RYSKIYEVA & PARTNERS

Trademark Registration and Protection in Uzbekistan

A Guide for Foreign Companies and IP Firms

Registration and international protection • Refusals and disputes • Anti-counterfeiting • Licensing and assignment

A foreign company may own a trademark in Uzbekistan without establishing a local legal entity. Effective long-term brand protection requires securing protection in Uzbekistan, properly documenting arrangements with local partners and retaining evidence of trademark use.

This guide explains how to choose a registration route, respond to a refusal, defend a registration against challenge and take action against infringement. Its practical recommendations are intended for international brand owners, in-house legal departments and foreign intellectual property firms.

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How to Use This Guide

This guide covers the entire trademark life cycle, from clearance before entering the market to licensing and administrative and judicial enforcement. Throughout this guide, the term ‘trademark’ includes service marks unless the context requires otherwise.

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Key Points for Foreign Rights Holders

Territoriality. Registration in the country of origin, the European Union or another country does not, by itself, confer exclusive rights in Uzbekistan. The principal routes are national registration and international registration designating Uzbekistan. A separate mechanism exists for recognition of a mark as well known.

Priority. Filing should ideally precede negotiations with distributors, advertising and the start of sales. Earlier third-party applications may prevent registration even where a brand is internationally renowned.

Ownership. The mark should be registered in the name of the appropriate group company. Registration in the name of a distributor, employee or agent creates a risk of loss of control and subsequent ownership disputes.

Separate procedures and deadlines. Responding to a provisional refusal of an international registration, appealing an examination decision and bringing court proceedings are distinct procedural steps, each with its own deadline.

Use and agreements. A registration requires ongoing management, including renewal, documentation of use, registration of transactions, address updates and infringement monitoring.

The recommendations in this guide are intended to assist with planning. For a specific application or dispute, the relevant documents, the terms of the notification and the law in force on the date of the action concerned must be reviewed.

1. National Registration

1.1 Who may obtain protection

An applicant may be a legal entity or an individual. Foreign applicants enjoy rights on an equal footing with Uzbek applicants or on the basis of reciprocity. A local subsidiary is not required solely to own a trademark. The competent authority is the Ministry of Justice; examination is carried out by the Ministry's Intellectual Property Centre, a state institution.

Foreign legal entities and individuals permanently resident outside Uzbekistan must conduct trademark registration matters and related legal acts through patent attorneys registered in Uzbekistan, subject to applicable international treaties. Appointing a representative before WIPO does not replace the authorisation required for a local representative.

1.2 Signs eligible for protection

The law permits word, figurative, three-dimensional and other signs, or combinations of them, in any colour or combination of colours. In this guide, the "Trademark Law" or the "Law" means Law of the Republic of Uzbekistan No. 267-II of 30 August 2001. Registration requires distinctiveness and the absence of grounds for refusal under Article 10. Protection of a particular non-traditional sign requires a separate assessment of how it is represented and the applicable criteria.

For an international brand, it is advisable to assess separately the protection of the word mark, the logo and any localised versions actually used. Registration of a composite logo does not always provide the same scope of protection as separate registration of the word.

1.3 Pre-filing searches

A clearance search should cover national registrations and applications, international registrations designating Uzbekistan and relevant well-known marks. It should assess phonetic, visual and conceptual similarity, Latin and Cyrillic versions, translations and transliterations. Trade names, domain names and the actual market presence of competing signs should also be considered.

The Nice Classification organises the list of goods and services, but a class number alone does not determine whether goods are similar. Goods in different classes may be similar, while inclusion in the same class does not automatically make all goods similar.

1.4 Power of attorney and language of documents

A power of attorney for a national application must be submitted with the application or within two months of filing. Under the new Regulation on Patent Attorneys, it must be in simple written form; a foreign person executes it in accordance with the law of the country where it is drawn up. A power of attorney in another language must be accompanied by a translation into Uzbek, the state language. The Ministry and other organisations may request the original to verify the representative's authority.

In practice, agree in advance on the owner's name, the signatory's authority, the scope of the mandate, the Uzbek translation and availability of the original. Requirements for court representation must be checked separately.

1. National Registration

1.5 Application requirements and priority

An application must relate to a single mark and include a request for registration, a representation of the sign and a list of goods and services classified under the Nice Classification. A power of attorney must be attached where a representative is appointed. Depending on the sign, additional documents may include priority documents, consent to use protected elements, a collective mark agreement and other materials required by the regulations. A filing fee is payable.

Convention priority may be claimed if the Uzbekistan application is filed within six months of the first application in a Paris Convention member state. The claim must be made on filing or within two months thereafter; supporting documents must be submitted no later than three months after receipt of the application. Exhibition priority is subject to separate conditions.

1.6 Examination stages

Stage	Main rule
Filing and publication	The application is submitted through the prescribed government information systems. Application details are published within one working day.
Formal examination	Within 30 days of filing; the documents are checked for completeness and compliance with formal requirements.
Substantive examination	As a general rule, examination is conducted within seven months, but not earlier than six months, from filing.
Accelerated procedure	Where the statutory registrability search is conducted by agreement of the parties, examination takes place within one month of acceptance of the application for consideration.
Registration	Following a favourable decision and payment of the prescribed fees, the details are entered in the register and an electronic certificate is issued.

The statutory examination period is not a guaranteed registration timeframe: official requests, corrections, disputes and fee payments may affect the overall duration. A decision may be reconsidered if an application claiming earlier priority is received.

Additional materials requested by the examiner must be submitted within three months of the date the request is sent. At the applicant’s request, this period may be extended by no more than six months. If neither a response nor a request for an extension is filed within the prescribed period, the application is deemed withdrawn. A missed deadline may be reinstated only if the statutory conditions are met.

1.7 Term of protection and budget

A certificate is valid for ten years from the filing date. It may be renewed for successive ten-year periods: the renewal application is filed during the final year of validity; an additional six-month period is available on request and payment of an additional fee. Exclusive rights under a national registration are exercisable from the date of entry in the register.

The budget should distinguish official fees, search costs, professional fees, translation costs and any work required to overcome a refusal. Official fees must be calculated using the applicable rates and the particulars of the application; a fixed foreign-currency figure should not be quoted without that calculation.

