinguishable or which relate to the type, quality, quantity, intended purpose, value, geographical origin, time of manufacture of goods or provision of services, or other characteristics of goods or services;

1.3. the trademark for the purpose of identifying or referring to goods or services such as those of the holder of that trademark, especially when the use of the trademark is necessary to indicate the purpose of using a product or service, in particular in the case of accessories or spare parts.

2. Paragraph 1. of this Article shall apply only where the use made by a third party is in accordance with fair practice in industrial or commercial matters.

Article 14

Exhaustion of rights acquired by a trademark

1. The holder may not prohibit the use of a trademark in the product that the holder has placed on the market in one of the following places:

1.1. The Republic of Kosovo;

1.2. a member state of the European Union;

1.3. a member state of the European Economic Area;

1.4. the state of the Western Balkans region;

1.5. the state with which the Republic of Kosovo has a free trade agreement or trade facilities.

2. Paragraph 1. of this Article shall not apply when the trademark holder opposes the further trade of the goods, when it is proved that the condition or quality of the goods has changed or damaged after their placing on the market.

Article 15

Exclusion of a declaration of invalidity due to tolerance

1. When the holder of an earlier trademark has tolerated without opposition for an uninterrupted period of five (5) years the use of a trademark later registered in the Republic of Kosovo, being aware of its use, he loses the right to seek on the basis of the earlier trademark to declare the later trademark invalid or oppose the use of the later trademark for the goods or services for which the later trademark was used, unless the registration of the later trademark has been made in bad faith.

2. Paragraph 1. of this Article shall also apply to the holder of the earlier trademark referred to in Article 7 paragraph 3. of this law.

3. In the cases referred to in paragraphs 1. and 2. of this Article, the holder of a later trademark shall have no right to object to the use of the earlier trademark, although he can no longer invoke that right against the later trademark.

Article 16

Use of trademark

1. If within a period of five (5) years from the date of the trademark registration, the trademark

holder has not properly used the trademark in the Republic of Kosovo for the goods or services for which the trademark is registered or if the use of the trademark is suspended for an uninterrupted period of five (5) years, the trademark shall become subject to the restrictions and sanctions provided in this Law, unless there are reasonable reasons for not using it.

2. The start date of the five (5) year period, as referred to in paragraph 1. of this Article shall be registered in the Register.

3. The use of a trademark, in accordance with paragraph 1. of this Article, shall also mean:

3.1. use of the trademark in such a way that it differs in the elements which do not change the distinctive character of the trademark in the form in which it is registered, regardless of whether the trademark in the used form is registered in the holder's name;

3.2. placement of a trademark on their goods or packaging in the Republic of Kosovo only for export purposes.

4. The use of the trademark with the holder's consent shall be understood as use by the holder.

CHAPTER III TRADEMARKS AS AN OBJECT OF PROPERTY

Article 17 Transfer of ownership of registered trademarks

1. The trademark may be transferred, separately from enterprise, for some or all of the goods and services for which it has been registered.

2. The transfer of the enterprise ownership, shall also include the transfer of the trademark. This is excluded only in cases when in the transfer agreement it is correctly stated that trademarks are not transferred together with the enterprise.

3. At the request of one of the parties, the transfer shall be entered into the Register provided that sufficient evidence is provided for the transfer such as:

3.1. copy of the transfer contract or part of that contract;

3.2. the original transfer certificate made in writing and signed by both parties or the judgment rendered on that matter, which must be submitted to the IPA;

3.3. the fee for the transfer registration in the Register must be paid.

4. The transfer of the trademark shall be published on the IPA's official bulletin.

5. The request for registration of the transfer in the register must be submitted under the conditions and in the manner provided for by sub-legal acts under trademark registration issued by the Ministry.

6. While the transfer is not registered in the Register, the beneficiary of the right may not use the rights arising from the registration of the trademark.

7. Any notice from the IPA must be sent to the newly registered holder from the date of registration of the right.

Article 18

The rights of pledge

1. A trademark, regardless of the subjects, shall be secured or may be the object of pledge.
2. The pledge shall be registered in the Trademark Register at the request of one of the parties and shall be published on the IPA's official bulletin.
3. The request for registration of the pledge in the Trademark Register shall be submitted under the conditions and in the manner provided for by sub-legal acts on trademark registration issued by the Minister.

Article 19

Trademark as subject of execution

1. Trademark may be subject of execution.
2. The court that undertakes and imposes execution actions, according to official duty shall inform the Office for execution actions undertaken or imposed against trademark with purpose of registering the execution procedure in the trademark register.
3. The undertaken or imposed execution measure against the trademark registered in the Trademark Register shall be published on the IPA's official bulletin.
4. The request for registration of the execution measure in the register of trademarks shall be submitted under the conditions and in the manner determined by a sub-legal act on trademark registration issued by the Minister.

Article 20

Bankruptcy

1. When the trademark holder is involved in bankruptcy or similar proceedings, at the request of the competent authority, it shall be registered in the Register and published on the IPA's official bulletin.
2. The request for registration of bankruptcy or similar procedures in which the trademark is included in the register shall be submitted under the conditions and in the manner determined by a sub-legal act On trademark registration issued by the Minister.

Article 21

License contract

1. A trademark may be licensed for some or all of the goods or services for which it is registered, for all or part of the territory of the Republic of Kosovo. A license may be exclusive or non-exclusive.
2. The holder of the trademark may claim the rights acquired by that trademark against the licensee who opposes any provision in his licensing contract regarding:
 - 2.1. its duration;
 - 2.2. the area covered by the registration in which the trademark may be used;
 - 2.3. scope of the goods or services for which the license contract has been granted;
 - 2.4. the territory in which the trademark may be affixed; or
 - 2.5. quality of goods produced or services provided by the licensee.

3. Without prejudice to the provisions of the licensing contract, the licensee may proceed with trademark infringement only if its holder agrees to it. However, the holder of an exclusive license may initiate such a procedure if the trademark holder, after official notification, does not initiate the infringement procedure himself within a reasonable period.

4. The licensee has the right to intervene in the infringement procedure initiated by the holder of the trademark for compensation of the damage suffered by him.

5. At the request of one of the parties, license contract shall be entered in the Trademark Register provided that proof of license is offered, such as:

5.1. a copy of the licensing agreement, or part of that agreement for the grant of the license made in writing and signed by both parties, are submitted to the IPA;

5.2. the fee provided for the registration of the license in the Trademark Register has been paid.

6. The trademark license contract shall be published on the IPA's official bulletin.

7. The request for license registration in the Trademark Register shall be submitted under the conditions and in the manner determined by sub-legal acts On trademark registration issued by the Minister.

Article 22 **Effects in relation to third parties**

1. The legal provisions referred to in Articles 17, 18 and 21 of this Law shall apply to third parties only after registration in the Trademark Register. The provisions mentioned in this paragraph shall apply to third parties even before the trademark has been registered, if it is proved that the third party was aware of the existence of such a right.

2. Paragraph 1. of this Article shall not apply in the case when an entity acquires the trademark or the right related to the trademark through the transfer of the entire economic entity or through inheritance.

Article 23 **Applications for registration of a trademark as an object of property**

Articles 17 to 22 of this Law shall be applied in the same way as in the application procedure for trademark registration.

CHAPTER IV **TRADEMARK APPLICATION**

Article 24 **Filing a trademark application**

1. The procedure for registration of a trademark begins with the submission of the application for registration of a trademark in the IPA.

2. The application for registration of a trademark must contain the following:

2.1. application for trademark registration;

2.2. data on the applicant;

2.3. list of goods or services for which registration is required;

2.4. appearance of the trademark.

3. The application for trademark registration is subject to the payment of the fee.
4. The application for registration of a trademark must meet the conditions prescribed in paragraph 2. of this Article and other conditions prescribed in a sub-legal act On trademark registration issued by the Minister.

