Insights: Alert

Bahamas Now Accepting Service Mark Filings Under New Trademark Law, But Regulations Still Pending

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As of February 1, 2025, The Bahamas enacted a new Trademarks Act that, for the first time, allows service mark registrations and adopts the Nice Classification system. While this is a major step in modernizing the country's IP framework, key regulations and fee schedules have yet to be issued, creating uncertainty during this transition.

In the interim, the Bahamas Intellectual Property Office (BIPO) is accepting trademark applications, including those covering services. However, it remains unclear how these filings will be processed or when they will advance to examination and be assigned formal application numbers. The timing will depend on evolving registry procedures and the forthcoming release of implementing regulations.

What This Means for Trademark Owners

This development is particularly important for clients in service-based industries (e.g., technology, financial services, entertainment, telecommunications, etc.). Under the previous framework, trademark protection in The Bahamas was limited to goods. As a result, service-based clients were unable to register marks in connection with their core services and instead relied on goods-based filings, such as those covering software or printed materials, under the former local classification system.

The adoption of the Nice Classification system changes this. For the first time, clients can obtain protection in the appropriate service classes, closing longstanding gaps in coverage that were previously unavoidable. This shift also presents an opportunity for clients contemplating expansion into services to proactively secure rights in advance of launch.

We recommend reviewing your current portfolio and filing applications in relevant service classes as soon as possible to preserve your priority date. Our team is closely monitoring developments and will continue to provide updates as the regulations take shape.

Additional Takeaways for Clients and Filing Strategy

Processing Status Varies: While some Bahamian firms report that applications are being informally accepted and stamped, others indicate that no filings are being processed beyond date-stamping until the implementing regulations are in place. Clients should understand that this may delay formal progress but does not undermine the value of filing early to establish rights.

Multiclass Filing not Permitted: The new legislation does not currently permit multi-class applications. Separate filings must be submitted for each class of goods or services, which may result in higher overall filing costs for

portfolios spanning multiple classes.

Uncertainty Around Examination and Amendments: Filings made during this interim period may require amendments once the regulations are finalized. This could include changes to the classification, addition of specimens, or payment of supplemental official fees. Clients should be prepared for potential follow-up steps and costs. Until the regulations are issued, we recommend relying on the most current version of Nice for classification, while remaining flexible for future updates.

New Ten-Year Term Established for Registrations: The new Trademarks Act additionally reduces the term of registration from fourteen to ten years, which is consistent with the term of registration in most other jurisdictions around the world.

If you have questions about filing strategy or how these changes may affect your trademark portfolio, please contact your Kilpatrick Townsend attorney.

Related People



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