Since 1963 in Legal Field

Since 1998

TRADESAFE

(TRADEMARKS, PATENTS, COPYRIGHTS & DESIGNS)

JASRAJ® LEGAL

COMPLETE LEGAL SOLUTIONS....

Legal Guidelines for Owners & Promoters

Since 1998

TRADESAFE
(TRADEMARKS, PATENTS, COPYRIGHTS & DESIGNS)

TRADESAFE
A brief group company profile

TRADESAFE is a five decades old well known house of advocates and attorneys which true to its name, safeguards and protects the business interests of large and medium Indian corporate and multinational companies having businesses set up in India as well as abroad. With no scepticism, we can proudly boast ourselves as the undisputed king in Indian market for legal consultancies, practices and support. We are one of the leading intellectual property practicing firms, headquartered at Ahmedabad, Gujarat & having branches, Associates & attorneys in different parts of India Providing legal services for registration of **Trade Marks, Copyrights, Patents, Designs and Corporate Law Solutions.** We offer services that can be compared to national and international standards to cater to various corporate needs of our national and international clients. We are Practitioners of IPR registered with the Government of India.

We possess a team of highly qualified, eminent, experienced, highly competent and dedicated Advocates, who are assisted and supported by equally educated, experienced and workaholic staff to carry out the work of Intellectual Property with the Government of India in Trade Marks, Patents, Copyrights & Designs Department and various courts. We have different divisions and specialist manpower to take care of diverse legal cases of both national and international nature. Our list of clients include leading pharmaceutical, IT, chemical and Industrial giants, having visible presence in the global market. Our services are available ROUND THE CLOCK, seven days a week in order to fulfill the requirements of our national as well as international clients.

For uniformity, standardization and global recognition, we follow the guidelines set out by International Standard Organization (ISO) to comply with our customers requirements and for prompt services to our valued customers. A visit to our office will reveal that it is equipped with all the ultra modern international standard facilities to facilitates speedy communication and disposal of cases for our national and international clients. The in-house library, for instance, is filled with century old cases pertaining to Trade Marks, Patents, Copyrights, Designs and Litigation Matters both in black and white and in digital format, besides umpteen number of reference material.

To make our office non-stop for multiple solutions and for precision perfect specialized services, we have associated ourselves with renowned and international repute Company Secretaries, Chartered Accountants, Counsels, Solicitors, Advocates across the globe to whom we know personally. We have all types of legal solutions for our foreign clients who wish to setup their business in India. TRADESAFE is trusted by more than 10000 clients across the world and brief of client is maintained in 4500 sq. Ft. Bunglow, 5700 sq.ft. Office & records of clients are well maintained since last 25 yrs. TRADESAFE has provision for maintaining another 25000 clients brief in the year 2020. The next generation of staff members and promoters are being educated from childhood and shall be ready to serve our esteemed clients as well as their respected next generation.

In a nutshell, we leave no stones, unturned to release and fulfil our Slogan **"WE SAFE GUARD YOUR TRADE ROUND THE CLOCK".**

For more information about our services / field of activities, you are invited to visit

www.tradesafeindia.com info@tradesafeindia.com

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MAY YOUR TRADE BE ALWAYS SAFE WITH *TRADESAFE*

PROCEDURE FOR REGISTRATION OF TRADE MARKS

Ahmedabad, Mumbai, Chennai, Delhi & Kolkata

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It is very difficult to understand the sections & Rules of The Trade Marks laws. So for easy understanding and in the interest of public at large, we have drafted the practical crystal clear registration procedure for easy understanding of a common man. At present the following practical procedure is required to be followed for registration of a Trade Mark.

STAGE -1

SEARCH FOR TRADE MARK IN EXISTENCE

Before adopting and applying a trademark it is advisable to take search of your trademark from Trade Marks Department. Search means it is possible that any other person may/might be using the same/similar trademark prior to the use by your esteemed organization or we have to check (search) whether any other person has applied for registration in the Government records. Please note that if your esteemed organization is honestly using your trademark for last 5 to 6 years then possibility of registration may be more under common law and The Trade Marks law.

