

Insights: Alerts

Jersey Creates Local Trademark System, Becomes Independent from UK Trademark System

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Written by Ryan Walsh and Maria Baratta

As of **August 1, 2026**, Jersey has introduced the *Trade Marks (Jersey) Law 2026*. New national applications must be filed with the Jersey Intellectual Property Office ("Jersey IPO"). New or subsequent Madrid designations must expressly designate Jersey.

Registrations that were on the *former* Jersey register prior to August 1, 2026 were automatically moved to the *new* register.

A summary of the new trademark prosecution process and key points for consideration are included below. Further information can be found on the Jersey IPO website at <https://www.jerseyfsc.org/registry/intellectual-property-office/>.

National Applications

Trademark applications now must be filed directly with the Jersey IPO. Previously, national protection in Jersey was obtained through extensions of UK trademark applications and registrations.

The mark must be in genuine use in Jersey or the applicant must have a bona fide intent to use the mark in Jersey.

Applications are published for opposition for a period of two (2) months, with a one (1) month extension available upon request.

Registrations are valid for a period of ten (10) years from the application filing date. Renewal applications may be filed starting six (6) months before the renewal deadline. There is a six (6) month grace period for renewal with payment of an additional fee.

Applications that were pending as of August 1, 2026 will be examined based on the trademark law that was in effect at the time of filing of the application. If the application registers, it will be treated as registered under the new 2026 law.

Transitional Renewal Rules

Existing Registrations with Renewal Deadlines Between August 1, 2026 and February 1, 2027.

For registrations originally on the former Jersey register under the 2000 Law that have renewal dates in this period, the deadline to renew the registration and pay the standard renewal fee is January 31, 2027. A renewal filed by that date will be effective as of the original renewal date.

Renewal applications filed after January 31, 2027 but within the six (6) month renewal grace period specific to the registration will incur an additional grace period renewal fee.

Example scenarios for a registration with a September 1, 2026 renewal deadline:

1. The effective renewal deadline is now January 31, 2027. If the renewal application is filed on January 31, 2027, then the Registrant must pay the standard renewal fee.
2. The effective renewal deadline is now January 31, 2027. If the renewal application is filed on February 2, 2027 (before the March 1, 2027 grace period deadline, but after January 31, 2027), then the Registrant must pay the grace period renewal fee.

In both scenarios, the renewal is effective as of September 1, 2026.

Renewal of Recently Lapsed Registrations

Registrations originally on the former Jersey register under the 2000 Law that expired on or after February 1, 2026, may be renewed in Jersey if:

1. The corresponding UK registration was renewed;
2. that UK renewal had not been recorded in Jersey before August 1, 2026; and,
3. the renewal application is filed within twelve (12) months of the original renewal deadline.

Madrid Protocol Applications

Protection in Jersey under the Madrid Protocol now requires an express designation of Jersey. A UK designation alone no longer provides protection in Jersey.

All IRs with protection granted in the United Kingdom as of August 1, 2026, are also extended to Jersey. Trademark owners do not need to take any further action.

For those IRs with protection pending in the UK as of August 1, 2026:

1. If the UK designation is granted, a Jersey designation also will be granted automatically.
2. If the UK designation is refused, a Jersey designation will not be granted. If protection in Jersey is desired, a subsequent designation of Jersey will be required.

Considerations

Watch Services: Trademark owners may consider adding Jersey to existing watch services, as filings in Jersey no longer originate from UK or WIPO filings.

Madrid Filing Strategy: For trademark owners that have an office in Jersey, a Jersey filing can service as the basic filing for an IR.

UK Enforcement Matters: We recommend that parties with active enforcement matters involving UK filings verify whether the relevant right was extended to Jersey and whether enforcement directly in Jersey is advisable.

Madrid Enforcement Matters: For enforcement matters involving IRs designating the UK, consider taking enforcement action in Jersey if the UK enforcement action is unsuccessful or only partly successful and the UK designation proceeds to grant in whole or in part.

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

Related People



Olivia Maria Baratta

t 404.532.6937

mbaratta@ktslaw.com