

## LEGAL ALERT

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### **LEGAL ALERT: Kazakhstan Introduces New Rules for Recognition of Well-Known Trademarks**

Pursuant to the Order No. 97 of the Minister of Justice of the Republic of Kazakhstan dated January 28, 2026 new Rules for the recognition of a trademark as well-known came into force on February 10, 2026.

In accordance with the new Rules, the documents required for the Application for recognition of a trademark as well-known have been defined and specified:

- Documents confirming the scale and duration of use (supply contracts, purchase and sale agreements, distribution agreements, invoices, waybills, sales reports, archival documents, original packaging, catalogs and etc.);
- Advertising and marketing materials (advertising layouts, videos, banners, outdoor advertising and etc.), including evidence of advertising expenses (contracts, invoices, acceptance certificates), data on advertising campaigns;
- Publications and notices in mass media, including online sources;
- Analytical reports from research companies;
- Financial and accounting documents confirming data on the volume and turnover of production and sales of goods or services rendered under the claimed trademark or designation, including turnover related to the

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products;

- Statistics on website visits and social media pages;
- Data on search queries (Google Trends, Yandex Wordstat);
- Information about industry awards and prizes, inclusion in popular rankings of goods or brands;
- Certificates of participation in exhibitions, competitions, and other events;
- Letters and confirmations from partners, counterparties, and retail chains;
- Marketplace data on sales and popularity of the product or service under the trademark or designation;
- Expert opinions from industry specialists;
- Results of sociological and/or marketing research (consumer surveys) on the popularity of the trademark or designation.

In addition, the following have changed:

- 1) Requirements for consumer surveys:** Previously, it was necessary to submit survey results conducted in 8 cities (the capital, cities of republican significance, and at least 5 cities of regional significance) with no fewer than 100 people in each city. The amended Rules provide that the survey must be conducted in 8 cities with a minimum of 200 respondents in each city, totaling 1,600 respondents.
- 2) Grounds for refusal:** A new ground for refusal to recognize a trademark as well-known has been added. Specifically, recognition may be refused if a trademark or designation applied for as a well-known trademark lacks distinctiveness, is false, or is capable of misleading consumers.

### **About Bolotov & Partners**

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