2. The Madrid System

2.1 How a foreign company obtains protection

The Madrid Protocol has been in force for Uzbekistan since 27 December 2006. A foreign applicant with the required connection to a member of the Madrid System and a basic application or registration may designate Uzbekistan in an international application filed through the Office of origin. The holder of an existing international registration may extend protection to Uzbekistan by a subsequent designation.

International registration simplifies filing and portfolio management, but registrability in Uzbekistan is assessed under national law. A WIPO international registration certificate does not, by itself, confirm completion of that assessment in every designated country.

Criterion	National application	Madrid System
Filing basis	A standalone application in Uzbekistan	A basic application or registration and a connection to a member of the System
List of goods and services	Tailored to the local market	Must remain within the permitted scope of the basic mark and international registration
Management	Through the national authority	Many changes and renewals are centralised through WIPO
Representation	A foreign applicant requires a local patent attorney	No local appointment is needed for the initial designation; proper representation is required for local proceedings
Dependency	Independent of a foreign registration	Dependent on the basic mark for the first five years

2.2 Time limit for notification of refusal

Uzbekistan has declared an 18-month period for notifying WIPO of a refusal. Under the Protocol, that period runs from notification to the Uzbek Office of the requested extension of protection. It is the Office's deadline, not the holder's deadline for responding to a refusal. WIPO's list does not identify Uzbekistan as allowing notification of an opposition-based refusal after 18 months.

In the absence of a duly notified refusal within the applicable period, the Protocol's mechanism for granting protection applies. Subsequent challenges or termination of protection on permissible national-law grounds remain possible. Status should be checked against the International Register and the documents relating to the designation of Uzbekistan.

2.3 Dependency and ongoing management

For the first five years, an international registration is dependent on the basic application or registration. If it is cancelled because the basic application or registration ceases to have effect in the circumstances specified in the Protocol, it may be transformed into a national application while retaining the relevant date and priority. The national application must be filed within three months of cancellation and satisfy the other applicable conditions.

An international registration is renewed through WIPO for successive ten-year periods. A subsequent designation of Uzbekistan does not create a separate ten-year renewal cycle. Limitations to the list of goods and services, partial refusals, changes in ownership and the territorial scope of protection must be monitored separately.

3. Refusals of Registration

3.1 Identifying the grounds for refusal

Work on a refusal begins by identifying the type of document and the procedural stage. A refusal to accept an application for consideration, a request for additional materials, a decision refusing registration and a provisional refusal of an international registration have different consequences. A substantive response does not replace correction of a defective power of attorney or payment of a fee; correcting formalities does not, by itself, resolve a conflict with an earlier mark.

The principal grounds for refusal are set out in Article 10 of the Trademark Law. Distinguishing grounds inherent in the sign from conflicts with third-party rights helps identify the evidence required, but the response must still cite the precise statutory provision concerned.

3.2 Absolute grounds

Registration may be refused if a sign cannot distinguish one person's goods from those of others, has become the generic name of a product, is a customary symbol or term, or merely describes a product's characteristics. Descriptive information may concern the type, quality, quantity, properties, intended purpose, value, place and time of production or sale.

For a foreign applicant, the relevant issue is how consumers in Uzbekistan perceive the sign in relation to the goods covered by the application. Registration of a word in another country does not establish its distinctiveness in the local market. When assessing a foreign word, its meaning, translation, transliteration and use in the relevant industry should be examined.

Separate obstacles concern signs that are false or liable to mislead as to the goods or manufacturer, certain geographical designations, and signs contrary to public interests or the principles of humanity and morality. These require separate assessment and cannot be overcome merely by referring to the brand's long-standing reputation.

3.3 Official and unprotected elements

State emblems, flags, awards, official names of states and organisations, hallmarks and certain official signs are subject to special restrictions. The Law permits the elements listed in paragraphs 1–4 of Article 10(1) to be included as unprotected elements with appropriate consent. This does not confer exclusive rights in the official symbol itself.

Elements covered by paragraphs 5–8 may be included without independent protection if they are not dominant. Adding a small emblem to a prominent descriptive word therefore does not guarantee registration: the composition as a whole and the role of each element must be assessed. Excluding an element from independent protection limits the exclusive rights claimed in that element.

For example, a statement of a product's characteristics next to an independently distinctive brand may be assessed differently from an application for that statement alone. The decision depends on the specific representation and list of goods; there is no universal rule that 'any word can be registered with a logo'.

3. Conflicts with Earlier Rights

3.4 Relative grounds

Paragraph 13 of Article 10(1) of the Law covers identity or confusing similarity with earlier marks belonging to others for similar goods, as well as statutory conflicts with well-known marks, geographical indications, appellations of origin and certification marks. For each cited right, the priority date, owner, current status and list of goods must be checked.

Paragraph 14 protects, among other things, earlier trade names known in Uzbekistan, industrial designs, certain works and signs identifying well-known persons. Article 15 of the Law excludes this paragraph from substantive examination. A favourable examination outcome therefore does not establish that no such rights exist or preclude a subsequent challenge to the registration.

3.5 Similarity of signs and goods

The comparison should explain the marks' overall impression, sound, spelling, meaning, and dominant and weak elements. Merely listing different letters is insufficient if the signs are perceived as the same brand or related product lines. Conversely, a shared descriptive element should not automatically be equated with similarity of the signs as a whole.

The similarity of goods must be analysed separately: their purpose, properties, customers, substitutability or complementarity, distribution channels and the likelihood of a perceived common commercial origin. Different Nice class numbers do not, by themselves, resolve a conflict; the same class number does not make all goods in it similar.

Question to check	Practical significance
Is the cited right still in force?	Check renewals, limitations, transfers and dispute outcomes
Which goods are covered by the objection?	Address specific items, rather than only the class number
In what respects are the signs similar?	Prepare a comparison of sound, visual appearance, meaning and composition
How will consumers encounter the sign?	Consider the sales format, packaging, audience and purchasing conditions

3.6 Strategies for overcoming a refusal

Possible strategies include contesting the finding of similarity, demonstrating that the goods are dissimilar, narrowing the list of goods within the permitted limits, obtaining the earlier trademark owner's consent or bringing separate proceedings to challenge the blocking registration. A fresh application for a modified sign may be commercially justified, but it has its own filing date and does not automatically retain the earlier application's priority.

