

IP in Afghanistan

Afghanistan is member of the Paris Convention, WIPO and Madrid Protocol for the Protection of Industrial Property. The latest edition of the Nice Classification is used regarding of Goods and Services for Registration of trademarks without class 33. The trademark registration procedure begins with presenting of registration application to the Intellectual Property Department (Central Business Registry of Ministry of Commerce and Industries (ACBI-IP)). Upon receiving of filing details, the payment will be effected and the procedure of publication will be examined. If the application is accepted, the procedure of publication will be affected in the official gazette of Ministry of Justice for the public. The validity of a trademark registration is 10 years from the date of filing and can be renewed after this period. Cancellation of the trademark within ten years is due to non-use of the mark possible and the responsibility of the owner of the trademark is to prove the use of the mark in Afghanistan. This can be proved by submitting copies of the invoices issued with regard to the product bearing the trademark to or by Afghan distributors.

Who We Are:

Prof. Dr. Massoun

Massoun Consultancy & IP Services has been established by Prof. Dr. Chulam Sakhi Massoun in the year 1999 under the name of Afghanistan Patent and Trademarks Attorneys. Since 2017 under the new name MC & IP Services continued to protect and enforce Intellectual Property Rights (Trademarks, Patents, Designs, etc.) as well as other corporate legal services related to business transactions for their clients. Prof. Dr. Massoun is one of the pioneers of IP matters in Afghanistan and is a co-founder of the IP office. In spite of different difficulties in the new history of Afghanistan, Massoun Consultancy & IP Services has extended its activities with a young and new reliable team. We are convinced to be due to new situation in the country the leading firm in our services. Our clients can expect the best quality of services and prices and accurately the course of action for every case to affect the best outcome. Our efforts and strategy are to negotiate and develop the best way to realize our esteemed client's IP matters with high and prompt-quality services.



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Trademark

Trademarks are the most important and valuable assets of a business. A distinctive trademark allows a company to build public goodwill and brand reputation in the goods or services it sells. A trademark is any word, name, symbol, or device (or any combination thereof) that identifies and distinguishes the source of the goods of one party from those of others.

Similarly, a service mark is any word, name, symbol, or device (or any combination thereof) that identifies and distinguishes the services of one party from those of others.

A trademark or service mark can be another cognizable thing that indicates a particular source, good, or service other than a word, logo, slogan, package design, or another source indicator (or a combination thereof). For example, BIG MAC is a word mark for hamburgers, THE SHELL design is a logo for gasoline, THE ULTIMATE DRIVING MACHINE is a slogan for automobiles, VISA and AMERICAN EXPRESS are both service marks for credit card services.

Even a sound, smell, color, color combination or a shape can be a trademark under certain circumstances. For instance, the color pink has become a well-known trademark for insulation used in building construction, the color brown has become a service mark for package.

Patent

MC & IP Services help by publishing Cautionary Notice

Afghanistan Patent law is still not in force to protect the intellectual property of an invention and the inventor rights. Therefore the inventor cannot stop other people from using their own version of an idea to be used by others.

To avoid this Vacuum of law, we suggest our clients to publish a Cautionary Notice in details in the local Newspaper in the English Language. This advertisement notice is helpful to protect the concerned patent which can be the reason for enforcing priority right in the future by requirement for the patent law. The only requirement for the concerned notice is the details of applicant and inventor and the specification of the invention.



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Copyright

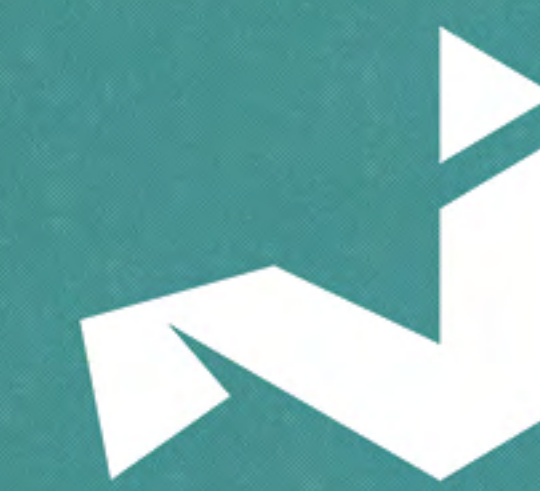
We support our clients by registering their work and rights in Afghanistan.

The law of support the right of Authors, Composers, Artists and researchers is since 2008 in Afghanistan in force. This Law has been put in effect pursuant to the article 47 of the Constitution of Afghanistan in order to protect the economical and moral rights of the works of an author, writer, artist and researcher and the way to profit from the work of ownership rights and the issues pertaining to the copyright. According article 5 of the law "The original works of authors shall be protected that are fixed (without taking into account the value, quality, purpose or the mode of its expression) in one of the tangible mediums of expression that is known now or means that will be developed later which are perceived, reproduced or communicated in a different way either directly or with the aid of a device. According the "Copyright law" the creative work should be recorded in the Ministry of Information and Culture.

Counterfeit

Keep counterfeiters away from your products with MC & IP Services Team.

In our overstuffed world market, growth and popularity are important for a brand look to stay in the market. This is the reason, why significantly the risk of counterfeiting and infringing intellectual property rights (IPR) such as trademarks, copyrights, and patents, is increasing worldwide. Duplicating a single product without authorization can represent a notable threat to your firm product and brands as well as its profit margin. MC & IP Services Team will be your ideal partner for your company in the fight against counterfeiting, which is in development in Afghanistan recently. Infringements of IPR are a widespread and worrying phenomenon. The reasons for the increase in the rate of infringements are diverse, including the attractiveness of a 'look-alike product' at a cheap price, the ease of production of copies at minimal costs, the development of new forms of marketing such as e-commerce and social media and the growth of international trade.



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Trademark Watch

AFTER REGISTRATION, WATCH YOUR TRADEMARK
Ensure your trademark maximum protection, and the protection of a trademark involves a series of variables that require much more than a simple registration procedure.
Our trademark watch service is one of the most important steps allowing you to follow up on any attempts to register trademarks that are identical or similar to yours. This type of situation dating from your trademark, as is the case with attempts at counterfeiting, may be detrimental to your business. By this, implicitly means that it is necessary to put the trademark watch service into action as soon as your trademark is registered.
We monitor new, identical and confusing similar trademarks and look out for illegal activities, and the situations that may be a source of conflict, such as publication for identical and similar trademarks.
This is a sensitive area, which requires swift resolution, timing becomes a key factor, helping our clients with all preventative work and providing adequate responses.

Our Team

are highly educated, experienced and able of top schools, masters in our dedicated professionals, we strive to quality and practical advice.



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Founder



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