STAGE -2

FILING OF TRADE MARK APPLICATION

(According to jurisdiction of applicants business i.e. Ahmedabad, Mumbai, Kolkata, Chennai, Delhi)

We have to file trademark application before the Registrar of Trade Marks in Trade Marks Department. The Registrar of Trade Marks used to issue the Fee Receipt on the spot at the time of filing the application. We have to keep the fees receipt issued by the Trade Marks Department in our safe custody for future use/record purpose. We have to keep the receipt very safely because the registration of a trade mark is effective from date of filling application although we used to receive the registration certification at later stage. Now, we may file our application online round the clock.

STAGE -3

EXAMINATION REPORT

We will receive examination report from Trade Marks Department online. In the examination report, the Registrar of Trade Marks will verify (examine) the application as per the provision of The Trade Marks Act, 1999. It is technical in nature and according to sections and rules of The Trade Marks Laws. Examination report varies according to the fact, circumstances and trade marks of each case.

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PROCEDURE FOR REGISTRATION OF TRADE MARKS

Ahmedabad, Mumbai, Chennai, Delhi & Kolkata

STAGE -4

REPLY TO EXAMINATION REPORT BY US

On receipt of Examination report online we have to study the objections raised by the Registrar of Trade Marks and then we have to reply the examination report within one month and solve the objection raised by the Registrar of Trade Marks. Moreover, we have to file documentary evidence of use of trademark in form of affidavit along with evidence to show that we have used the trademark & our trademark qualifies for registration. If we do not reply to examination report within 1 month, our application shall be abandoned / closed by the department.

STAGE -5

HEARING

Thereafter matter (i.e. our application) may be fixed for hearing and we have to argue the matter on our merit. The Registrar will then decide whether to grant registration or not. After hearing, the Registrar of Trade Marks will pass an order of Acceptance or Refusal. We have right to file appeal against the order of Registrar before Intellectual Property Appellate Board at Chennai within 90 days after receipt of grounds of Refusal.

STAGE -6

PUBLICATION / ADVERTISEMENT OF TRADE MARKS IN TRADE MARKS JOURNAL

Then after, our trademark will be advertised in Trade Mark Journal. Trade mark journal is a Government Publication by central Government i.e. Trade Marks Department. Within Four months from the date of publication, if any person has any objection, such person can file notice of opposition against your trademark, if any opposition is filed then opposition proceedings will start. It is very difficult to explain the Section and Rules of opposition. In short once the opposition proceedings starts it is like a civil suit under the Trade Marks Act. We shall be always in readiness to make you understand the Section and Rules of the Trade Marks Act wherever and whenever you require our guidance in this connection. If there is no objection within 4 months then you will receive the registration certificate. We have tried to explain the opposition proceedings by way of flow Chart. Please feel free to contact us in case of any query.

PROCEDURE FOR REGISTRATION OF TRADE MARKS

Ahmedabad, Mumbai, Chennai, Delhi & Kolkata

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STAGE -7

OPPOSITION PROCEEDINGS

The opposition proceedings are a bit difficult to understand as it depends on circumstances of each and every case. Here again we shall be always in readiness to guide you. The Registrar of Trade Marks, after considering the documentary evidences and after hearing both the parties shall pass order/judgment on the basis of which a Trade Mark Will be Processed further for Registration. Either party i.e. Opponents/Applicants have right to file appeal against the order of Registrar of Trade Marks before Intellectual Property Appellate Board, Chennai.

STAGE -8

REGISTRATION CERTIFICATE

On completion of aforementioned stages the registration certificate will be issued. Right now practically there is no time limit for issue of Registration Certificate and the same depends on pendency in Trade Marks Department. However, due to diigitization in Government, Now a days we are receiving certificate with no delay.

STAGE -9

RENEWAL OF TRADE MARKS

As per the Trade Marks Act, 1999 the Trade Mark Registration is required to be renewed every 10 years. TRADESAFE has Developed in house software which automatically reminds clients for renewal of Trade Mark before 1 years of renewal due data.

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DOCUMENTS REQUIRED FOR FILING TRADE MARK APPLICATION.