Consent may permit registration of a similar sign in the circumstances specified in Article 10 of the Law; it is not a general exception for identical marks or for every ground for refusal. Check the signatory's authority, the cited mark's number, the sign and goods covered by the consent, and formal requirements, including certification of the signature. A coexistence agreement governs the parties' relationship, but binds the examiner only to the extent permitted by law.

3. Preparing a Response to a Refusal

3.7 Evidence of acquired distinctiveness

For signs covered by paragraphs 5–8 of Article 10(1), the Law permits registration where distinctiveness has actually been acquired through use. The evidence must show that consumers perceive the sign as identifying a particular commercial source, rather than merely describing a product.

Useful evidence includes the duration and geographical reach of sales, sales volumes, advertising, audience reach, publications, exhibition participation, recognition and properly conducted surveys. Materials must be linked to the sign applied for, specific goods, the local market and the legally relevant period. If a different logo is used, its relationship to the sign in the application should be explained separately.

The group's global turnover and foreign registrations may support the case, but cannot replace evidence of perception in Uzbekistan. A survey should disclose its audience, sample, questions and methodology: an answer to a leading question about a familiar brand carries less evidential weight than a test of unaided recognition.

3.8 Structure of a reasoned response

The response should identify the application and notification, state the relief sought and address each ground in sequence. Each assertion should be linked to a document: a register extract, comparison table, product information, consent or evidence of use. If the refusal concerns only part of the list, distinguish the disputed items from those unaffected.

Any reduction of the list must be aligned with the owner's commercial plans. Deleting an item may remove an obstacle but deprive the application of necessary coverage. Additional materials must not substantially alter the sign applied for or expand the original list; a substantial change requires consideration of whether a new application is necessary.

Article 13 of the Law allows three months from the date an examination request is sent to submit a response. At the applicant's request, this period may be extended by no more than six months. If neither the requested materials nor a request for an extension is filed, the application is deemed withdrawn. A request to reinstate a missed deadline covered by that Article must be filed within two months of its expiry; this mechanism does not automatically apply to appeal or court deadlines.

3.9 International registration

A provisional refusal under the Madrid System is transmitted through WIPO, but the substantive response is considered under Uzbek law. Paragraph 114 of the Regulation approved by Cabinet of Ministers Resolution No. 480 of 19 September 2023 allows the holder six months to submit arguments. The period must be calculated by reference to the notification and applicable rules; the date on which a foreign IP firm forwards the notification does not determine the deadline.

The local representative should receive the complete notification, up-to-date details of the international registration, the list of goods and services for Uzbekistan, the history of limitations and a power of attorney. Following a timely response, the Office notifies WIPO of the outcome; if no response is filed, it sends confirmation of the provisional refusal. The holder's six-month response period is not a general deadline for the Office to consider those arguments.

3. Appeals against Decisions

3.10 The Appeal Board

Article 16 of the Trademark Law allows the applicant to appeal an examination decision to the Ministry of Justice's Appeal Board within three months of the date of the decision. Obtain the full decision promptly and retain evidence of its dispatch and receipt. Do not substitute the date on which the client learned of the decision for the statutory starting date without checking the applicable rules.

The appeal should explain which examination findings are incorrect, which facts or evidence were overlooked, and what outcome the applicant seeks. Attach the decision, application documents, evidence, proof of authority and payment of the prescribed fee. References to registrations of similar marks are useful only where the facts are comparable and cannot replace an independent case for registrability.

Rules No. 3190 provide, in particular, two months to consider an appeal against refusal to accept an application, and four months for an appeal against a registration or refusal decision, including decisions under international treaties. These periods run from receipt of the appeal. Adjournments, stays and requests for additional materials may affect the duration of proceedings.

The applicant and its representative may participate in the proceedings and present their case. Before the hearing, prepare a concise outline of the disputed issues and a list of key documents. New materials must be submitted in accordance with the prescribed procedure and deadlines; oral submissions unsupported by documentary evidence may be insufficient.

3.11 Judicial review

The applicant may challenge an Appeal Board decision in court within six months of its adoption. Public-law disputes with the Office, including challenges to Board decisions, fall within the jurisdiction of the administrative courts. Such proceedings differ from a private claim against the owner of a blocking mark seeking non-use cancellation.

The court application should identify the challenged decision, the infringed right, the legal and factual grounds and the specific relief sought. The case should demonstrate an error in applying the law or assessing the facts, rather than merely repeat disagreement with the examiner. The representative's authority and execution of foreign documents must be checked against the requirements of court proceedings.

Procedural step	Main deadline
Response to a national examination request	Three months from dispatch of the request
Response to a provisional refusal under the Madrid System	Six months, calculated under the notification and applicable rules
Appeal against an examination decision	Three months from adoption of the decision
Applicant's challenge to an Appeal Board decision	Six months from adoption of the decision

Consent negotiations, preparation of a non-use action or awaiting a foreign decision do not, by themselves, suspend these deadlines. If an adjournment or stay is needed, check the procedural basis, file a motion and obtain a decision from the competent authority.

4. Invalidation of Registration

4.1 Choosing the legal basis

Invalidation and non-use cancellation serve different purposes. Invalidation challenges the lawfulness of the original grant of protection; non-use cancellation examines whether a protected mark was used during a specified period. Lack of sales does not, by itself, establish that the original registration was unlawful, and the existence of an earlier similar mark does not prove non-use.

Criterion	Invalidation	Non-use cancellation
Main provision	Article 24 of the Law	Article 25 of the Law and Article 1104 of the Civil Code
What must be proved	Breach of the conditions for granting protection or established unfair competition	Continuous non-use during the last three years and the relevant circumstances
Competent authority	Appeal Board or court, depending on the nature of the claim	Court, on application by an interested party
Scope of decision	In whole or in part	In whole or in part

4.2 Grounds and time limits for challenges

A certificate granted in breach of paragraphs 1–12 of Article 10(1) of the Law may be declared invalid at any time during its validity. These grounds include lack of distinctiveness, descriptiveness, a misleading character and other absolute grounds for refusal. The challenge must establish the specific statutory ground on which protection was improperly granted.

If registration infringes paragraph 13 or 14 of Article 10(1), Article 24 of the Law establishes a five-year period from publication of registration details in the official bulletin. This period should not be calculated from discovery of the mark, negotiations with its owner or the first sale of the disputed goods. For a national registration, evidence of the relevant publication must be obtained.

