

Step-by-Step Guide to Trademark Registration with KIPi

Protecting Brand Identity, Nice Classification & Kenya Industrial Property Institute Filing Procedures

EXECUTIVE OVERVIEW & STATUTORY NOTICE: A strategic roadmap for business owners, tech founders, and corporate brand managers on securing statutory intellectual property monopoly in Kenya. Details KIPi search methods (Form TM 27), Nice Classification strategies, Industrial Property Journal publication, opposition management, and Anti-Counterfeit Authority (ACA) recordation.

Key Takeaways & Statutory Checklists

- **6-Step KIPi registration lifecycle:** from preliminary clearance search to certificate issuance
- Nice Classification audit (Classes 1–45) & cross-class filing strategies for digital enterprises
- Form TM 2 filing, representation requirements, and passing distinctiveness examination
- 60-Day Industrial Property Journal publication & handling third-party opposition notices
- Anti-Counterfeit Authority (ACA) recordation for border control and seizure of counterfeits

The 6-Step KIPi Trademark Registration Roadmap

- **Step 1: Preliminary Clearance Search (Form TM 27):** Conduct an official search on the KIPi register to detect identical or confusingly similar existing marks across relevant Nice classes.
- **Step 2: Nice Classification Audit:** Categorize goods (Classes 1–34) or services (Classes 35–45) to ensure full commercial protection. Cross-class filings recommended for tech/retail ecosystems.
- **Step 3: Formal Filing & Examination (Form TM 2):** Lodge application with brand artwork representations. KIPi examiners evaluate distinctiveness (absolute grounds) and prior registrations (relative grounds).
- **Step 4: Publication in the Industrial Property Journal:** Upon acceptance, the mark is published in the KIPi Journal for a statutory 60-day window for public opposition.
- **Step 5: Registration Certificate Issuance (Form TM 10):** If no opposition is filed, the Registrar issues the official Trademark Certificate, conferring 10-year renewable protection.
- **Step 6: Anti-Counterfeit Authority (ACA) Recordation:** Record the registered trademark with the ACA to enable customs seizure of imported counterfeit goods.

Nice Classification Snapshot for Modern Enterprises

Class Number	Sector / Category	Typical Commercial Inclusions
Class 9	Software, Hardware & Apps	Computer software, mobile applications, downloadable digital media, electronic payment gateways.
Class 35	Business & Advertising	Online retail services, business consultancy, marketing, human resource management.
Class 36	Financial & Real Estate	Fintech services, banking, real estate agency, asset management, insurance.
Class 42	Technology & SaaS	Software as a Service (SaaS), cloud hosting, cybersecurity, IT architecture.

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