The documents required for filling the Trade Marks Applications are as under :-

1. Name of the Proprietor / Partners / Directors, as the case may be.
2. MSME Certificate (If any)
3. Official address of the applicant with contact numbers & e-mail address.
4. Trade name, name of firm, company concern, trading style of the concern/firm/company.
5. If there is partnership firm: please give information about whether the partnership firm is registered or unregistered. If the firm is registered Partnership firm, before The Registrar of firm, copy of certificate of registration of firm from the registrar of Firm. (Copy of all the partnership deed from starting/ date of commencement of business).
6. If word mark is required to be applied only confirmation of word is required and if trade mark is used in form of label then applicant has to provide softcopy or hard copy of label.
7. The first invoice of use of a trademark (Period of user) or declare it that you will use the trade mark in future and the application is required to be filed as propose to be used.
8. Specification of goods or services for which registration is required i.e. List of goods.
9. 300/- Rs. & 50/- Rs. Stamp Paper in the name of your concern/firm/company for Authorization. In case of any further clarification / information you are welcome to contact us on Mobile under Name and Mobile number given below :-

FOR MORE INFORMATION CONTACT

MR. RAJENDRA R. RAVAL
(Sr. ADVOCATE)
M. : 98252 96401
(Rajkot)

MR. KRISHNAKANT R. RAVAL
(Sr. ADVOCATE)
M. : 98250 94059
(Ahmedabad)

MR. SANJAY
(Sr. EXECUTIVE)
M. : 93270 06891
(Ahmedabad)

MR. AMIT
(ADVOCATE)
M. : 8980953059
(Rajkot)

MR. VINAY
(ACCOUNTS HEAD)
M. : 9979897006
(Ahmedabad)

MRS. KHYATI
(CLIENT RELATION HEAD)
M. : 9979897048
(Ahmedabad)

Info@tradesafeindia.com

www.tradesafeindia.com

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CRYSTAL CLEAR REGISTRATION FLOW CHART OF TRADE MARKS.

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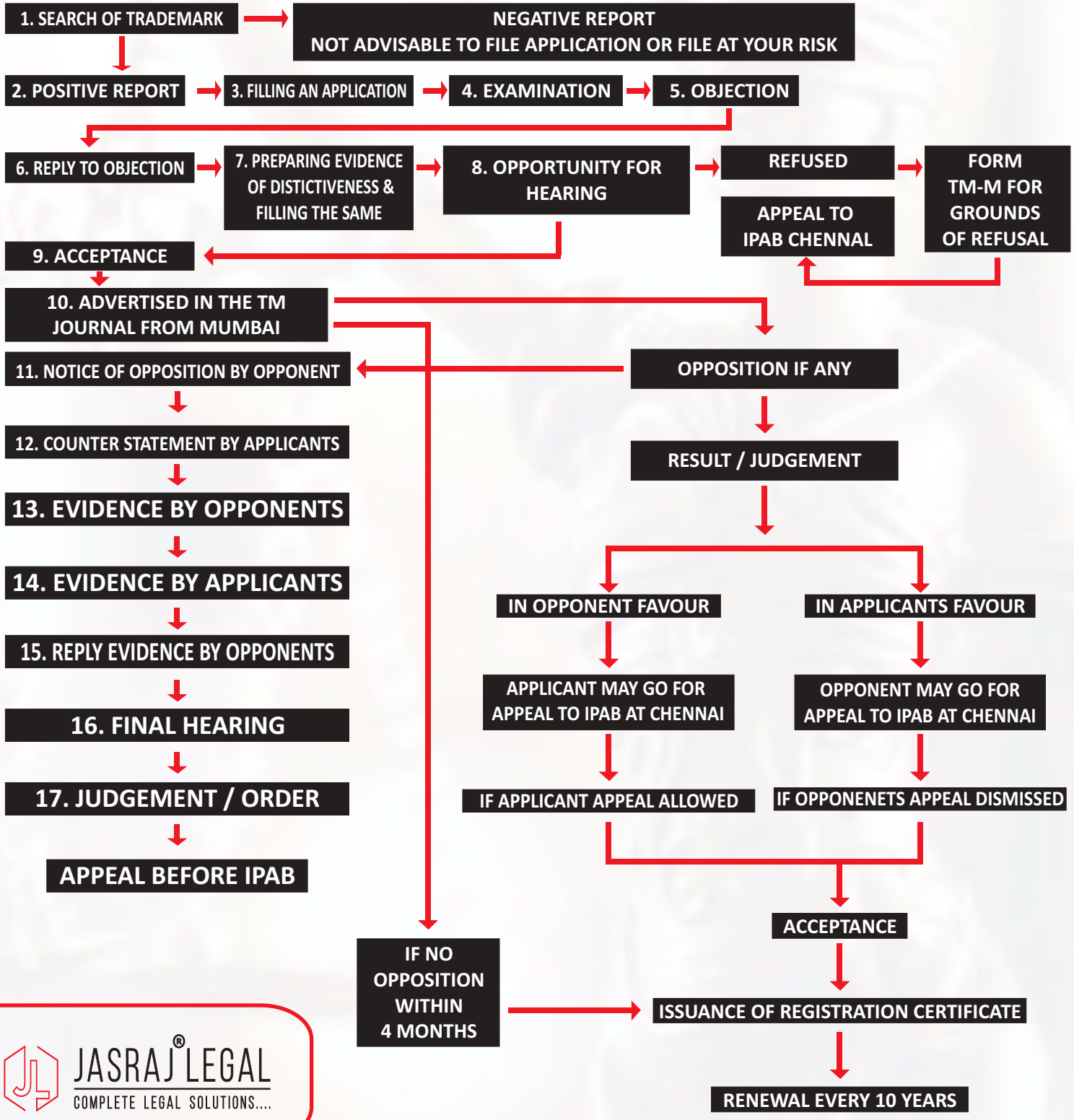