A separate ground is available throughout the certificate's validity where the owner's conduct has been found, through the prescribed procedure, to constitute unfair competition. The five-year limit cannot be circumvented merely by describing the registration as made in bad faith: the necessary elements must be proved through the appropriate procedure.

4.3 International registration

A challenge to an international mark concerns its legal protection in Uzbekistan. A local authority's decision does not, by itself, terminate the international registration in all other countries. To determine the applicable date and procedure, review the details of the designation of Uzbekistan, grant of protection, publication and subsequent changes.

Foreign owners should monitor notifications and appoint a local representative: centralised portfolio management through WIPO does not dispense with national proceedings. Invalidation or termination of protection does not automatically vest ownership of the disputed mark in the challenger.

4. Challenging a Registration

4.4 Substantiating an invalidation claim

Start by establishing the relevant rights and dates: the owner of the disputed mark, its priority date, the goods protected, the date of publication and the right relied on by the challenger. Misidentifying the owner or the relevant goods may result in proceedings that fail to achieve the commercial objective.

Where an earlier mark is relied on, prepare evidence of its validity and scope, a comparison of the signs and an analysis of the similarity of the goods. Separate evidence is required for a trade name, work, industrial design or sign identifying a well-known person. Registration of a company or trademark abroad does not, by itself, establish all the conditions for protection in Uzbekistan.

If distinctiveness is challenged, examine the sign's meaning and industry usage during the legally relevant period. A current internet search may help, but does not, by itself, show perception at the time protection was granted. Archived catalogues, publications and documents must have verifiable dates and origins.

4.5 Registration by a distributor or agent

Applications by local partners to register a brand already known to them pose a particular risk for foreign brand owners. Establish the history of the relationship: who created the brand, when cooperation began, which goods were supplied, who was authorised to use the sign and whether registration was authorised. Relevant evidence includes agreements, correspondence, catalogues, invoices and earlier powers of attorney.

The partner's knowledge of another's brand, the terms of cooperation and conduct after termination must be assessed together. A distribution agreement does not mean that every subsequent application is automatically invalid. If an agent or representative registered the mark without the owner's authorisation, also analyse the mechanism under Article 6septies of the Paris Convention and evidence of the relevant relationship.

Before registration, Article 8 of the Law allows written observations alleging bad faith in a published application. This mechanism is useful for early intervention, but should not be described as a universal, fully fledged opposition procedure. After registration, select the grounds for challenge and, if necessary, initiate unfair competition proceedings.

4.6 Procedure and outcome

Article 24 of the Law provides for invalidation by the Appeal Board or a court. The appropriate route depends on the relief sought and the nature of the dispute. A challenge to a decision or act of the Office is a public-law matter; a dispute over rights between private parties requires a separate assessment of jurisdiction. Claims affecting register entries do not necessarily all fall within the jurisdiction of the same court.

The application should state whether invalidation is sought in full or only for specified goods. After a decision is issued, monitor when it takes legal effect, whether the register is updated and how it affects the challenger's own applications. As the Plenum of the Supreme Court expressly explains, until the certificate is invalidated or ceases to have effect, a defendant's allegation of unlawful registration does not, by itself, prevent the owner from enforcing its rights.

Where a dispute arises over invalidation of a trademark certificate, Article 23 of the Law allows the rights holder to request a separate registration for one or more goods for which the grant of protection is not disputed.

This mechanism separates the unchallenged part of the registration from the goods in dispute. The possibility of division should be assessed in light of the scope of the challenged rights and the list of goods covered by the original registration.

4. Non-Use Cancellation

4.7 The three-year period and legitimate interest

Article 25 of the Law permits a court, on application by an interested party, to terminate protection in whole or in part for continuous non-use during the last three years of its validity. Article 1104 of the Civil Code links this mechanism to non-use in Uzbekistan without a valid reason. Registration does not terminate automatically after three years.

The claimant should demonstrate a legitimate interest, such as an obstacle to its own application or a specific plan to use the sign in the local market. That interest is assessed on the facts of the case; the stated intention to remove the registration must be substantiated. The claim should identify the relevant period, registration and precise goods or services for which cancellation is sought.

Although the term of a national registration runs from the filing date, the same date should not automatically be used to calculate the period of non-use. Check when protection arose, the status of the registration and the full continuous period relevant to the proceedings. For an international registration, also review the history of protection in Uzbekistan.

4.8 The parties' evidence

The claimant may usefully submit market search results, information on product offers, website and sales-channel checks, correspondence and available information on the owner's business. Failure to find results in one search engine or one shop does not prove absence of use in every form permitted by law.

The owner submits documents relating to the disputed period that establish use or obstacles beyond its control. Materials relating only to the period after the action was brought cannot replace evidence for the preceding three years. Documents should be grouped by goods, dates, parties and connection to Uzbekistan.

4.9 Forms of use that may be considered

Article 27 of the Law provides for use of the mark by the owner or a duly authorised licensee on goods and packaging. Use in advertising, on signs, at exhibitions, in documents relating to placing goods on the market and in a domain name may also qualify. Assessment of a particular form depends on its connection to the registered goods and actual activity in the local market.

For services, relevant evidence includes agreements, acceptance certificates, invoices, advertising materials and information on actual service provision and use of the sign when offering services. For goods, it includes supply and sales documents, packaging and materials identifying the product. A general group catalogue should be linked to specific products and local commercial activity.

Use by a subsidiary, manufacturer or distributor should not be equated with use by the owner without analysis. Check the contractual chain, licensing basis, registration requirements and evidence that the goods were placed on the market by or with the involvement of the rights holder.

4. Evidence and Partial Cancellation

4.10 Assessing the evidence as a whole

Taken together, the documents must connect the sign with the relevant goods or services, territory and period. A delivery note containing only a product code should be cross-referenced to a catalogue and an image of the packaging. Undated advertising requires additional evidence of publication. Translations must preserve the identifying details, product names and signs relevant to the comparison.

Evidence	What must be established
Agreements, invoices and delivery notes	Date, parties, goods and connection to the particular mark
Packaging, labels and photographs	The sign’s appearance and its connection to goods covered by the registration
Advertising and catalogues	Period of circulation, audience and relevance to Uzbekistan
Website and domain name	Actual content, date and connection to an offer of goods or services
Licensee documents	Legal basis for use and evidence of local operations

A single undated photograph, a domain ownership record or a foreign registration usually does not establish all these matters. However, the law does not require use to be proved solely through sales: all forms provided by Article 27 and all submitted documents must be examined.