Article 25 **Date of submission of the application**

The filing date of the trademark registration is the date of receipt of the application by the IPA. If several documents have been submitted with different dates, the date of submission is considered the date on which the last document was met for fulfilling the conditions according to Article 24, paragraph 2., of this Law in the IPA.

Article 26 **Definition and classification of goods and services**

1. Goods and services for which trademark registration is required are classified in accordance with the Nice Classification system.
2. The goods and services for which protection is sought shall be determined by the applicant with sufficient clarity and precision to enable the competent authorities and economic operators to determine the extent of the protection sought.
3. For the purposes of paragraph 2. of this Article, the general information contained in the titles of the Nice Classification classes or other general terms may be used, provided that they are clear and accurate.
4. The IPA shall reject an application in respect of data or terms which are unclear or inaccurate if the applicant fails to comply with a request within a time limit set by the IPA for this purpose.
5. The use of general terms, including the general data of the titles of the Nice Classification classes, is interpreted to include all goods or services clearly covered by the literal meaning of the data or term. The use of such terms or data shall not be construed as a claim for goods or services that cannot be understood.
6. When the applicant requests registration for more than one class, the applicant shall group goods and services according to the Nice Classification classes, where each group is preceded by the class number to which that group of goods or services belongs, and shall present them according to the order of the classes.
7. Goods and services shall not be considered similar to each other on the grounds that they are presented in the same class according to the Nice Classification. Goods and services shall not be considered as different from each other on the basis that they are presented in different classes according to the Nice Classification

Article 27 **Right of Priority**

1. If the applicant for trademark registration has submitted an application for trademark registration in the regular form in the Republic of Kosovo, from a state that is a party to the Paris Convention or the Agreement establishing the World Trade Organization, for the same trademark in goods or services that are identical or contain those for which the application has been filed, he may invoke the right of filing the first application, provided that he applies for trademark registration in the Republic of Kosovo within six (6) months from the date of submission of the first application.
2. The applicant claiming the right of priority shall enter in the application for registration of

the trademark the relevant data on the first application, such as the country, the date and the application number and shall, not later than three (3) months from the date of submission of the application to the IPA, submit an authentic copy of the first application, translated into the official language.

3. If the applicant does not meet the conditions from paragraph 2. of this Article, the requested right of priority shall be lost.

4. Any application that is equivalent to a regular national application according to the national law of the State where it was made either under bilateral or multilateral agreement shall be recognized as a right of priority.

5. Regular submission of the national application shall mean fulfilling the necessary conditions to obtain the date of application, regardless of the final result of the application.

Article 28 **Effects of the priority right**

The priority right shall enable that the date of priority be calculated as the date of submission of the application for trademark registration.

Article 29 **Exhibition priority right**

1. If the applicant for trademark registration or his legal heir has exhibited the goods or services of the trademark in an exhibition officially recognized in the Republic of Kosovo, in a foreign country, or in a member state of the Paris Union that is party to the Agreement establishing the World Trade Organization may, when filing an application for registration in the Republic of Kosovo for the same trademark under which the goods are exhibited, invoke the priority of the date of exposure of the trademark for which he applies, provided that he applies for registration in the Republic of Kosovo within six (6) months from the date of first exhibition.

2. The applicant invoking the exhibition priority right shall provide in the national application for such trademark the relevant data of the first exhibition of goods or services under the trademark applied for date, state and name of the exhibition and shall, not later than three (3) months from the date of submission of the application to the IPA, present evidence of exposure of goods or services under the mark applied for and a certificate issued by the competent authority of the type, place, opening and closing dates of the exhibition, the first day of exposure of the goods or services referred to in the request, together with a translation of such a certificate.

3. If the applicant does not submit all the documents required under paragraph 2. of this Article, the requested right of exhibition priority shall be lost.

4. The right of exhibition priority acquired in a third country does not apply to the term of priority mentioned in Article 27 of this Law.

CHAPTER V **REGISTRATION PROCEDURE**

Article 30 **Formal examination of application**

1. The IPA shall verify applications for trademark registration and during the examination verifies whether:

1.1. the application for trademark registration meets the requirements for recognition of the date of application under Article 25 of this Law;

1.2. the application for trademark registration meets the requirements and conditions under Article 24 of this law;

1.3. fee has been paid for application for trademark registration.

2. If the application for trademark registration does not meet the requirements set forth in paragraph 1. of this Article, the office shall invite the applicant to fill in the missing information in the application within two (2) months from the date of receipt of the request from the Agency.

3. At the request of the applicant, the time limit referred to in paragraph 2. of this Article may be extended for a maximum of one (1) month calculated from the date of expiration of that time limit.

4. If the deficiencies or non-payments determined in accordance with sub-paragraphs 1.1. and 1.3. of paragraph 1. of this Article are not addressed in accordance with the IPA's request or within the specified deadline, the application for trademark registration shall not be taken into consideration. If the applicant completes the application as required by the IPA, the latter shall record the date on which the deficiencies are addressed as the filing date.

5. The IPA shall by decision reject the application if the deficiencies determined in accordance with sub-paragraphs 1.2. or 1.3. of paragraph 1. of this Article are not addressed in accordance with the IPA's request or within the specified time limit.

6. The IPA shall examine application for trademark registration in a chronological form, except in cases when there is required the premature examination of application, by the party.

7. Form, procedures and conditions for premature examination shall be regulated by sub-legal act.

Article 31

Examination regarding the absolute grounds for refusal

1. When the trademark according to Article 6 of this Law cannot be registered for some or all goods or services covered by the application for trademark registration, the application shall be refused for those goods or services.

2. Where the trademark contains an element which is not distinctive, and where the inclusion of this element in the apparent trademark could give rise to doubts as regarding the protection of the trademark, the IPA may request, as a condition for registration of said trademark, that the applicant states that he disclaims any exclusive right over such element. Any disclaimer by the applicant or the IPA shall be published together with the application for registration or the trademark registration, depending on the case.

3. The applicant shall have the right, within two (2) month from the date of receiving the written notification regarding reasons of rejection for some or all goods or services required in the application, to submit remarks and request completion of the application and/or submit new possible facts that may influence in final decision of the office regarding trademark application rejection. The applicant shall also have the right to withdraw his application within the same period of time, or to limit the list of goods or service to the extent that the application will meet the conditions for acceptance by the office.

4. This time limit may be extended at the request of the applicant, after payment of the fee which must be made within the period referred to in paragraph 3. of this Article, for a maximum of two (2) months, counted from the expiration date of that time limit.

Article 32

Publication of the application

1. If the application for trademark registration has met the conditions and has not been refused following the examination, it is published in the IPA's bulletin.

2. The information from the trademark registration application should be published in the IPA's bulletin shall be determined by sub-legal act On trademark registration issued by the Minister.

3. Where following the examination an application is refused according to Articles 30 and 31 of this Law, the final decision on the refusal of the application for registration shall be published in the IPA's Bulletin.

Article 33

Observations from third parties

1. Any natural or legal person and any group or body representing manufacturers, service providers, traders or consumers may, before registering a trademark, submit written observations to the IPA, reasoning according to Article 6 of this law that the trademark should not be registered ex officio. Persons and groups or bodies, as referred to in this paragraph, shall not be parties to proceedings before the IPA.

2. The remarks referred to in paragraph 1. of this Article shall be communicated to the applicant who may respond within one (1) month from the date of receipt of the copy of the remarks.

3. Procedures regarding the observations by third parties shall be regulated by a sub-legal act on trademark registration issued by the Minister.

Article 34

Opposition

1. Within three (3) months from the publication of the application for trademark registration, the holder of the earlier trademark, as referred to in Article 7 paragraph 2. and Article 7 sub-paragraphs 3.1. and 3.2. of this Law and the person authorized under the relevant law to exercise the rights deriving from a designation of origin or geographical indication, as referred to in Article 7 sub-paragraph 3.3. of this law has the right to file an opposition under Article 7 paragraph 2., sub-paragraphs 3.1., 3.2. and 3.3. of this law. Such an opposition may also be raised by licensees authorized by previous trademark holders in relation to Article 7 paragraph 1. and sub-paragraph 3.1. of this Law.

