



Companies and Intellectual
Property Commission

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PRACTICE NOTE 5 OF 2021

**TRADE MARK REQUESTS FOR ALLOCATION OF GENERAL POWERS OF
ATTORNEY (GPA) NUMBERS**

SECTION 8 OF THE TRADE MARKS ACT, ACT 194 OF 1993

TRADE MARKS DIVISION

COMPANIES AND INTELLECTUAL PROPERTY COMMISSION (CIPC)

Kindly take note that on **Monday 1 March 2021** the Trade Marks Division of CIPC will be introducing a new electronic filing functionality (e-filing) in respect of the **submission of requests for allocation of General Powers of Attorney (GPA) numbers**.

The e-filing functionality can be accessed at <https://iponline.cipc.co.za>.

The **operational requirements** in respect of this new e-filing functionality are detailed in the **annexure** to this notice.

IMPORTANT NOTE: As from 1 March 2021 the Trade Marks Division will **no longer accept nor process** any requests for the allocation of GPA numbers which are **not** submitted via this e-filing functionality.

RORY VOLLER (MR)
COMMISSIONER: CIPC
24 February 2021

**OPERATIONAL REQUIREMENTS
TRADE MARK REQUESTS FOR ALLOCATION OF GPA NUMBER/S**

SECTION 8 OF THE TRADE MARKS ACT, ACT 194 OF 1993

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A. INTRODUCTION

To utilise this e-filing functionality, you need to:-

1. Be **based in the Republic of South Africa**; OR
2. Be an **authorised representative** (based in South Africa) in order to use this functionality on behalf of trade mark applicants and/or proprietors; AND
3. Be registered as a CIPC customer; AND
4. Upon registration as a CIPC customer, select from the IP e-Services suite, the IP Online option in order to access the IP e-filing functionalities you would wish to make use of; AND
5. Use your CIPC username and password to log in.

It is further strongly recommended that before using this e-filing functionality, you:-

1. Familiarise yourself with the **CIPC e-Filing T&C's** of this functionality, as published in IP Online on the CIPC website; and
2. Familiarise yourself with the **important notice on authorised** as reflected in IP Online; and
3. Review the e-filing user administration guide as made available in IP Online on the CIPC website; and
4. Review the **user guide for e-filing of requests for GPA number/s** made available in IP Online on the CIPC website.

B. LODGING

This e-filing facility in IP Online caters only for **single submissions** of requests for GPA number/s.

The steps that have to be followed to make use of this e-filing functionality are outlined here below:-

1. Access the CIPC Website at <http://www.cipc.co.za>;
2. Register as a CIPC Customer by clicking **ONLINE TRANSACTING** on the homepage, then click on **e-SERVICES**, and follow the instructions under **REGISTER AS A CUSTOMER**;
3. When a customer enters their CIPC customer code into the CIPC e-Filing system, any document lodged thereafter shall be deemed to have been duly signed by the person whose signature is required in terms of the Trade Marks Act (Act 194 of 1993), for the purposes of lodging such a document;
4. Log in to IP Online using your CIPC customer login credentials.
 - i. On initial login to IP Online, you need to set your account preferences so as to have access to the new e-filing functionalities on the IP Online platform.
 - ii. Select to view your account settings by clicking the "Settings" options next to your account name.
 - iii. Select the "Account Preferences" on the left side menu options and then tick the option that you prefer to add.
 - iv. Click the "Save" button.
 - v. Note - you will be required to login again for the changes to be effected.
5. Follow the process outlined in the user guide for filing the request for GPA number/s;
6. For assistance or if experiencing technical difficulties in using the functionality, kindly log a call on the CIPC Online Enquiries System (QRS), available on the CIPC website, by selecting the following categories:
 - i. Department: Intellectual Property
 - ii. Category: E-Filing IP
 - iii. Sub category: IP Trade Marks

C. WHEN IS A SUBMITTED REQUEST FOR A GPA NUMBER/S DEEMED TO HAVE BEEN RECEIVED BY THE TRADE MARKS DIVISION

A request for a GPA number/s lodged via the IP Online e-filing interface, is deemed to have been received by the Trade Marks Division when the applicant receives a system generated (automated) confirmatory e-mail from the IP e- filing system clearly stating that (i) the request for a GPA number has been received, but (ii) has not yet been processed.

D. WHEN IS A SUBMITTED REQUEST FOR A GPA NUMBER/S DEEMED TO HAVE BEEN SUCCESSFULLY PROCESSED BY THE TRADE MARKS DIVISION

Upon receipt of a request for a GPA number/s, the request/s is placed in a processing queue. From the processing queue each application for a GPA number/s will be validated by a designated staff member/s in the Trade Marks Division, to ensure that the document attached to the request indeed constitutes a GPA.

Upon successful validation as per above, the applicant will receive a system generated (automated) confirmatory e-mail from the IP e- filing system clearly stating that (i) the request for a GPA number/s has successfully been processed, and (ii) indicating the official GPA number as allocated.

Note: allocation of a GPA number/s is a fully automated process whereby the system will automatically allocate the next following GPA number, in sequential number order.

E. BUSINESS RULES APPLICABLE FOR SUCCESSFUL PROCESSING OF A REQUEST FOR A GPA NUMBER/S

1. There must be a GPA document attached to the application.
2. The GPA document must be attached in .pdf format.
3. The attached GPA document should not exceed the size limit of 10MB.
4. The attached document must indeed constitute a GPA.
5. The attached document may not be a standard Power of Attorney but must be a GENERAL Power of Attorney.
6. A GPA for the same applicant with the same address for service should not already exist.

IMPORTANT TO NOTE:

This e-filing functionality is NOT under any circumstances to be used for the lodging of standard Powers of Attorney.

* *“Standard Powers of Attorney” being understood to be a Power of Attorney granted in respect of a specific trade mark application/s.*

Standard Powers of Attorney are to be lodged via the following channels:-

- i. Via the e-filing functionality for new applications, as part of a new trade mark application/s; OR
- ii. Via the e-filing functionality for priority documents, as part of the submission of priority documents; OR
- iii. Via e-mail as part of a response to an official action issued by an examiner at the point of substantive examination of an application; OR
- iv. Via the e-filing functionality for renewals and restorations, as part of a renewal or restoration application/s; OR
- v. In hard copy format via post or courier or hand delivery.