4.11 Valid reasons for non-use

The court may take account of circumstances beyond the rights holder’s control that prevented use. Evidence must establish the nature and duration of the obstacle and how it prevented use of the mark for the goods or services concerned. General references to adverse market conditions, insufficient funds or an internal decision to postpone launch will not necessarily be accepted as valid reasons for non-use.

If supply restrictions, a sales ban or other external obstacles are alleged, attach the relevant legal acts, correspondence, decisions and details of steps taken. Explain why the obstacle affected the entire disputed period and the relevant scope of registration; circumstances affecting one product do not necessarily apply to the entire list.

4.12 Partial cancellation and consequences

The Plenum of the Supreme Court requires use to be examined for each item of goods or services covered by the claim. Evidence of use for one type of product does not automatically establish use for an entire Nice class. The owner may therefore retain protection for items for which use is proved and lose protection for the remainder.

Termination of another person's protection does not automatically register the mark in the claimant's name. Its own application must satisfy all requirements, including the absence of other earlier rights and absolute obstacles. Following judgment, check that the outcome is reflected in the register, review the status of the claimant's application and assess any further procedural steps.

Renewal, a change of ownership or an address update does not replace evidence of use. An annual evidence archive for key products can help preserve protection. In addition to non-use, Article 25 of the Law provides other grounds on which a certificate may cease to have effect. Protection ends when the certificate expires and may also be terminated early in the cases specified by law.

Early termination is possible, in particular, for breach of a collective mark use agreement, liquidation of a corporate rights holder, death of an individual rights holder without heirs, or at the owner's own request.

Depending on the statutory ground, early termination is decided by a court or the Appeal Board, or occurs at the rights holder's request submitted to the Ministry of Justice. The grounds, competent authority and procedure are determined separately in each case.

Re-registration of a trademark. Under Article 32 of the Trademark Law, a mark whose certificate has expired may not be re-registered in another person's name for three years from the date the certificate ceased to have effect. This restriction also applies where the rights holder voluntarily surrenders the mark before the certificate expires.

A distinction must be drawn between expiry of a certificate, voluntary surrender, invalidation of registration and early termination of protection by court order. Application of the three-year restriction depends on the statutory ground for termination.

5. Choosing an Enforcement Route

5.1 What must be established

Enforcement begins with confirmation that the relevant rights are in force in Uzbekistan and belong to the party seeking to enforce them. Check the registration, list of goods, renewals, transfers and limitations. A WIPO certificate without verification of protection in Uzbekistan, or a foreign registration alone, does not establish the necessary scope of rights.

Article 26 of the Law defines infringement as including unauthorised manufacture, use, import, offering for sale, sale, other placing on the market and storage for those purposes of a mark or marked goods, as well as a confusingly similar sign for similar goods. The specific act must be linked to the specific defendant.

Filing a national application does not yet confer full exclusive rights before registration. The Plenum of the Supreme Court expressly clarifies that third-party use of a sign during this period does not infringe the applicant's trademark rights, except in cases of unfair competition.

5.2 Competent authorities

Situation	Principal enforcement route
Investigation of unlawful trademark use by a legal entity	Application to a justice authority under Article 37¹ of the Law
Cessation of infringement, damages or statutory compensation	Economic court or civil court, depending on the parties and nature of the dispute
Unlawful decision, action or inaction of the Office	Administrative court
Indications of unfair competition	Competition authority within its remit; judicial protection under the applicable rules
Indications of an administrative offence or crime	Proceedings under the relevant code; consideration by a criminal court through the prescribed procedure

Private-law disputes between business entities generally fall within the jurisdiction of the economic courts. The involvement of a foreign company does not automatically make a dispute subject to international arbitration. An arbitration clause in a distribution agreement does not, by itself, bind an unrelated infringer or affect a public authority's statutory powers.

5.3 Combining procedures

An application to a justice authority may help document infringement and secure a public-law sanction. An injunction and a monetary award in favour of the owner will often require separate court proceedings. Investigation materials are assessed under the applicable procedural rules and do not replace properly formulated claims for relief.

When pursuing parallel procedures, keep the facts, goods and persons identified consistent. Compensation payable to the owner, a fine imposed on a legal entity and individual liability have different legal bases and beneficiaries. These must not be presented as a single cumulative payment that automatically arises from every infringement.

5. Administrative Measures

5.4 Applications to justice authorities

Article 37¹ of the Law provides for an investigation at the rights holder's request and a fine on a legal entity of 100–200 base calculation units (BCUs) for unlawful use of a mark or a similar sign for similar goods. One BCU equals UZS 440,000, or approximately USD 37. Business inspections are conducted with notification to the Business Ombudsman as required by law.

The application should identify the owner and representative, registration, suspected infringer, retail outlet addresses or webpages, goods and nature of use. Attach proof of rights, a power of attorney, product images, purchase documents, comparisons and other evidence. The more precisely the seller is identified, the lower the risk that the investigation focuses only on a shop's trading name without establishing the legal entity behind it.

An inspection report is drawn up following the investigation. The justice authority decides on the fine within five working days after the report is drawn up and sends the decision to the infringer within one working day. These periods apply after the report and are not an overall deadline for considering every rights holder's application.

The Law allows one month from dispatch of the decision for voluntary payment; voluntary payment of 70 per cent of the fine discharges the balance. If the fine is unpaid, the justice authority applies to court for recovery. The proceeds go to public funds and the state budget, not to the trademark owner as compensation. The decision imposing the fine may be appealed.

5.5 Administrative liability of individuals

Article 177 of the Code of Administrative Liability provides for a fine of 15–30 BCUs with confiscation of the items involved in the offence; a repeat offence within one year after a penalty attracts 30–50 BCUs with confiscation. The responsible individual and the elements of the offence must be established in each case. This mechanism differs from the special fine on legal entities under Article 37¹ of the Law.

Documents establishing rights and use of the sign are also necessary in these proceedings. A rights holder's letter describing goods as 'fake' cannot replace a decision imposing liability: the facts must be verified and the prescribed procedure followed.