2. An opposition to the registration of a trademark may also be filed, subject to the conditions prescribed in paragraph 1. of this Article in the event of the publication of an amended registration in accordance with Article 38, paragraph 2. of this law.

3. The opposition shall be submitted in writing and specify the reasons on which it is based. The manner of filing the opposition and the relevant fee shall be determined by a sub-legal act on trademark registration issued by the Minister.

4. If on the date of publication of the application, the earlier mark on which the opposition is based is in invalidity or cancellation procedure, the IPA shall suspend the opposition procedure until the valid decision from the previous procedure initiated for invalidity of the procedure or the procedure for declaration of invalid trademark takes final form.

5. The parties, upon their joint request, are allowed to enter into a memorandum of understanding between the submitter of opposition and the applicant within a period of two (2) months counted during the opposition procedure.

Article 35

Examination procedure of opposition

1. The IPA shall examine whether the opposition is filed within defined time limit, if the defined fee has been paid and if defined requirements according to sub legal act, on trademark registration issued by the Minister.

2. If the requirements prescribed in paragraph 1. of this Article are not met, the IPA shall by decision reject the opposition.

3. If the requirements set out in paragraph 1. of this Article are met, the IPA shall send a copy of the opposition as filed to the applicant and invite him to submit his observations on the opposition filed within sixty (60) days from the date of the receipt of the invitation.

4. The time limit referred to in paragraph 3. of this Article may not be extended. After the expiration of this deadline it will not be possible to submit additional observations, including additional evidence and documentation for the opposition.

5. If the applicant does not submit his remarks on the oppositions within the set time limit, the application for registration of the trademark shall be refused upon the request for opposition.

Article 36

Proof of use of the earlier trademark

1. If the applicant so requests, the holder of an earlier trademark who has given notice of opposition shall have to furnish proof that, during the period of five (5) years preceding the date of publication of the application for registration of a trademark, the earlier trademark has been put to genuine use in the Republic of Kosovo in connection with the goods or services in respect of which it is registered and which he cites as justification for his opposition, or when there are not proper reasons for non-use, provided the earlier trademark has at that date been registered for not less than five (5) years.

2. In the absence of evidence that the earlier mark has been used, the opposition shall be refused.

3. If the earlier mark has been used for a part of the goods or services for which it is registered, it shall, for the purposes of opposition review, be considered registered only for those goods or services.

Article 37

Examination of the opposition

1. If the trademark applicant submits the observations regarding the opposition within the set deadline, the IPA shall examine the justifications of the basis stated in the opposition.

2. If examination of the opposition reveals that the opposition is unjustified, the IPA shall decide to refuse the opposition. The decision refusing the opposition shall be sent to both the opponent and to the applicant and after becoming final, the procedure for registration of the trademark applied for shall be continued.

3. If it is verified that the trademark may not be registered in respect of all of the goods or services for which the application for registration of a trademark has been made, the application for registration shall be refused only for those goods or services. The decision refusing the application shall be sent to both the opponent and to the applicant.

Article 38

Withdrawal, restriction and amendment of the application

1. The applicant may at any time withdraw his application for registration of a trademark or reduce the list of goods or services included in the application. When the application is published, the withdrawal or restriction shall be published in the IPA's bulletin.

2. The trademark registration application may be modified at the request of the applicant or by the IPA ex officio, such as correction of address, name or obvious technical errors, provided that such corrections do not affect the trademark identity or expand the list of goods or services.

3. Amendments mentioned in paragraph 2. of this Article after publication of the application shall be published according to the amendment.

4. Withdrawal, restriction and amendment procedures shall be determined by sub-legal act on trademark registration issued by the Minister.

Article 39

Division of Application

1. The applicant or holder may split an application for registration of a trademark into two or more separate applications by submitting an application to the IPA for application division, indicating for each separate application the goods or services from the application that is the object of the division.

2. Separate applications shall retain the right of priority over the first application.

3. The request and the procedure for division shall comply with the conditions determined by sub-legal act and following the payment of the respective fee.

Article 40

Registration

1. When the application for trademark registration meets the requirements of this Law, in particular when the basis under Article 6 paragraph 1. of this Law does not constitute an obstacle to registration and no opposition to the registration is submitted within the deadline specified in Article 34, paragraph 1. of this Law, or when the submitted opposition is refused or rejected by final decision, the IPA shall invite the applicant within two (2) months from the date of receipt of the invitation, to pay the registration fee for the trademark for ten (10) years.

2. If within the deadline specified in paragraph 1. of this Article the registration fee has been paid for the first ten (10) years, the trademark shall be registered and entered in the trademark register.

3. Once the trademark is registered and entered in the trademark register, the data on the registered trademark shall be published in the IPA's bulletin. The data to be published shall be determined by a sub-legal act On trademark registration issued by the Minister.

Article 41

Trademark certificate

1. On a request of trademark holder together with payment fee for issuance of certificate, IPA issues the certificate for the registered trademark after its publication.

2. The data from the trademark registration to be printed on certificate and the certificate issuance procedure shall be defined by sub-legal act.

Article 42

Alteration of a registered trademark

1. Registered trademark shall not be altered in trademark register, except in cases to correct errors of words including holders name and address.

2. The publication of the registration alteration shall contain the alteration required by the party itself.

3. Third parties whose rights may be affected by the alteration may challenge the registration thereof within a period of three (3) months following publication.

4. The application for alteration of registered trademark shall be filed according to requirements defined by sub legal act On trademark registration issued by the Minister.

Article 43
Registering the changes in the register

1. At the request of the trademark holder and ex officio, the IPA shall register in the Register all changes made after registration of the trademark which do not affect the graphic appearance, appearance of the trademark, provided that the appropriate evidence has been submitted to the Office to prove that those changes correspond to the real situation and the relevant fee has been paid.

2. Changes recorded in the Trademark Register shall be published in the IPA's bulletin.

3. The request for registration of changes shall be submitted under the conditions and in the manner determined by sub-legal act On trademark registration issued by the Minister.

Article 44
Division of Registration

1. The applicant or the holder may split an application for registration of a trademark or a registration into two or more separate applications or registrations by submitting to the IPA a request for application or registration division, indicating for each application or registration the goods or services from the application that is the subject of the division.

2. Separate applications shall retain the right of priority over the first application.

3. The request and the procedure for division of the application for registration shall comply with the requirements determined by sub-legal act issued by the Minister and following the payment of the respective fee.

CHAPTER VI
VALIDITY AND RENEWAL OF TRADEMARK REGISTRATION

Article 45
Validity of registration

Trademarks shall be registered for a period of ten (10) years from the date of submission of the application. Registration may be extended in accordance with Article 46 of this law for other periods of ten (10) years.

Article 46
Renewal

1. The registration of a trademark shall be renewed at the request of the holder of the trademark or of any person authorized under legal or contract provisions, provided that the extension fee has been paid.

2. The request for renewal must be submitted to the IPA within six (6) months before the end of the registration validity. If the application trademark renewal is not submitted within this deadline, the deadline for submitting the request for renewal may be extended for another six (6) months, in which case double fees must be paid.

3. When the application is submitted or the fees paid are only for some of the goods or services for which the trademark is registered, the renewal shall be registered only for those goods or services.

4. The renewal shall take effect one day after the date on which the existing registration expires. The renewal shall be recorded in the trademark register and published in the IPA's bulletin.
5. If the registration is not renewed, the trademark shall become invalid.
6. The request for renewal of the trademark registration shall be submitted under the conditions and in the manner determined by a sub-legal act issued by the Minister.

CHAPTER VII CEASING EFFECTS OF A TRADEMARK

Article 47 Surrender

1. A trademark may be surrendered in respect of some or all of the goods or services for which it is registered.
2. The surrender shall be declared to the IPA in writing by the holder or the authorized representative of the trademark, registered in the Trademark Register and published in the IPA's Bulletin.
3. The surrender shall be registered only with the consent of holder's right registered for trademark. If a license has been registered, surrender shall only be entered in the trademark register if the trademark holder proves that he has informed the licensee of his intention to surrender the trademark.
4. Based on the declaration on surrender of the trademark, the validity of the trademark shall be terminated from the date when the holder has submitted such declaration.
5. The surrender procedure on trademark registration shall be determined by a sub-legal act issued by the Minister.