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PROCEDURE FOR REGISTRATION OF DESIGNS

Kolkata

STAGE -1

SEARCH OF DESIGNS IN EXISTANCES IN THE RECORDS AT KOLKATA OFFICE

First of all before applying a design it is advisable to take search of your Designs from The Patents and Designs Office, Kolkata. Search means it is possible that any other person may/might be using the same/similar Design prior to the propose application by your esteemed organization or we have to check (search) whether any other person has applied for registration in Government records.

STAGE -2

FILING OF DESIGN APPLICATION AT KOLKATA OFFICE

We have to file Design application before The Controller of Designs at The Patent and Designs Department at Kolkata. The Controller of Designs used to issue the Fee Receipt on the spot at the time of filling the application. We have to keep the fees receipt issued by the Designs & Patents Department in our safe custody for future use/record purpose. We have to keep the receipt very safely because the registration of Design if effective from date of filling application although we used to receive the registration certificate at later stage.

STAGE -3

GETTING DESIGN NUMBERS

After filing the Design application we will receive the Design number from The Controller of Patents & Designs. Please note that this Design number is application number & the same should not to be considered as Registered Design. The Design Number is used for further correspondence with The Patent and Designs Department and at later stage after receiving the registration certificate it becomes final registered Design number.

STAGE -4

EXAMINATION REPORT

We will receive examination report from the Patent and Designs office at Kolkata. In examination report the controller of Designs will verify (examine) the application as per the provision of The Designs Act, 2000. It is technical in nature and according to sections and rules of The Designs Laws. Examination reports vary according to the facts & circumstances of each case.

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PROCEDURE FOR REGISTRATION OF DESIGNS

Kolkata

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STAGE -5

REPLY TO EXAMINTION REPORT BY US

On receipt of Examination report we have to study the objections raised by the controller of Patents and Designs and then we have to reply the examination report within time period and solve the objection raised by the controller of Patents and Designs. If we do not reply to the examination report our application shall be abandoned /closed by the department.

STAGE -6

HEARING

Thereafter matter (i.e. our application) may be fixed for hearing and we have to argue the matter on our merit, at Kolkata. The controller will then decide whether to grant registration or not. After hearing the Controller of Designs will pass an order of Acceptance or Refusal. We have right to file appeal against the order of The Controller of Patents & Designs before Hon'ble High Court.

STAGE -7

REGISTRATION CERTIFICATE

On completion of aforementioned stages the registration certificate will be issued. Right now practically there is no time limit for issue of Registration Certificates and the same depends on pendency in Patent and Designs Department.

STAGE -8

RENEWAL OF DESIGNS

As per The Design Act, 2000 the registration of Designs is required to be renewed after 10 years for a period of 5 years. Total validity of design registration is 15 years.

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DOCUMENTS REQUIRED FOR FILLING DESIGNS APPLICATION.

The documents required for filling the Designs Application are us under.