5.6 Unfair competition and criminal offences

Where a competitor copies product presentation, creates confusion or misappropriates a sign, consider remedies under the Law on Competition and a complaint to the Committee for the Development of Competition and Protection of Consumer Rights. The relevant legal elements, the parties' relationship and the means of obtaining an unlawful advantage must be established; visual similarity alone will not support every unfair competition complaint.

Article 149² of the Criminal Code establishes liability, in particular, for unlawful use of another person's mark causing large-scale damage, as well as for aggravated forms of the offence. Criminal proceedings require proof of every element of the offence and do not arise automatically from every sale of counterfeit goods. A complaint should set out the facts, calculation and evidence of damage without treating a disputed legal characterisation as proof of guilt.

5. Court Claims and Evidence

5.7 Cessation of infringement and seizure of goods

The claim should describe the prohibited acts with sufficient precision: use of a particular sign for specified goods, sale of identified products, or placement of the sign on packaging or a particular online resource. A general request to ‘prohibit all infringements’ may not produce an enforceable outcome.

Article 1107 of the Civil Code provides for cessation of infringement and, for goods produced using a mark unlawfully and their packaging and labels, seizure and destruction at the infringer’s expense. Such a claim should identify the products, their location and evidence of unlawful use. A private representative of the rights holder is not entitled to seize a seller’s property independently.

5.8 Damages or statutory compensation

Under Article 26 of the Law, the owner may claim damages or, instead, compensation of 20–1,000 BCUs. A damages claim must establish the heads and amount of loss and their causal link to the infringement. The infringer’s revenue, the value of the goods found and the owner’s losses are distinct figures and cannot automatically be equated.

Statutory compensation does not require proof of actual loss, but the owner must still establish its rights, the infringement and the defendant’s involvement. The amount is agreed by the parties or determined by the court, taking into account the nature of the infringement, degree of fault and customary business practices. A claim for the maximum amount should be justified by the facts, not merely by reference to the statutory ceiling.

Damages and compensation in lieu of damages should not be claimed as two separate cumulative payments for the same infringement. Multiple incidents, marks and defendants require separate legal assessment. Litigation costs must be claimed and substantiated separately under procedural rules.

5.9 Building the evidential case

Issue	Supporting evidence
Existence and scope of rights	Register records, certificate, evidence of transfer and renewal
Defendant’s conduct	Purchase documents, payments, delivery notes, correspondence and seller details
The sign used	Product sample, packaging, photographs and a preserved listing page
Similarity of signs and goods	Comparative analysis, product information and, where needed, a specialist opinion or expert examination
Monetary claim	Calculation, underlying records and evidence supporting causation or the amount of statutory compensation

When assessing similarity, the signs’ overall impression must be considered alongside their individual elements. The Plenum of the Supreme Court permits consideration of recognition, duration and territory of use, and evidence of actual confusion, including surveys. A specialist’s opinion may assist on matters requiring specialist knowledge, but the legal assessment of infringement remains for the court.

5. Preparing and Conducting Proceedings

5.10 Pre-action steps and interim measures

Preserve evidence before sending a demand: after notification, the seller may change the webpage or remove the goods. Whether a pre-action procedure is mandatory must be checked for the particular claim and contractual relationship. A demand should identify the right, facts, relief sought, response deadline and documents expected to confirm compliance.

If continued sales or disposal of assets may impede enforcement of a judgment, consider applying for interim measures. Available measures depend on the procedure and circumstances, for example attachment of the disputed batch or a prohibition on specific acts. The application must explain urgency, the measure's connection to the claim and its proportionality. Relief is not granted merely because the claimant considers its case persuasive.

For domain disputes, the Plenum of the Supreme Court expressly recognises the possibility of prohibiting cancellation of the domain, transfer of control and changes of registrar. The request should be directed to the proper parties and framed to preserve the enforceability of the eventual judgment.

5.11 Requirements for foreign claimants

Confirm the company's existence, current name, signatory's authority, trademark rights and the court representative's authority. For foreign official documents, check whether an apostille or legalisation is required, whether a treaty exemption applies and the translation requirements. A power of attorney for registration before the Office should not be treated, without verification, as a universal power of attorney for court proceedings.

If ownership has changed through a transaction or reorganisation, reconcile the register entries with the corporate documents in advance. An agreement with a foreign IP firm does not, by itself, confer authority to represent the rights holder in a local court. Check the representation requirements and any specific authorisation needed for each procedural act.

5.12 Defences and enforcement of judgments

Typical defences concern the authenticity of the goods, the owner's consent, exhaustion of rights, lack of similarity between signs or goods, responsibility for the webpage, licence validity and the calculation of the claim. Address these with specific evidence. An allegation of non-use does not itself terminate protection; cancellation must be pursued separately under the prescribed procedure.

After judgment, monitor its entry into force, obtain the enforcement document and pursue enforcement, including through the Bureau of Compulsory Enforcement where applicable. Check cessation of sales and advertising, satisfaction of monetary claims and the disposal of seized products. Deletion of one webpage does not establish that use of the sign has ceased in every channel.

A settlement, whether reached in court proceedings or out of court, should specify the goods, signs, deadlines, payments, treatment of remaining stock and supporting documents. An undertaking not to repeat the infringement should be supported by a mechanism for verifying compliance. The requirements for court approval and the consequences of terminating proceedings must be assessed separately.

6. Counterfeit Goods

6.1 Identifying counterfeit goods

Article 27 of the Law treats goods, labels and packaging bearing an unlawfully used trademark or confusingly similar sign as counterfeit. This covers not only exact reproduction of a brand but also certain confusing imitations. A conclusion requires analysis of the protected mark, products and legal basis for use.

Product quality and trademark infringement are separate matters. A product may be of good quality while bearing an unlawful sign. Conversely, a defective or expired genuine product does not become counterfeit solely because of a quality defect; other requirements and measures may apply.

Situation	What to check
Another producer's goods with an exact copy of the brand	Authenticity, consent and whether the use falls within the scope of valid trademark protection
A similar name or packaging	Confusing similarity, similarity of goods and other protected elements
Genuine goods sold by an unofficial seller	Origin, lawful placing on the market and exhaustion of rights
Repacking or relabelling	Consent to the relevant use of the mark and risk of misleading consumers
Empty packaging bearing another's sign	Lawfulness of affixing the mark and circumstances of production or circulation

6.2 Genuine goods and exhaustion of rights

Article 26 of the Law and Article 1107¹ of the Civil Code exclude from infringement the use of a mark for goods lawfully placed on the market by the owner or with its consent. A seller's absence from the list of official dealers therefore does not establish counterfeiting. A distributor's contractual exclusivity likewise does not automatically entitle it to describe any third-party sale as counterfeit.

