

Filing trademark and service mark applications in the Netherlands Antilles (“NA”)

- NA TM law similar to Benelux TM Act
- **Exclusive right to use mark:** based on first filing of application to register
- **Registration:** of both trademarks and service marks as well as individual or collective marks at TM Office in Curacao
- **Use requirements:** cancellation of registration possible after five years of non-use. Use means customary commercial use of mark to distinguish goods or services as opposed to symbolic or token use
- **Registration Process:** file application form, if TM Office has no objections, mark is registered. Appeal to Appeals Court is possible if TM Office refuses to lift objections.
- **Validity term:** Registrations and Renewals are valid for a term of ten (10) years.
- **Treaties:** the NA are a member to the Paris-Union-Convention and the Nice Agreement