Article 48 Grounds for revocation

1. The trademark shall be revoked upon submission of the request for revocation to the IPA, if:
 - 1.1. within a period of five (5) consecutive years the trademark has not been used in the Republic of Kosovo for goods or services for which it is registered and there are no reasonable reasons for not using it; however, no person may request the revocation of the proprietary rights of a trademark if during the period between the expiry of the five (5) year period and the filing of the revocation application, the proper use of the trademark has continued;
 - 1.2. commencement or resumption of use in the period of three (3) months preceding the request for revocation and which has started earlier than after the expiration of the uninterrupted period of five (5) years of non-use shall not be taken into account if preparations for the commencement or resumption of use have begun only after the holder has been informed that a request for revocation may be made;
 - 1.3. as a result of the holder's inaction, the registered trademark has become a common name in the trade of a product or service in connection with which it is registered;
 - 1.4. as a result of the use of the trademark by the holder or with the permission of the holder for the goods or services for which it is registered, the trademark may mislead the public as to the nature, type, quality or geographical origin of those goods or services;

2. When the grounds for revocation of rights exist only for some of the goods or services for which the trademark is registered, the holder rights shall be invalid only for those goods or services.

3. When a trademark is revoked its effects shall expire from the date of filing the request for revocation.

Article 49 **Request for revocation**

1. A request for revocation may be submitted to the IPA by any natural or legal person who protects the interests of producers, service providers, traders or consumers, who have the right to act on their behalf to sue and be sued.

2. The request for revocation shall be submitted in writing specifying the reasons and the relevant fee for revocation should be paid prior to submission. The procedure for submitting a request for revocation shall be regulated by a sub-legal act issued by the Minister On trademark registration.

Article 50 **Revocation procedure**

1. The IPA shall review whether a request for revocation has been filed pursuant to Article 49 paragraph 2. of this Law, if the fee determined for the request for revocation has been paid and if the request for revocation has been submitted according to the sub-legal act On trademark registration issued by the Minister.

2. When the request for revocation according to paragraph 1. of this Article is submitted before the expiration of the period of five (5) years from the registration of the trademark for which the revocation is requested, the IPA shall reject the request for revocation by decision.

3. If the requirements set forth in paragraph 1. of this Article are met, the IPA shall send to the trademark holder a copy of the request for revocation and invites him that within two (2) months from the date of receipt of the invitation submit his observations on the request for revocation.

4. Upon request of the trademark holder, which shall be made within the time limit as defined in paragraph 3. of this Article, which may be extended also for two (2) months from the date of expiration of that time limit.

5. If the trademark holder does not submit his oppositions to the request for revocation within the set time limit, then the trademark registration shall be revoked according to the request for revocation. If during the examination procedure the IPA finds that the request for revocation is justified, the rights of the trademark holder shall be invalid.

6. The IPA may arrange discussion sessions if deemed necessary.

Article 51 **Examination of the request for revocation**

1. If the trademark holder submits his observations on the request for revocation within the prescribed time limit, the API shall examine the justification of the grounds specified in the request for revocation.

2. If during the examination of the request for revocation it is found that the request is ungrounded, the IPA shall reject the request by decision. The decision to reject the request shall be sent to both parties.

3. If it is established that the request for revocation is grounded in relation to some or all of the

goods or services for which the trademark is registered, the mark shall be invalid only for those goods or services. The decision to revoke the registered trademark shall be sent to both parties.

4. The final decision for the revocation of the trademark shall be recorded in the Register and published in the IPA's Bulletin.

Article 52 **Request for declaration of invalidity of trademark**

1. The request for declaration of invalidity may be submitted to the IPA:

- 1.1. by any natural or legal person pursuant to Article 54, sub-paragraph 1.1, of this Law;
- 1.2. by the interested person pursuant to Article 54, sub-paragraph 1.2. of this Law;
- 1.3. by the entities referred to in Article 36 paragraph 1. of this Law, pursuant to Article 54, sub-paragraphs 1.3. and 1.4. of this Law;
- 1.4. by the holders of earlier rights according to the provisions of Article 54, sub-paragraphs 1.5. and 1.6. of this Law.

2. The request for declaration of invalidity shall be submitted in writing specifying the reasons on the basis of which the invalidity of the trademark is requested and that the relevant invalidity fee has been paid. The procedure for submitting a request for invalidity announcement shall be regulated by a sub-legal act.

Article 53 **Grounds for trademark invalidity**

1. The mark shall be invalid upon submission of the request to the IPA when:

- 1.1. the trademark is registered in contradiction with the provisions of Article 5 and 6 of this Law;
- 1.2. the applicant has applied for the trademark in bad faith;
- 1.3. there is an earlier trademark as determined in Article 7 paragraph 2. of this Law and the conditions referred to in paragraph 1. or paragraph 3. of Article 7 of this Law are met;
- 1.4. there is a trademark as referred to in Article 7 paragraph 4. of this Law and when the conditions prescribed in that paragraph are met;
- 1.5. the use of such trademark may be prohibited in accordance with an earlier right, in particular in relation to:
 - 1.5.1. right in name;
 - 1.5.2. personal portrait rights;
 - 1.5.3. copyright;
 - 1.5.4. industrial property rights.

1.6. the use of a trademark infringes the rights of a mark used in business activities in the Republic of Kosovo, if that mark has been previously acquired and gives its holder the right to prohibit the use of another mark.

2. When the trademark is registered in violation of the provisions of Article 6 paragraph 1. sub-paragraphs 1.2., 1.3. and 1.4. of this Law, it may not be repealed if as a result of its use, it has acquired after registration a distinctive feature related to the goods or services for which it is registered.

3. A trademark may not be invalid on the basis of a previous reputable trademark or an earlier well-known trademark if the earlier trademark has not become well-known under Article 7 paragraph 2. sub-paragraph 2.3. of this Law or has not gained a reputation under Article 7 paragraph 3. of this Law until the date of the priority right of the later trademark.

4. When the holder of one of the rights mentioned in sub-paragraphs 1.3., 1.4., 1.5. and 1.6. of paragraph 1. of this Article has already submitted the request for invalidity of the trademark, he may not submit a new request for invalidity of the trademark based on the rights mentioned in the previous request.

5. Where the grounds for declaration of invalidity exist in respect of only some of the goods or services for which the trademark is registered, that trademark shall be invalid only for those goods or services.

6. When a trademark is declared invalid for all or some of the goods or services, it is considered that all the effects since its registration cease to apply.

Article 54

Procedure for declaration of invalidity

1. The IPA shall review whether the request for declaration of invalidity has been filed in accordance with Article 52 of this Law, if the fee for the request for declaration of invalidity has been paid and if the request for declaration of invalidity has been filed in accordance with the sub-legal acts.

2. If the requirements prescribed in paragraph 1. of this Article are not met, the IPA shall reject the request for a declaration of invalidity.

3. If the requirements set forth in paragraph 1. of this Article are met, IPA shall send a copy of the request for invalidity declaration to the trademark holder and invite him to submit his observations within two (2) months from the date of receipt of the invitation.

4. At the request of the trademark holder, the time limit referred to in paragraph 3. of this Article may be extended for two (2) months days from the expiration date of that time limit by paying the relevant fee according to the sub-legal acts.

5. If the trademark holder does not submit his observations on the request for declaration of invalidity within the prescribed time limit, the registration of the trademark shall be declared invalid according to the request submitted for the declaration of invalidity, the IPA shall review the application within its limits and if the examination of the application for declaration of invalidity finds that the trademark shouldn't be registered in relation to some or all of the goods or services for which it is registered, the rights of the trademark holder shall be declared invalid regarding those goods or services. Otherwise, the request for declaration of invalidity shall be refused.