For genuine products, examine the supply chain and the circumstances in which the goods were placed on the market. Parallel supplies require an assessment of authenticity and consent, rather than a blanket presumption of unlawfulness. A supplier's breach of contract and an independent seller's infringement of exclusive rights may involve different legal grounds.

6.3 Imitation and additional rights

Where one letter, the colour scheme or a packaging element has been changed, compare the overall impression and consumer perception. Formal differences do not rule out confusion; simultaneous use of the seller's own name does not always eliminate it either.

If copied product presentation is not fully covered by the trademark registration, consider copyright, industrial design rights and unfair competition rules separately. Each additional ground requires proof of the relevant rights or the elements of the violation. Trademark rights should not be extended to general concepts of product presentation.

6. Detecting and Documenting Counterfeits

6.4 Monitoring and identifying the seller

Searches should cover retail outlets, wholesale offers, marketplaces, social media and websites. Record not only the brand image but also the seller's name, account identifier, address, contact details, price, product code, date, link and availability. Shops with similar names may belong to different persons; one seller may use several accounts.

The initial review aims to establish where goods are offered, who is involved in selling them and what evidence is available. A foreign owner should designate in advance an employee able to verify authenticity using serial numbers, packaging or manufacturing features. An account name should not be assumed, without verification, to be the defendant's legal name.

6.5 Purchasing and preserving samples

When lawfully purchasing a sample, retain the order, correspondence, receipt or other sales document, payment record, delivery documents and packaging. Photographs should link the product to the specific purchase. It is advisable to assign an internal sample number and record who received, opened and examined it and where it is stored.

This is particularly important for distance sales: the webpage image may differ from the product delivered, and the payment recipient may differ from the named seller. Preserve both sets of information and establish the connection. If testing alters or destroys the sample, agree beforehand on documentation and whether part of the product should be retained.

A private sample purchase and inspection should not be described as an official investigation or seizure under procedural law. A rights holder's representative may not forcibly enter premises, remove goods or demand access to accounting systems without a legal basis. Such measures may be taken only by authorised persons under the applicable procedure.

6.6 Authenticity assessment and electronic evidence

A manufacturer's or rights holder's opinion should identify the samples examined, genuine product features, differences found, methodology and person conducting the assessment. 'We do not supply this seller' establishes only the absence of direct supplies and does not exclude purchases of genuine goods from an intermediary. Where necessary, engage a specialist or request an expert examination.

For online materials, preserve the complete page, URL, date and time of capture, seller profile and related ordering process. A single cropped screenshot without a link or date makes verification of origin difficult. Choose a method of submitting electronic evidence that meets procedural requirements; where deletion is a risk, use available lawful preservation methods.

The evidence should establish a clear chain from the identified seller's offer to the purchased sample and the finding of unlawful use of the sign. A complete, documented chain strengthens the rights holder's position in investigations, negotiations and litigation.

6. Stopping Trade in Counterfeit Goods

6.7 Cease-and-desist letters and platform complaints

Once evidence has been preserved, the rights holder may send the seller a demand to stop offering and selling the specified products, remove unlawful signs from advertising and confirm compliance. Where appropriate, propose settlement of monetary claims and arrangements for remaining stock. Set a response deadline appropriate to the urgency and circumstances; no universal statutory deadline applies to all private trademark demands.

A marketplace complaint should include evidence of protection in Uzbekistan and authority to act, exact links, seller details, images and an explanation of the infringement. For suspected counterfeits, sample examination results are useful. Where a similar sign is used, explain the likelihood of confusion rather than merely asserting that the seller is not a dealer.

Removal of a listing under platform rules does not automatically establish the seller's liability or guarantee removal of repeat offers. Retain the complaint reference and response, verify the outcome, monitor new accounts and, if necessary, proceed through administrative or judicial channels.

6.8 Seizure and destruction

Where trading continues, consider an application to justice authorities, administrative offence proceedings and a court claim. If there are indications of a crime, the matter is addressed under criminal procedure. The choice depends on the evidence, scale, parties and desired outcome; sanctions are discussed in detail in Section 5.

A court claim for seizure and destruction under Article 1107 of the Civil Code must describe the products in terms that make the judgment enforceable. Identify the known types, markings, quantities, locations and ownership, insofar as that information is available. If the defendant holds necessary documents, consider a procedural motion for their production, explaining their relevance.

Confiscation as an administrative sanction and seizure and destruction at the rights holder's request are distinct legal mechanisms. Neither can be replaced by an informal handover to the brand's representative. Destruction must be documented to identify the goods destroyed, the date and the person or organisation responsible; the method must comply with the requirements applicable to those products.

6.9 Action against suppliers and repeat infringers

Proceedings against a retail outlet may stop a particular sale without identifying the source of the products. Use available documents and lawful requests to identify the wholesaler, manufacturer, packaging owner and related distribution channels. Each participant's liability must rest on its own conduct, not merely its connection to the seller.

A settlement should record obligations to stop production and sales, arrangements for packaging and labels, payments and confirmation of compliance. If goods have already passed to third parties, agree separately on available lawful measures to stop further circulation. A promise 'not to sell again' is insufficient to verify compliance.

Follow-up monitoring should cover the identified seller, related listings and the same product type. Collect fresh evidence for new incidents: an earlier report or decision does not automatically establish the facts of each subsequent sale. This allows further action to be based on actual results, rather than merely formal closure of the first complaint.

6.10 Trademark protection online

E-commerce infringements. Unlawful trademark use may occur through online shops, marketplaces, social media, advertisements and other digital channels. Infringement may consist not only of selling counterfeit goods but also of unlawfully using an identical or confusingly similar sign in a shop name, page design, advertising and other commercial materials. The legal assessment depends on the nature of use, similarity of the goods or services and the existence of relevant protection in Uzbekistan.

Domain names and cybersquatting. Registering or using a domain name containing another person's trademark may infringe exclusive rights, particularly where it is used to sell similar goods, mislead consumers or suggest an affiliation with the rights holder. However, a domain name that matches a registered trademark does not automatically establish infringement. The website's content, the nature of the domain's use, the registrant's legitimate interests and other circumstances must be considered.

