

## ARTICLE

Contact us:

■ **Bolotov & Partners LLP**  
**Almaty Residence BC, 6 floor**  
**60 Auezov St., Almaty 050008**  
**Republic of Kazakhstan**  
+7 (727) 357 23 80  
info@BolotovIP.com  
www.BolotovIP.com

June 2025

### **Protecting Your Business: The Unsung Security Benefits of Trademark Registration**



Yuri Bolotov

We often hear about the many advantages of trademark (TM) registration: it builds your brand's unique identity, ensures product recognition, allows for a strong market entry, and adds valuable intangible assets to your business. However, there's another crucial, often overlooked aspect of TM registration: the robust security it offers your business.

Just as we all seek safety for ourselves, our families, and loved ones, businesses too require security and smooth operations to thrive. Trademark registration significantly contributes to this, acting as a powerful shield for your enterprise.

#### **Pre-Launch Security: Avoiding Infringement**

One of the immediate benefits of registering your TM comes even before your product hits the market. When you submit a TM registration application, the National Institute of Intellectual Property (NIIS in Kazakhstan) conducts a search. This search identifies any identical or confusingly similar trademarks already

registered by the third parties or those for which applications have been filed.

This rigorous process provides crucial validation, confirming that your chosen trademark does not infringe on existing TM rights. It means you can confidently launch your products under your brand, knowing that no one can legally prohibit you from using your carefully elaborated trademark. You can release your products under that brand with peace of mind.

### Protecting Your Investment: Preventing Unauthorized Use

Imagine investing significant time and money into creating a distinctive brand trademark, only for someone else to register it and then prevent you from using your own creation. This nightmare scenario is precisely what TM registration guards against.

Registering your trademark protects you from opportunistic third parties who might try to appropriate your intellectual property. Once your trademark is registered, it is legally yours, and you retain the exclusive right to use it. This safeguards your hard-earned investments in brand development and promotion.

### The “Right to Prohibit”: Your Legal Shield

While legislation in Kazakhstan does not explicitly state a “right to prohibit”, this right becomes yours once your trademark is registered. Simply put, you gain the authority to prevent others, including your competitors, from using trademarks that are identical or confusingly similar to yours.

This allows you to control how your brand is used. You can choose to allow others to use your trademark under specific conditions, perhaps for a fee through a licensing agreement, or even sell your TM.

Think of it this way: registering your trademark is like building your

own secure fortress for your business. Within its walls, you are safe, empowered with the legal tools to defend your domain. You can declare “I am the owner here, I am safe here, this is my territory, and no one enters without my permission”.

In essence, trademark registration is not just about branding; it’s about establishing a protected territory for your business. By securing your intellectual property, you safeguard your brand, your investments and your future.

Create your zone of security, protect your business!