Major changes that have taken place in the Trade Marks Act, 1999 (in force since 15th Sept. 2003) which has replaced the earlier Trade & Merchandise Marks Act, 1958 (now repealed) includes the following:

a) It has enlarged the definition of trade mark. It now includes shape of goods, packaging and combination of colours which can adopted as a trade mark.

b) The Act provides for registration of trade mark for services in addition to goods.

c) It provides for a single Register of Trade Marks with simplified procedures for registration.

d) The Act has simplified the procedure for registration of registered user (licensing of registered trade mark)

e) Provides for registration of collective marks owned by association of persons.

f) Provides for establishment of an Intellectual Property Appellate Board for speedy disposal of appeal from Registrar orders and decision.

g) Transferred the final authority for registration of certification of trade marks to the Registrar.

h) Provides for enhanced punishment for the offences relating to trade marks on par with the Copyright Act, 1957 to prevent the sale of spurious goods.

i) Prohibits use of some one else’s trade marks as part of corporate names or name of business concern.

j) Provides for filing of a single application for goods or services falling in more than one class (multi class filing)

k) Increased the period of registration and renewal from 7 yrs to 10 yrs.

l) Has made some trade mark offences cognizable.

m) The Act has amplified the powers of the court to grant ex parte injunction in certain cases.

n) There are other related amendments to simplify and streamline the administration of the trade marks law and procedures in the country.