6. The IPA may arrange sessions to discuss the declaration of invalidity if necessary.

Article 55

Proof of use of earlier trademark

1. In proceedings for declaration of invalidity based on a registered trademark with an earlier date of registration or an earlier date of priority, if the holder of the subsequent trademark

requests the declaration of invalidity, the holder of the earlier trademark must provide evidence that during the period of five (5) years prior to the date of the claim for invalidity, the earlier trademark has been put into actual use, as provided in Article 16 of this law, in respect of the goods or services for which it is registered and which have been cited as justification for the claim to declare invalidity or certify that there were good reasons for non-use provided that the earlier trademark up to that date has been registered for not less than five (5) years.

2. When, on the date of filing or the priority date of the later trademark, the five (5) year period within which the earlier trademark should have been used, as provided in Article 16 of this law, has expired, the holder of the earlier trademark must, in addition to the evidence required in paragraph 1. of this Article, provide evidence that the trademark was used during the five (5) year period prior to the filing date or the priority date, or that the appropriate reasons for non-use existed.

3. In the absence of the evidence referred to in paragraphs 1. and 2. of this Article the application for a declaration of invalidity on the basis of an earlier trademark shall be refused.

4. If the earlier trademark was used only for a part of the goods or services for which it was registered, the examination of the request for declaration of invalidity shall only be carried out for that part of the goods or services.

Article 56

Examination of the observations request for declaration of invalidity

1. If the trademark holder submits his observations on the request for declaration of invalidity within the prescribed time limit, the IPA based on the request shall examine the justification for the declaration of invalidity.

2. The IPA may invite the parties to submit additional evidence, documents and observations within sixty (60) days from the date of receipt of the invitation. If the parties do not respond to the IPA's invitation in the prescribed time limit, the IPA shall make a decision on the basis of the facts contained in the request for declaration of invalidity and in the observations on such request.

3. If the examination reveals that the request for declaration of invalidity is unjustified, the IPA shall decide to reject the request for a declaration of invalidity. The decision rejecting the request for declaration of invalidity shall be sent to both parties.

4. If the examination of the request reveals that the trademark may not be registered in respect of some or all of the goods or services for which the trademark was registered, the trademark shall be declared invalid in respect of those goods or services. The decision declaring the trademark invalid shall be sent to both parties.

5. The decision declaring the trademark invalid for all or some of the goods or services shall be entered in the Trademark Register and published in the official bulletin of the IPA upon becoming final.

Article 57

Restoration of rights

1. If the applicant or the trademark holder has not acted within the prescribed time limit under this Law or a sub-legal act in fulfilling his obligations to the Agency in timely manner, the result of which is the loss of the right acquired through the trademark application or the mark, he may file a claim for restoration of the right to trademark recognition.

2. The Agency shall approve the request for restoration of the right to trademark recognition by decision, provided that the applicant:

2.1. submits a request for restoration of the right and pays the set fee;

2.2. shows the basis of the claim and establishes the facts on which it is based;

2.3. completes actions uncompleted within the specified time limit.

3. The request for restoration of rights may be submitted within three (3) months of the date when the reason for non-compliance ceases to exist and, if the applicant is made aware of this non-compliance at a later date, the count is made of the date he was made aware thereof.

4. The request according to paragraph 1. of this Article may not be submitted after the expiration of one (1) year from the date of failure to meet the time limit.

5. Prior to the decision of total or partial refusal, the Agency shall notify the claimant of the restoration of rights for the reasons for which it shall reject the claim in whole or in part, and shall notify the applicant to declare its notification within two (2) months of the date of receipt of the notice.

6. The request for restoration of rights may not be submitted in case of non-fulfilment of the following actions:

6.1. submission of a request for extension of the deadline; and

6.2. payment of the administrative fee and payment of the fee for mark maintenance.

CHAPTER VIII COLLECTIVE AND CERTIFICATION TRADEMARKS

Article 58 Collective trademarks

Associations of manufacturers, service suppliers or traders registered under the legislation in force and who have the right to sign contracts or take other legal actions on their behalf may apply for the registration of collective trademarks.

Article 59 Certification mark

Any natural or legal person, including institutions, authorities and other public bodies may apply for a certification mark provided that such person does not conduct a business involving the supply of goods or services for which certification is required. The holder of a certification trademark may authorize and supervise the use of the trademark by entities that have the authorization to use a certification mark in accordance with the regulations on the use of the certification mark.

Article 60 Special provisions on collective and certification mark

1. In derogation from Article 6 sub-paragraph 1.3. of this Law, signs or indications which may serve, in trade, to name the geographical origin of the goods or services may be registered as collective or certification marks.

2. A collective or certification mark shall not entitle the holder to prohibit a third party from using such marks or indications in the course of business activities, provided that he uses them in accordance with honest industrial or commercial practices, in particular concerning a third party entitled to use a geographical name.

3. The requirements prescribed in Article 16 of the Law shall be met when a collective or

certification mark is used, in accordance with Article 16 of this law, by any person having the authority to use it.

Article 61

Agreement and other documents regulating the use of collective or certification mark

1. An applicant for a collective or certification mark shall submit to the IPA, together with the application for registration of a collective or certification mark, agreements specifying its use.
2. The regulations specifying the use of the collective mark shall specify the persons authorized to use the mark, the conditions of membership of the association and, where they exist, the conditions of use of the mark including sanctions in case of misuse of the collective mark or the breach of the provisions of regulations.
3. The regulation defining the use of a certification mark shall specify the persons authorized to use the mark, the characteristics to be certified by the mark, supervision of the use of the mark, any fees to be paid in connection with the use and procedures for resolving disputes. These regulations also prescribed the terms of use of the trademark, including sanctions.
4. The regulations governing use of a mark referred to in Article 61 paragraph 2. of this Law must authorize any person whose goods or services originate in the geographical area concerned to become a member of the association which is the holder of the mark.

Article 62

Refusal of the application

1. In addition to the grounds for refusal of an application for trademark registration provided for in Article 6 of this law when necessary with the exception of Article 6 sub-paragraph 1.3. of this law, in respect of signs or indications which may be used in trade to determine the geographical origin of goods or services, and Article 34 paragraph 1. of this law, the application for registration of a collective or certification mark shall be refused when the provisions of Articles 58, 59 or 61 of this law are not met, or when the regulations governing use are contrary to public order or principles of morality.
2. An application for registration of a collective or certification mark shall also be refused if the public is liable to be misled as regards the character or the significance of the mark, in particular if it is likely to be taken to be something other than a collective or certification mark.
3. An application shall not be refused if the applicant meets the conditions under paragraphs 1. and 2. of this Article as a result of amendment of the regulation governing the use of the trademark.

Article 63

Observation by third parties regarding collective or certification marks

Any natural or legal person, group or body referred to in Article 33 paragraph 1. of this law may submit to the IPA written observations based on the particular grounds on which the application for a collective or certification mark should be refused under the terms of Article 62 paragraphs 1. and 2. of this Law.

Article 64

Amendment of the regulations governing use of collective or certification marks

1. The holder of a collective or certification mark must submit to the IPA any amendment to the regulations governing the use of the collective or certification mark.
2. Amendments to the regulations governing the use shall be recorded in the Register if the amended regulations do not satisfy the requirements of Article 61 of this Law or involve one of the grounds for refusal referred to in Article 62 of this Law.

3. Amendments to the regulations governing use shall take effect only from the date of entry of the registration of such amendments in the Register.

4. Amendments to the regulations governing use shall take effect against third parties only from the date of entry of such amendments in the Trademark Register.

5. Article 63 of this Law shall apply to amended regulations governing the use.

Article 65

Persons entitled to bring an action for infringement

1. The provisions of Article 21 of this Law concerning the rights of licensees shall also apply to persons who are authorized to use a collective or certification mark.

2. Only the holder of a certification mark or a person authorized by him for this purpose may bring an action for infringement.

