



**THE REPUBLIC OF UGANDA**

**UGANDA REGISTRATION SERVICES BUREAU**

**THE TRADEMARKS ACT, 2010**

**IN THE MATTER OF TRADEMARK APPLICATION NO. UG/T/2020/68884**

**"KCL COLT" IN CLASS 9**

**BY KIFARU CHEMICALS LIMITED**

**AND**

**IN THE MATTER OF OPPOSITION MAX IMPORTS AND EXPORTS LIMITED**

*Ruling delivered on the 25<sup>th</sup> January 2023*

**BEFORE: BIRUNGI DENIS : ASST. REGISTRAR TRADEMARKS**

*Representation*

*Kirabo Marion Lisa—for the applicant*

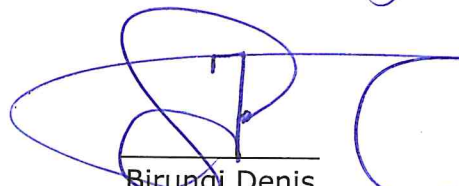
1. The applicant herein filed their application for registration of trademark "KCL COLT" in class 9 on 9<sup>th</sup> September 2020. The application was published on 25<sup>th</sup> September 2020 in Gazette volume CXIII No.55
2. On 2<sup>nd</sup> November 2020, the opponent filed its opposition to the registration of the applicant's mark on grounds of similarity with their own registered mark. The opposition was effectively transmitted to the applicant by letter dated 10<sup>th</sup> November 2020 and the applicant filed a counterstatement on 21<sup>st</sup> December 2020. Subsequently, the counterstatement was transmitted to the opponent by email dated 9<sup>th</sup> February 2021 requiring the opponent to file evidence.
3. The respective statutory declarations as evidence were filed and the matter was set down for hearing. The last hearing notice was issued on 28<sup>th</sup> November 2022 requiring parties to appear for hearing on the 25<sup>th</sup> January 2023 at 10am. Counsel for the applicant appeared while counsel

for the opponent did not, neither did they send an advocate to hold brief. Both applicant and the opponent were not present.

4. Counsel for the applicant adduced evidence by way of affidavit of service tendered before the Registrar to prove effective service of the hearing notice. Indeed a copy of the notice is stamped as received on the 29<sup>th</sup> November 2022 by TASKK Advocates, advocates representing the opponent.
5. Having been satisfied that service of the hearing notice was duly effected, I accordingly declare that the Registrar from the date hereof, considers the opposition abandoned and accordingly dismisses it with no order as to costs. The applicant is free to proceed with registration upon complying with statutory requirements.

I so order,

Given under my hand, this 25<sup>th</sup> day of January 2023

  
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Birungi Denis  
Ass. Registrar of Trademarks