1. Name of the Proprietor / Partners / Directors, as the case may be.
2. MSME Certificate (If any)
3. Official address of the applicant with contact numbers & e—mail address.
4. Trade name, Name of firm, Company concern, trading style of the concern/firm/company.
5. If there is Partnership Firm: Please give information about whether the partnership firm is registered or unregistered. If the firm is registered Partnership firm, before The Registrar of Firm, copy of certificate of registration of firm from the Registrar of Firm. (Copy of all the Partnership deed from starting/ date of commencement of business).
6. Six photographs (post card size) of design of an article wherein design is required to be applied. Generally Five to Six Sides view are required to identify the design. 1. Front View 2. Rear (Back) view 3.Top View 4. Bottom View 5. Side View (extra) and 6. Perspective view.
7. Specification of an article i.e. name of goods / article.
8. Specify the use of a Design or Article.
9. 300/- Rs. Stamp paper in the name of your concern/firm/company for Authorization.

FOR MORE INFORMATION CONTACT

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Info@tradesafeindia.com

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CRYSTAL CLEAR REGISTRATION FLOW CHART FOR DESIGNS

1. SEARCH OF DESIGNS
↓
2. FILING OF DESIGN APPLICATION
↓
3. GETTING DESIGN NUMBERS
↓
4. EXAMINATION REPORT
↓
5. REPLY TO EXAMINATION REPORT
↓
6. HEARING
↓
7. REGISTRATION CERTIFICATE
↓
8. RENEWAL OF DESIGNS (AFTER 10 YEARS)

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PROCEDURE FOR REGISTRATION OF COPYRIGHTS

Mumbai & Delhi

STAGE 1 TO 5

OBTAINING NO OBJECTION CERTIFICATE FOR ARTISTIC WORK FROM TRADE MARKS DEPARTMENT MUMBAI

If the copyright subsist in an artistic work, we have to apply before the Registrar of Trade Marks, Mumbai with Prescribed fees for obtaining. NO OBJECTION CERTIFICATE (NOC) for filling application before copyright office at New Delhi. The application will be scrutinized by the Registrar by issuing examination report & we have to reply them. Then after matter will be fixed for hearing & after hearing the Registrar of Trade Marks, Mumbai will issue NO OBJECTION CERTIFICATE (NOC). After obtaining N.O.C. we can proceed for registration of our copyrights in Delhi. In short for obtaining the N.O.C. we have to follow the same procedure as for registration of a trade mark please refer the Trade Marks Registration Procedure (Stage 1 to 5).

STAGE - 6

FILING OF COPYRIGHTS APPLICATION AT NEW DELHI OFFICE

We have to file Copyright application before The Registrar of Copyrights in The Copyrights Office at New Delhi. The Registrar of Copyright used to issue the Fee Receipt on the spot at the time of filling the application. We have to keep the fees receipt issued by The Copyright Department in our safe custody for use/record purpose.

STAGE - 7

GETTING DIARY NUMBERS OF COPYRIGHTS FROM COPYRIGHT OFFICE

After filing the copyrights application we will receive the Diary number from The Copyright Office New Delhi. Please note that this Diary Number is Serial Number & the same should not to be considered as Registered Copyright Number. The Diary Number is used for further correspondence with The Copyright office and at later stage after receiving the registration certificate final registration number is issued /granted.

STAGE - 8

EXAMINATION REPORT

We will receive examination report from the Copyright office at New Delhi. In examination report the Registrar of Copyright will verify (examine) the application as per the provision of The Copyrights Act, 1957. It is technical in nature and according to sections and rules of The Copyright Laws. Examination reports vary according to the facts and circumstances of each case.

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PROCEDURE FOR REGISTRATION OF COPYRIGHTS

Mumbai & Delhi

Since 1998

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(TRADEMARKS, PATENTS, COPYRIGHTS & DESIGNS)

STAGE - 9

REPLY TO EXAMINATION BY US

On receipt of Examination report we have to study the objection raised by the Registrar of Copyright and we have to reply the examination report within time period and solve the objection raised by the Registrar of Copyrights. If we do not reply to examination report, our application shall be abandoned / closed by the Copyright Office .

STAGE - 10

HEARING

Thereafter matter (i.e. our application) may be fixed for hearing and we have to argue the matter on our merit. The Registrar will then decide whether to grant registration or not. After hearing the Registrar of Copyrights will pass an order of Acceptance or Refusal. We have right to file appeal against the order of The Registrar before the Copyrights Board.