3. The holder of a collective or certification mark shall be entitled to claim compensation for damage on behalf of persons authorized to use the mark when those persons have sustained damage in consequence of unauthorized use of the mark.

Article 66

Additional grounds for invalidity

1. In addition to the grounds for invalidity provided for in Article 48 paragraph 1. of this Law, the rights of the holder of a collective or certification mark shall be invalid on request to the IPA, if:

1.1. the holder does not take reasonable steps to prevent the mark being used in a manner incompatible with the conditions of use laid down in the regulations governing use, including any amendment made to the Register;

1.2. the manner in which the mark used by authorized persons has caused it to become liable to mislead the public in the manner referred to in Article 62 paragraph 2. of this Law;

1.3. an amendment to the regulations governing the use of the mark has been indicated in the Trademark Register in breach of Article 62 paragraph 2. of this Law, unless the holder of the mark has subsequently amended the regulations governing use and this amendment complies with the requirements of this Article.

Article 67

Additional grounds for invalidity

In addition to the grounds for invalidity provided for in Article 53 of this law a collective mark which is registered in breach of Article 62 of this Law shall be declared invalid, unless the holder of the mark, by further amending the regulations governing use, complies with the requirements of Article 62 of this Law.

CHAPTER XI

OTHER PROCEDURES TO BE APPLIED IN IPA

Article 68

Review of the decisions made by the IPA

1. Appeals against IPA decisions may be filed within thirty (30) days from the day of receiving the decision.

2. The appeal shall be addressed to the Complaints Commission which is obliged to decide and inform the party.

3. The Appeals Commission for reviewing IPA decisions shall be established by the decision of the Minister.

4. Against decisions of the commission claims may be lodged to the competent court within thirty (30) days.

5. The procedure and work of the Appeals Commission shall be regulated by sub-legal act issued by the Minister.

Article 69 **Fees**

For the procedures regulated by this Law, fees shall be paid in accordance with sub-legal acts.

Article 70 **Other legislation to be applied in the procedure before the IPA**

In the absence of the provisions determined in this Law, the IPA shall apply the provisions of the relevant Law on General Administrative Procedure.

Article 71 **Registers**

1. The IPA shall keep and maintain the Trademark Register and the Register of Trademark Agents.

2. The contents and the method of keeping and maintaining the registers referred to paragraph 1. of this Article shall be prescribed in the sub-legal acts.

3. The Trademark Register referred to in paragraph 1. of this Article shall be public and may be kept in the form of an electronic database; the requirements and technical specifications to create an electronic register in the IPA shall be defined by sub-legal act.

4. Upon a written request of an interested person, the IPA shall issue copies of entries in or excerpts from the registers after paying the prescribed fees.

Article 72 **Data protection**

1. In addition to the obligation to maintain the Register, the IPA shall maintain the physical copies, the electronic database and all the details provided by the applicants or any other party in the procedure in accordance with this Law or the sub-legal act adopted on its basis.

2. The database may include personal data, in addition to those included in the Register. The collection, storage and processing of such data shall serve the following purposes:

2.1. administration of applications and registrations as described in this Law and the sub-legal acts adopted pursuant to it;

2.2. access to the information necessary to carry out the relevant procedures more easily and efficiently;

2.3. communication with applicants and other parties in the process;

2.4. compile reports and statistics that enable the IPA and improve the functioning of the system.

3. The processing of all personal data performed in the Republic of Kosovo under this Law and sub-legal acts shall be subject to the relevant legislation for the protection of personal data.

Article 73

Continued processing

1. If the applicant for a trademark or the holder of a trademark has failed to comply with a time limit for an act in a procedure before the IPA, and that failure has the direct consequence of causing the loss of rights conferred by the trademark application or the trademark, he may file a request for the continued proceeding with respect to the trademark application or trademark. The IPA shall allow the continued processing, provided that the applicant:

1.1. performs all the omitted acts within the time limit, referred to in paragraph 2. of this Article, and

1.2. pays the fee.

2. A request for the continued processing may be filed within two (2) months from expiring of the time limit referred to paragraph 1. of this Article.

3. If the requested actions have not been performed within the time limit referred to in paragraph 2. of this Article, or if the administrative fee has not been paid, a request for the continued processing shall be deemed not to be filed.

4. Paragraph 1. of this Article shall not apply to the time limit referred to in:

4.1. paragraph 2. of this Article;

4.2. Article 27 and Article 29 of this law;

4.3. Article 46 of this law;

4.4. Article 57 paragraph 2. of this law;

4.5. for all the acts in the procedures before the IPA involving several parties.

5. If the IPA approves the request, the consequences of not meeting the deadline shall be deemed not to have occurred.

CHAPTER XII

CIVIL LEGAL PROTECTION

Article 74

Persons entitled to claim the protection of rights

The protection of the rights under this Law may be claimed by a trademark holder or by an authorized person or a licensee, pursuant to Article 21, paragraph 3 of this Law.

Article 75

Procedure for the establishment and termination of infringement

1. The holder of a trademark may lodge a claim against any person who has infringed a trademark by performing, without authorization, any of the acts referred to in Article 9, 10 or 12, paragraph 1. of this law, claiming:

1.1. establishment of trademark rights infringement;

1.2. distancing oneself from the act of infringement, termination of the infringement and prohibition of such and similar future infringements.

2. Together with the claim for the acts defined in sub-paragraphs 1.1. and 1.2. of this Article, the holder of a trademark may request appropriate measures, as follows:

2.1. withdrawal from trade channels or seizure of goods established to infringe the trademark right and in appropriate cases, materials that are used for the creation or production of those goods;

2.2. the removal of the infringed mark, or where this is not possible, the final removal of the goods bearing the infringed trademark from trade channels; and

2.3. destruction of those goods.

3. The court shall, in considering the request for the above measures, take into account the need for proportionality between the seriousness of the violation and the legal remedies undertaken, and the interests of third parties. The court shall order the execution of these measures to the detriment of the trademark infringer, unless there are special reasons for such non-implementation.

4. In order to prevent the continuation of the trademark infringement, the court may issue against the infringer a fine the amount of five thousand (5,000) to ten thousand (10,000) Euros for each infringement in favour of the holder. The same action shall be taken by the court in cases when the decision is in the process of implementation.

5. The trademark holder may also file a claim under paragraphs 1. and 2. of this Article against any agent whose services are used by a third party to infringe his rights.

6. In relevant cases and upon the request of the person who may be subject to the measures provided for in paragraphs 1. and 2. of this Article, the court may order financial compensation to the injured party instead of applying the measures provided for in paragraphs 1. and 2. of this Article, regardless of whether that person acted negligently, and if the execution of the measures in question would cause him disproportionate damage and the financial compensation to the injured party is reasonably satisfactory.

Article 76

Claim for compensation of damages

1. The court shall, upon the request of the injured party, order the infringer who intentionally or negligently is engaged in an infringement activity referred to in Articles 9, 10 and 12 of this Law while he knew or should have known this, to pay to the right holder the respective damages suffered by him/her as a result of the infringement.

2. In calculating the compensation, the court shall take into account, inter alia, the negative economic consequences, including the lost profits, which the injured party suffered, any unjust profit made by the infringer and in relevant cases, the moral damage caused to the holder of the right from the infringement.

3. As an alternative to paragraph 2. in this Article, in appropriate cases, compensation for damages may be calculated on the basis of the amount or lump sum fee equivalent to the compensation which the infringer would have had to compensate, if he had requested authorization for use by the holder.

4. When the infringer did not know or could not have known that he was committing an infringement activity, the court may order either the recovery of the profits that the infringer gained from the unauthorized use of the trademark, according to the general rules for unjust enrichment or payment of damages, which can be predetermined.

5. Claims under Articles 75 and 76 of this law may be filed within three (3) years from the date the applicant learned of the infringement and the infringer and no later than five (5) years from

the date of the infringement or the date of the latest infringement where the infringement occurs continuously.

