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Date: 24 March 2021

TO THE MEMBERS OF THE PRETORIA ATTORNEYS' ASSOCIATION

BY E-MAIL

Dear Sir/Madam,

RE: Office of the Registrar of Trade Marks | CIPC

1. The Pretoria Attorneys' Association ("PAA") recently had its monthly meeting with Ms. Fleurette Coetzee from the Office of the Registrar of Trade Marks.

2. Ms. Coetzee advised that all automated processes have now come into effect:

   2.1 The filing of priority documents;

   2.2 Obtaining extensions of trade mark application prosecution periods;

   2.3 The lodging of General Power of Attorneys ("GPA") and obtaining GPA number; and

2.4 The requesting and obtaining the 1st extension of the opposition period, which extension is automatic in terms of the Trade Marks Act and Regulations.

3. The practice notes for these automated processes have been sent to all PAA members and are available for download from the PAA website.

4. It should be noted that physical applications for the above processes are no longer accepted and can only be done through the "Maintenance" tab on IPOnline.

4. The PAA discussed the following questions from members with Ms. Coetzee:

4.1 Question: Is it possible to file a condonation application with the new automatic system in instances where a prosecution deadline was missed?

Answer: No. The process for the extension of the prosecution period has been completely automated with no human intervention for verification and/or processing. It is thus not possible to electronically file or request such condonation. Ms. Coetzee advised that in instances where a prosecution deadline has been missed, a formal condonation application must be prepared. This application is to be directed and delivered to her.

4.2 Question: Is it possible to file bulk extensions of the prosecution period?

Answer: No. A bulk filing facility will not be developed for this functionality.

4.3 Question: The system requires the details of a paying account to lodge applications for any of the automated processes. Is this correct?

Answer: Yes.

4.4 Question: The automated service for the extension of the prosecution period came into operation on 1 March 2021. What happened to extension applications that were physically filed on or after 1 March 2021?

Answer: Ms. Coetzee was clear on this point. The practice note was very specific that all manual submissions received after 1 March 2021 will not be accepted or processed. These extension applications were returned to the applicants. It should be noted that any extension applications filed before 1 March 2021, but which only reached CIPC after 1 March 2021, should be considered processed even if no notification has been received from CIPC.

Yours faithfully,



Andre du Plessis
PFT Burger Patent and Trade Attorneys
(PAA CIPC Committee and IP Sub-Committee Member)