STAGE - 11

REGISTRATION CERTIFICATE

On completion of aforementioned stages the registration certificate will be issued. Right now practically there is no time limit for issue of Registration certificate and the same depends on pendency in Copyright Department.

STAGE - 12

RENEWAL OF COPYRIGHTS

There is no Provision for renewal under the Copyrights Act. 1957. It is for life time of author plus 60 yrs. then after.

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DOCUMENTS REQUIRED FOR FILING COPYRIGHTS APPLICATION.

The documents required for filing the Copyrights Applications are as under :-

1 Name and address of the Proprietor / Partners / Directors, as the case may be. (Owner)

2 Name and address of the Proprietor / Partners / Directors, as the case may be. (Author)

3 Office address of the applicant with contact numbers & e-mail address.

4 Trade name, Name of firm, company name, trading style of the concern/firm/company.

5 If there is Partnership firm. Please give information about whether about partnership firm is registered or unregistered. If the firm is registered Partnership firm, before The Registrar of Firm, copy of certificate of registration of firm from the Registrar of Firm. (Copyof all the partnership deed from starting/ date of commencement of business).

6 10 Numbers original labels as applied for at the time of obtaining No Objection Certificate before the Trade Marks department.

7 Year of first Publication means first time launch of Copyright work. Name, address and nationality of the publisher.

8 Year of subsequent publication, Name, address and Nationality of the publisher.

9 Original No Objection Certificate obtained from Trade Marks Department (if the work is art work)

10 No Objection letter from author of Copyrights who created the Copyrights.

11 300/- Rs. Stamp Paper in the name of your concern/firm/company for Authorization.

VALIDITY/TERM OF COPYRIGHTS

1 **For literary, Dramatic, Musical and Artistic work :**
Life time of Author + 60 Yrs.