6. Proceedings from paragraph 5. of this Article are urgent. In the case of pending proceedings, pursuant to Article 49 or 52 of this law, in connection with the invalidity or abrogation of the infringed trademark, the court shall, taking into account the circumstances of the case, decide or adjourn the proceedings until a final decision is taken for the revocation or abrogation of the trademark, or the continuation of the procedure.

7. During the procedure, in relation to the infringements of trademark rights, as the case may be, the provisions of the relevant Law on Contested Procedure and the Law on Obligational Relationships will apply.

Article 77

Non-use as protection in infringement proceedings

1. The holder of a trademark may prohibit the use of a mark only when the rights of the holder may not be revoked in accordance with Article 48 of this Law at the time of filing the claim. If the respondent so requests, the trademark holder shall provide evidence that, during the five (5) year period prior to the filing date of the claim, the trademark has been placed in use, as provided in Article 16 of this Law, in respect of the goods or services for which it has been registered and which are cited as justification for the claim, or which has proper reasons for non-use, provided that the trademark registration procedure has been completed no less than five (5) years before the claim.

2. In the absence of such evidence, the request shall be refused. If the trademark is used only in connection with a part of the goods or services for which, for the purpose of reviewing the claim by the court, it is considered that it is registered in only that part of the goods or services.

3. Paragraph 1. this Article shall apply mutatis mutandis in relation to Article 79 of this law.

Article 78

Proofs-Claim for provision of information

1. Where a party has submitted sufficient evidence available to support its claims that the trademark has been infringed or is likely to be infringed and the evidence is under the control of the respondent, the court may order that such evidence to be filed by the respondent within a specified time limit.

2. In the event of a breach of business, the court may also, at the request of a party, order the provision of bank, financial or commercial documents that are always under the control of the respondent, always taking into account the protection of confidential information.

3. When the respondent denies that he has the evidence or it is not under his control, the court may take action to establish such a fact.

4. The provisions of the relevant Law on Contested Procedures regarding the case of refusal to provide evidence shall apply mutatis mutandis to the rights of the party to refuse to provide such evidence.

5. The court, taking into account all the circumstances of the case, decides on the importance of the fact that the party that has the evidence does not accept, regardless of the court decision, the submission of evidence, or the denial of the provision of evidence.

6. No special appeal is allowed against the decision of the court from paragraphs 1. and 2. of this Article.

7. In any case and at the request of the respondent for the provision of information, the court shall take appropriate measures to ensure the protection of confidential information.

8. In the context of proceedings in respect of a trademark infringement and in response to applicant's reasonable and proportionate claim, the court may order that information on the networks of origin and distribution of the trademark infringing goods or services be provided by infringer or any other person who:

8.1. was found in possession of goods infringing on an activity trading;

8.2. it turns out that they use services for violations in commercial activities;

8.3. was found to provide, in activity commercial, services used in infringing activities; or

8.4. results under sub-paragraphs 8.1., 8.2., or 8.3. of this Article, as involved in the production, manufacture or distribution of goods or the provision of services.

9. The request from paragraph 8. of this Article can be made in the form of a legal action or with a provisional measure.

10. The information referred to in paragraph 8. of this Article, as appropriate, includes:

10.1. names and addresses of manufacturers, producers, distributors, suppliers and other former holders of goods or services, as well as wholesalers and retailers;

10.2. information on the quantities produced, delivered, received or ordered, as well as the price received for the goods or services in question.

11. When a party responsible for providing information refuses, without convincing reasons, to provide information, he will be liable for the damage caused in accordance with the legal provisions in force.

12. Paragraphs 8. and 9. of this Article shall apply without prejudice to other legal provisions which:

12.1. give the right holder the right to obtain more complete information;

12.2. regulates the use in civil or criminal proceedings of information communicated pursuant to this Article;

12.3. regulate the person responsible for the misuse of the right to information;

12.4. regulate the possibility of refusing information that compels the person referred to in paragraph 8. of this Article to admit his/her participation or that of his/her close relatives in a trademark infringement; or

12.5. regulate the protection of the confidentiality of information sources or the processing of personal data.

Article 79 **Provisional and preventive measures**

1. Upon the request of the trademark holder who proves that the trademark has been infringed or attempted to be infringed, the court may order any provisional measure including the termination or prevention of the infringement and in particular:

1.1 order the supposed infringer to cease or desist from the acts infringing a trademark; the court may also issue a restraining order against an intermediary whose services are being used by a third party to infringe a trademark;

1.2. order the seizure or removal from the market of the goods unlawfully designated by a trademark.

2. Upon the request of the trademark holder who proves that his trademark has been infringed in business activities for the purpose of acquiring material benefit and that such infringement has threatened to cause him irreparable or difficult-to-repair damage, the court may, in addition to the provisional measures referred to in paragraph 1. of this Article, order the seizure of the movable and immovable property of the opposing party, directly related to the infringement, including the freezing of his bank accounts.
3. For the purpose of determining and enforcing the provisional measure referred to in paragraph 2. of this Article, the court may require from the opposing party or other relevant persons, the communication of the banking, financial and other economic information, or the access to other relevant information and documents. The court shall ensure the protection of confidentiality of such information and prohibits any misuse thereof.
4. A provisional measure may be imposed without informing the opposing party if the applicant presents evidence that the provisional measure would not be effective otherwise or there is a risk that irreparable damage may occur. This measure may be imposed without informing the opposing party if the applicant presents evidence that the provisional measure would not otherwise be effective or that this is necessary taking into account the very serious circumstances of the infringement. If the provisional measure was imposed without notifying the opposing party, the court must communicate to the opposing party the decision on the provisional measure, immediately after its implementation.
5. In the decision ordering a provisional measure, the court shall specify the duration of such measure and, if the measure has been ordered before the procedure, the period within which the applicant for the measure shall institute a procedure to justify the measure.
6. When the provisional measures referred to in this Article are invalid or statute-barred due to any act or omission by the infringer or when it is subsequently found that there has been no trademark infringement or threat of trademark infringement, the court may, upon request of the opposing party, order the holder to provide the opposing party with appropriate compensation for any damage caused by the provisional measures. The provision of such compensation set forth in this Article may be subject to a safe deposit guarantee or equal deposit for the purposes stated by the applicant.
7. When the provisional measures have been lifted or when they are no longer valid due to any action or omission by the applicant, or when it is later established that there was no infringement or threat of infringement of a trademark, the court shall order the applicant, at the request of the defendant, to provide adequate compensation for any damage caused by such measures.

Article 80

Measures to preserve evidence

1. Upon the request of the trademark holder who alleges that his right has been infringed or threatened to be infringed and there is a possibility that evidence of the infringement or risk in question cannot be obtained or becomes difficult to obtain, the court shall order provisional measures for the preservation of evidence.
2. By the provisional measure referred to in paragraph 1. of this Article, the court may order:
 - 2.1. preparation of a detailed description of the goods likely to infringe a trademark, with or without taking of samples;
 - 2.2. seizure of the goods that are proved to infringe a trademark;
 - 2.3. seizure of materials and tools used in the production and distribution of the goods that infringe the rights of a trademark and the documentation relating thereto.
3. The provisional measure referred to in this Article may be ordered even without informing the

opposing party thereof, if the applicant for provisional measures clearly indicates that there is a risk of evidence being destroyed or irreparable damage of incurring. If a provisional measure is ordered without informing the opposing party thereof, the court shall communicate a decision on the provisional measure to the opposing party, promptly upon its enforcement.

4. In the decision ordering a provisional measure, the court shall specify the duration of the measure and, if the measure has been ordered before the legal procedure, the period within which the applicant for measures shall institute a legal procedure to justify the measure shall be within thirty (30) days from the date of communication of the decision.

5. Where the provisional measures referred to in this Article are invalid or lapse due to any act or omission by the applicant or when it is found that there has been no trademark infringement or threat of a trademark infringement, the court may, upon a request of the opposing party, order the applicant to compensate the respondent for any injustice or damage caused by those provisional measures. To secure the compensation of the damage caused by the provisional measures the applicant shall deposit sufficient means for the compensation of the damage.