Enforcement considerations. Unlike infringements involving sales of physical goods, online infringements may occur without any actual sale, for example through unlawful advertising or use of a sign to promote goods and services. Establishing infringement requires identifying the person responsible for posting the information, the nature of the commercial use and its connection to Uzbekistan. The rights holder may use statutory administrative and judicial remedies as well as online platforms' complaint mechanisms.

Preventing online infringements. Foreign rights holders should monitor .uz domain registrations, use of their brands in online shop names and advertisements, and similar signs appearing online. Particular attention should be paid to systematic use of another's brand to attract customers and create a false impression of being an authorised representative of the rights holder.

7. Trademark Licensing

7.1 Form and registration

The owner may grant another person the right to use a mark under a licence agreement. The agreement must be in writing and registered with the competent authority; failure to comply with the written-form or registration requirement renders it invalid under Article 1106 of the Civil Code.

For nationally registered trademarks, licence agreements, sublicence agreements and agreements pledging trademark rights are registered under the Administrative Regulation approved by Cabinet of Ministers Resolution No. 427 of 10 July 2025.

That Regulation also provides for registration of agreements concerning trademarks protected in Uzbekistan through international registration. A licence relating to an international registration may also be recorded in WIPO's International Register under Rule 20bis of the Regulations under the Madrid Protocol. Uzbekistan has not declared that such recordings have no effect; a licence recorded in the International Register therefore has legal effect in Uzbekistan, subject to the Madrid System's provisions.

Under Article 30 of the Law, a collective trademark and the right to use it may not be transferred to other persons. This restriction must be considered when structuring trademark transfers, entering into licence agreements and reorganising rights holders. The legal regime for a collective mark differs from that for an individual mark.

7.2 Key licence terms

Term	Points to agree
Subject matter and scope	Registration number, mark, specific goods and services, and permitted uses.
Territory and duration	Expressly cover Uzbekistan and align the term with the duration of protection.
Exclusivity	Define the owner's rights and whether licences may be granted to others; distinguish this from exclusive supply rights.
Quality control	Mandatory terms: the quality of the licensee's goods must be at least equal to that of the licensor's goods, and the licensor must supervise compliance.
Sublicensing	Expressly specify whether it is permitted, its limits and the approval procedure.
Payments and reporting	Remuneration or royalty-free terms, reports, currency, taxes and supporting documents.
Enforcement and termination	Who documents infringements, files applications and retains evidence; treatment of remaining stock and materials after termination.

Quality-control provisions should be supported by practical procedures for sample approval, packaging standards, inspections, corrective action and the consequences of non-compliance. These help protect the brand's reputation and demonstrate that use of the mark is subject to the licensor's control.

7.3 Filing and examination

An application may be filed by either party or jointly. An application by one party must include one of the prescribed documents: a notice of a transaction involving exclusive rights signed by both parties, the agreement itself or an extract from it. Documents establishing succession and a power of attorney must be attached where required. For a sublicence, the licensee's authority to grant it must be demonstrated.

Attachments in another language must be accompanied by an Uzbek translation at the time of filing. Documents are examined within 15 days of receipt. A request to remedy deficiencies suspends that period; the response must be submitted within three months of the date the request is sent.

Changes requiring registration include changes to the parties, subject matter, duration, territory and scope of the licence. The corresponding registration steps should be included in the portfolio management schedule.

7. Assignment and International Transactions

7.4 Assignment of exclusive rights

Trademark rights may be assigned in full or in part to the extent permitted by law. An assignment is prohibited if it may mislead consumers as to the goods or their manufacturer. A partial assignment must identify the relevant goods and services under the Nice Classification. Transfers of rights, including by legal succession, must be registered.

Before a transaction, verify ownership, validity of protection, the goods covered, renewal deadlines, registered licences and pledges, restrictions on dealings with the rights, pending litigation and the chain of title. For a transaction involving a foreign group, also agree on documents evidencing authority and arrangements for handing over the portfolio records.

Payment and completion should be tied to the agreed evidence that the rights have been transferred. A general clause in a business sale agreement transferring “all intellectual property” may not satisfy national registration requirements.

7.5 International registration

A change in ownership of an international registration is effected by recording the transfer in WIPO’s International Register under the Madrid System’s rules. The new holder must be eligible to hold an international registration under the Madrid Protocol. The transfer may cover all or some designated countries and all or some goods and services. The competent Office of a designated country may, under the prescribed procedure, declare that the change in ownership has no effect in its territory.

Licensing is governed separately. Rule 20bis of the Regulations under the Madrid Protocol permits a licence to be recorded in WIPO’s International Register. Uzbekistan has not made a declaration under Rule 20bis(6) that such recordings have no effect. A licence recording in the International Register therefore has legal effect in Uzbekistan and does not itself require duplicate national registration. The licence agreement must nevertheless comply with the applicable requirements of Uzbek law.

7.6 Distribution and franchising

Permission to sell genuine goods should not automatically be treated as a licence for every form of brand use. Manufacturing, repackaging, adapting labels for the local market, advertising materials and use in domain names require separate agreement.

An agreement with a local partner should expressly prohibit the partner from registering brand-related trademarks, domain names or accounts in its own name without the owner’s consent. It should also define ownership of localised materials, obligations to assist with enforcement and the procedure for ceasing use when the relationship ends.

Franchising, referred to in Uzbek law as a comprehensive business licence, is subject to a separate legal regime. Registration of the franchise agreement must be coordinated with the formalities for transactions involving trademark rights; one procedure should not be assumed to replace the others.

The tax consequences of royalties, withholding tax, applicability of a tax treaty and foreign exchange and payment issues must be assessed separately for the chosen transaction structure.

RYSKIYEVA & PARTNERS

Legal Support for Trademark Owners

Ryskiyeva & Partners is a law firm based in Tashkent, Uzbekistan. We advise foreign and domestic companies and assist with the registration, protection and enforcement of intellectual property rights.

Trademark registration • appeals against refusals • anti-counterfeiting • litigation • licensing and assignment

Contact Details

7 Elbek Street
Tashkent, Uzbekistan
+998 (99) 174-00-25
info@ryskiyeva.com
ryskiyeva.com