2 **For Cinematography film:**
60 Yrs. From the film is Published

3 **For Sound Recording :**
60 Yrs. From the Sound Recording is Published

4 **For Government work :**
60 Yrs. From the Record is 1st Published

5 **For Public undertaking :**
60 Yrs. From work 1st Published

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CRYSTAL CLEAR REGISTRATION FLOW CHART OF COPYRIGHTS

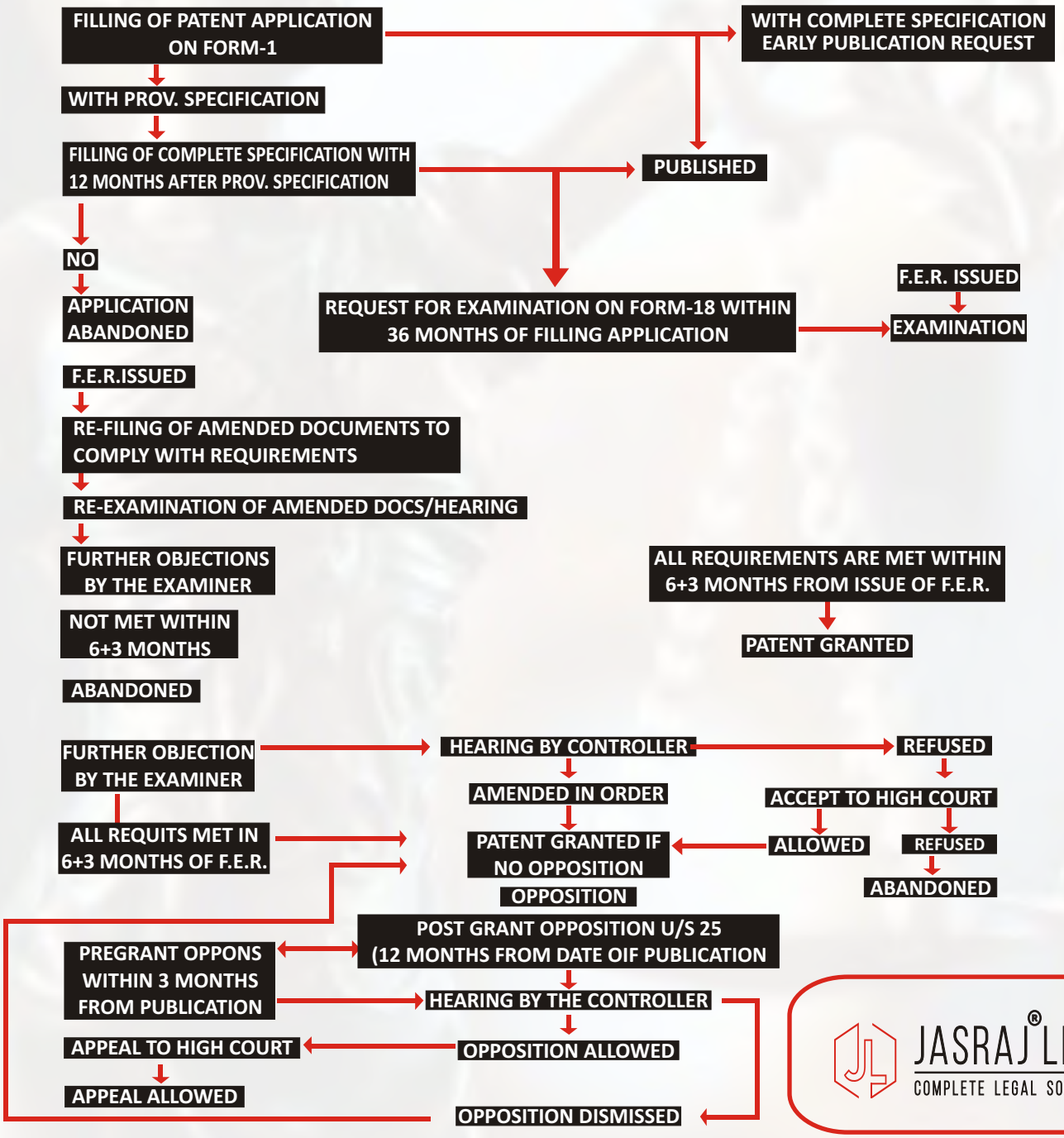
1. SEARCH OF COPYRIGHT IN EXISTENCE
↓
2. FILING OF APPLICATION FOR NOC
↓
3. EXAMINATION REPORT
↓
4. REPLY TO EXAMINATION REPORT
↓
5. HEARING
↓
6. OBTAINING NO OBJECTION CERTIFICATE FROM MUMBAI OFFICE
↓
7. FILING OF COPYRIGHTS APPLICATION AT NEW DELHI
↓
8. GETTING DIARY NUMBERS OF COPYRIGHTS
↓
9. EXAMINATION REPORT
↓
10. REPLY TO EXAMINATION REPORT
↓
11. HEARING
↓
12. REGISTRATION CERTIFICATE
↓
13. THERE IS NO REQUIREMENTS FOR RENEWAL OF COPYRIGHTS

PROCEDURE FOR REGISTRATION OF PATENTS

(Mumbai, Chennai, Delhi & Kolkata)

The procedure for registration is almost same / similar lines of Trade Marks and Designs, but there are some technicalities in the patent matter. The chart shown below will very well clarify the procedure for registration of patents :

FILLING A PATENT APPLICATION IN INDIA



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TYPES OF ISO CERTIFICATES

As per The ISO Guidelines, there are Different Types of Certificates for Different Industries.

1. ISO 9001-2015 (Quality Management System) for 3 years (special offer)
2. Hassle free, Quick& fast HACCP (Hazard Analysis of Critical Control Points)
3. ISO 14001 (Environment Management System)
4. ISO-18001 (occupational Health & safety certification)
5. ISO-22000 (Food safety Management System)
6. ISO-27000(Information Security Management System)
7. ISO-13485 (Standard For Medical Devices)
8. SA-8000(Social Accountability certification)
9. TS-16949(For Automobile Industries)

DOCUMENTS NEEDED :

- Copy of Service tax / sales tax number.
- Profile of Company
- Copy of Bank Account of Company (Current Month)
- Any other address proof of company : Telephone bill, Electricity bill, Water bill etc.
- Memorandum of Article Of Company. (if applicable) .
- Contact Details of Directors. (IF applicable)

In ISO-9001 : 2015 certification, there are some standard documentation :- (Quality Manual, leave application format, purchase order format, measuring & monitoring devices, Maintenance record, Quality Plan, Supplier Ratting, Quality objectives & Policy, Management Review, Production Plan, Internal Audit Report Ext. Many Formats are there) is required for ISO certification, which all type of Documentation will be on your site by our technical Expert.

