

**GOVERNMENT OF INDIA  
COMMERCE AND INDUSTRY  
LOK SABHA**

UNSTARRED QUESTION NO:2814  
ANSWERED ON:07.12.2009  
INDIAN TRADE MARK ACT  
Mani Shri Jose K.

**Will the Minister of COMMERCE AND INDUSTRY be pleased to state:**

- (a) whether the Indian Trade Mark Act allows individuals or companies from India to file trademark and service mark applications in foreign countries;
- (b) if so, the number of trade mark and service mark applications filed in foreign countries from India during the last three years; and
- (c) the name the top five classes including number of applications in each class in which trademark and service applications have been filed in foreign countries from India during the last three years?

**Answer**

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA M. SCINDIA)

(a): No, Madam. The Trade Marks Act, 1999 has territorial jurisdiction and is applicable only in India. An individual or a company can file trademark and service mark applications in foreign countries where protection is desired in accordance with the Trade Marks Law of that country.

(b)&(c): This Department does not maintain any data/record with regard to the number and details of trademark and service mark applications filed in foreign countries from India.