6. The provisions of the relevant Law on Enforcement Procedure shall apply to matters not regulated by this Article.

7. The provisions of this Article shall not exclude the possibility for the court to order provisional measures comprising the preservation of evidence pursuant to the provisions of the relevant Law on Contested Procedure.

Article 81

The right of the trademark holder to intervene later in order to protect himself in the infringement proceedings

1. In infringement proceedings, the holder of a trademark shall not be entitled to prohibit the use of a trademark registered later, when such trademark shall not be declared invalid pursuant to Article 15, paragraph 1. or 2., Article 53 and 54 of this Law.

2. The holder of a trademark shall not be entitled to prohibit the use of a trademark registered later, in accordance with paragraph 1. of this Article, while the holder of such trademark registered later shall not be entitled to prohibit the use of an earlier trademark in infringement proceedings, although he may not be invoked based on that earlier right against the later trademark.

Article 82

Queries

The IPA shall, upon request of the interested parties, query in its database based on the submitted applications or trademark registrations that have effect in the Republic of Kosovo.

Article 83

Claim for publication of the judgment

1. Upon the request of the trademark holder, the final judgment shall be published in the media at the expense of the defendant.

2. The court shall decide, within the limits of the claim, on the means of public communication in which the judgment shall be published, and whether it shall be published entirely or partially.

Article 84

Competent court for trademark infringement

In cases of trademark infringement, the competent court for reviewing trademark cases shall be the Competent Court.

Article 85

Proportionality

1. The measures, procedures and legal remedies provided for in Articles 74 to 84 of this Law must be fair, just and proportionate, and the said measures must not be an obstacle to business activities which are in accordance with the legal provisions in force.
2. In proceedings before the Courts, court costs and other costs are provided for in the relevant legislation for the Courts.

Article 86

Appeal in Administrative Procedure

1. The holder of a trademark may file an appeal to the relevant market inspectorate against any person who has infringed the trademark right.
2. The complaint procedure and its review, shall be determined with sub-legal act issued by the Minister.

CHAPTER XIII

REPRESENTATION

Article 87

Representation by an authorized representative

1. Natural and legal persons having a dwelling place or business office registered in the Republic of Kosovo may exercise their rights according to this Law through authorized representatives who are registered in the register of authorized representatives, which is maintained by the IPA.
2. Foreign natural and legal persons not having a dwelling place or business office in the Republic of Kosovo may realize their rights according to this Law in all procedures at the IPA, only through authorized representatives that are registered in the register of authorized representatives, which is maintained by the IPA.

Article 88

Authorized representatives of trademarks

1. Representation of natural or legal persons before the IPA may only be undertaken by an authorized representative registered following the decision of the IPA in the Register of Authorized Representatives maintained by the IPA.
2. The IPA shall enter or remove a person in/from the Register of Authorized Representatives of Trademarks if such person meets or does not meet the conditions prescribed in the sub-legal act in compliance with this Law.

Article 89

The authorized representatives

1. An authorized trademark representative may represent a natural or legal person before the IPA on the basis of and within the scope of the authorization given to the trademark agent by such natural or legal person.
2. The authorization may be given for one or more trademark applications or registrations, as well as for existing and future trademark applications or registrations.
3. The authorization relating to all applications and trademark registrations of one natural or legal person shall be referred to as a general authorization.

4. The authorization may be limited to only certain actions undertaken before the IPA.
5. If a trademark has been filed in respect of some or all of the goods or services for which it is registered, the authorization must contain clearly the requests referred by the holder of the trademark.

Article 90 **Withdrawal of the authorization**

1. The trademark holder may withdraw the authorization given to a trademark representative at any time.
2. After being informed of the change of representative, the IPA shall continue to communicate with the new trademark representative.
3. The trademark holder who has given two or more authorizations to different representatives for trademarks, the authorization with the latest date shall be valid.

Article 91 **Submission of authorization**

1. A trademark representative that claims to be authorized to represent the holder before the IPA, but does not supply the IPA with the written authorization to support that fact, shall be invited to submit a valid authorization within sixty (60) days from the date of receipt of the invitation, pursuant to Article 7 sub-paragraph 2.5. of this Law.
2. Upon request of the trademark representative, the time limit may be extended for another two (2) month counted from the expiration date of the time limit referred to in paragraph 1. of this Article.
3. If the trademark representative does not supply the IPA with an authorization in the prescribed time limit and continues to act in his own name, the actions performed by the trademark representative shall be deemed not to have been taken at all.

CHAPTER XIV **PUNITIVE PROVISIONS**

Article 92 **Punitive provisions**

1. A legal person who, without authorization, uses a trademark contrary to Article 9 of this Law shall be punished by a fine in the amount from five thousand (5,000) Euros up to fifteen thousand (15,000) Euros.
2. A responsible person of a legal person who acts contrary to Article 9 of this Law shall be punished by a fine in the amount from five hundred (500) Euros to one thousand five hundred (1,500) Euros.
3. A natural person who conducts individual business during the exercise of his commercial activity is punished with a fine in the amount of one thousand (1,000) Euros to three thousand (3,000) Euros, who acts in contradiction with Article 9 of this law.
4. A natural person who acts contrary to Article 9 of this Law shall be punished by a fine in the amount from two hundred (200) Euros to three hundred (300) euros.
5. The products intended or used for the commitment of the misdemeanours referred to in this Article upon the final decision of a competent court shall be seized, destroyed, or made unusable in any other way.

6. In all cases when the trademark has been used in contradiction to the provisions of this Law, the court shall, depending on the alleged infringement, apply the provisions of this Law and the Criminal Code of Kosovo.

CHAPTER XV TRANSITIONAL AND FINAL PROVISIONS

Article 93 Issuance of sub-legal acts

1. The Ministry issues bylaws according to Article 7 sub-paragraph 2.5., Article 17 paragraph 5., Article 18 paragraph 3., Article 19 paragraph 4., Article 20 paragraph 2., Article 21 paragraph 7., Article 24 paragraph 4., Article 30 paragraph 7., Article 32 paragraph 2., Article 33 paragraph 3., Article 34, paragraph 3., Article 35, paragraph 1., Article 38, paragraph 4., Article 39, paragraph 3., Article 40, paragraph 3., Article 41, paragraph 2., Article 42, paragraph 4., Article 43, paragraph 3., Article 44, paragraph 3., Article 46, paragraph 6., Article 47, paragraph 5., Article 49, paragraph 2., Article 50, paragraph 1., Article 52, paragraph 2., Article 54, paragraph 1., Article 57, paragraph 1., Article 68, paragraph 5., Article 69, Article 70, Article 71, paragraphs 2. and 3., Article 72, paragraph 1., Article 72 paragraph 2. sub-paragraph 2.1., and paragraph 3., Article 88 paragraph 2., within twelve (12) months from the entry into force of this law.

2. Provided that they are not in conflict with this Law and until the issuance of new sub-legal acts for the implementation of this Law, these acts shall continue to remain in force as follows:

2.1. Administrative Direction no. 14/2016 on trademark registration;

2.2. Administrative Instruction no. 10/2016 on administrative fees for industrial property facilities;

2.3. Administrative Instruction no. 08/2016 for early examination of applications for trademark protection;

2.4. Administrative Instruction no. 02/2017 on the responsibilities, mandate and work of the appealing committee under the industrial property agency;

2.5. Administrative instruction no. 10/2020 on authorized representatives in the field of industrial property.

Article 94 Repealing provisions

The entry into force of this law, shall repeal Law No. 04/L-026 on Trademarks and the Law No. 05/L-026 on Amending and Supplementing the Law No. 04/L-026 on Trademarks.

Article 95 Entry into force

This Law shall enter into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosovo.

**Law No. 08/L-075
23 June 2022**

Promulgated by Decree No. DL-239/2022 dated 07.07.2022 President of the Republic of Kosovo Vjosa Osmani-Sadriu

