



Companies and Intellectual
Property Commission

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PRACTICE NOTE 2 OF 2023

TRADE MARK REQUESTS FOR CERTIFIED EXTRACTS

SECTION 22(5) AND REGULATION 58 OF THE TRADE MARKS ACT, ACT 194 OF 1993

TRADE MARKS DIVISION

COMPANIES AND INTELLECTUAL PROPERTY COMMISSION (CIPC)

Kindly take note that as from **Monday 31 July 2023** the Trade Marks Division of CIPC introduced a new electronic filing functionality (e-filing) in respect of **requests for certified extracts**.

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 31 July 2023 the Trade Marks Division will **no longer accept nor process** any requests for certified extracts which are **not** submitted via this e-filing functionality.

RORY VOLLER

COMMISSIONER: CIPC

31 July 2023

**OPERATIONAL REQUIREMENTS
TRADE MARK REQUESTS FOR CERTIFIED EXTRACTS**

**SECTION 22(5) AND REGULATION 58
OF THE TRADE MARKS ACT, ACT 194 OF 1993**

**TRADE MARKS DIVISION
COMPANIES AND INTELLECTUAL PROPERTY COMMISSION (CIPC)**

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 the e-filing functionality, as published in IP Online on the CIPC website; and
2. Familiarise yourself with the **important notice on authorised representatives** 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 request for certified extract** made available in IP Online on the CIPC website.

B. LODGING

This e-filing facility in IP Online offers only one option that could be used for e-filing of requests for certified extract, namely via web-client.

The web client interface has been designed to cater only for single submissions of requests for certified extracts.

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 a certified extract of an application or registration;
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

**** Note: Calls logged via QRS NOT in accordance with the categories as outlined above will NOT be responded to and will be deleted.***

C. WHEN IS A SUBMITTED REQUEST FOR A CERTIFIED EXTRACT DEEMED TO HAVE BEEN RECEIVED BY THE TRADE MARKS DIVISION

A request for a certified extract 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 the request for a certified extract has been received.

At that stage the status for the request for a certified extract is reflected as "*received*" in the CIPC e-Filing system. **Important to note** is that at this point in time the request for a certified extract cannot yet be considered as having been "*processed*".

The date on the formal notification (above) will be deemed to be the filing date of the request for the certified extract, provided that there are sufficient funds available in the relevant CIPC customer account upon processing of the request for a certified extract by the Trade Marks Division.

D. PROCESSING OF AN APPLICATION FOR A CERTIFIED EXTRACT

Once the request for a certified extract is received by the CIPC e-Filing system, and if the required funds are available in the customer's account, the request for the certified extract will be processed.

Upon successful billing and processing, the original certified extract will be issued via automated e-mail, in accordance with the process as set out in detail in Practice Notice 2 of 2022, dated 12 April 2022, as published on the CIPC website.