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BAR-CODE REGISTRATION

BAR-CODE REGISTRATION IS REQUIRED TO BE OBTAINED FROM DELHI ; FOR WHICH BELOW DETAILS ARE REQUIRED :-

- DETAIL OF PRODUCT (EX. CHILLY- 100GM, 500GM, 1KG.)
- NAME & ADDRESS OF PROPRIETOR
- NAME & ADDRESS OF FIRM / COMPANY
- NUMBER OF CODES REQUIRED
- NUMBER OF YEARS FOR BAR CODE REGISTRATION

(IF PARTNERSHIP FIRM, THEN NAME & ADDRESS OF ALL PARTNERS)

- COPY OF PARTNERSHIP DEED/ MEMORANDUM / PAN CARD
- COPY OF ADDRESS PROOF & GST REG. CERTIFICATE
- DETAILS OF ALL PRODUCTS FOR WHICH BAR-CODE REQUIRED.

FOR MORE INFORMATION CONTACT

MR. RAJENDRA R. RAVAL
(Sr. ADVOCATE)
M. : 98252 96401
(Rajkot)

MR. KRISHNAKANT R. RAVAL
(Sr. ADVOCATE)
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MRS. KHYATI
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COMPLETE LEGAL SOLUTIONS....

JASRAJ LEGAL IS A COMPLET LEGAL SOLUTION FIRM AND ALSO A FAMILY ADVOCATES FOR THEIR ESTEEMED CLIENTS. JASRAJ LEGAL & ASSOCIATES DEALS AND WORKS IN FOLLOWING LAWS

FAMILY PERSONAL LAW	CORPORATE LAW	FACTORY LAW	CRIMINAL LAW	GENERAL LAW
HINDU LAW	INCOME TAX LAW	LABOUR LAWS	PREVENTION OF CORRUPTION LAW	INSURANCE CLAIM/LAW
MUSLIM LAW	CYBER LAWS	SSI / MSME REGISTRATION / LAW	PREVENTION OF MONEY LAUNDERING LAW	RAILWAY CLAIM LAW
CHRISTIAN LAW	GST MATTERS	ELECTRICITY MATTERS	OFFENCES UNDER INDIAN PENAL CODE	CO-OPERATIVE SOCIETY LAW
LAW OF WILL	COMPANY/ CORPORATE LAW	FOOD SAFETY AND STANDARDS LAW		NGO REGISTRATION
MARRIAGE LAW	IMPORT EXPORT LICENCE	DRUG AND COSMETIC LAW		ARBITRATION LAW AND PROCEEDINGS
DIVORCE LAW	NEGOTIABLE INSTRUMENT ACT	PHARMACEUTICAL LICENCE		BIRTH AND DEATH CERTIFICATE LAW
SUCCESSION LAW	CINEMATOGRAPHY REGISTRATION	US FDA		RIGHT TO INFORMATION LAW
PASSPORT LAW	ACCOUNTING ADVICE	PROVIDENT FUND		BENAMI TRANSACTION
PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE	INFORMATION TECHNOLOGY LAW	ENVIRONMENT LAW		CITIZENSHIP LAW
	CONSUMER PROTECTION ACT	FIRE SAFETY LICENCE		EMBLEMS AND NAMES LAW

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FAMILY PERSONAL LAW	CORPORATE LAW	FACTORY LAW	CRIMINAL LAW	GENERAL LAW
	PARTNERSHIP LAW	INDUSTRIAL DISPUTES LAW		EMIGRATION LAW
	THE COMPETITION ACT, 2002	BONUS LAW		ACCIDENT LAW
	LIMITED LIABILITY PARTNERSHIP LAW	PAYMENT OF WAGES		LAND ACQUISITION LAW
	RESERVE BANK OF INDIA LAW	LEGAL METROLOGY LAW		TELECOM REGULATORY LAW
	CENTRAL EXCISE MATTERS	ESIC LAW		
	COPYRIGHT LAW	FOREST LAW		
	CUSTOMS LAW	PREVENTION AND CONTROL OF POLLUTION LAW		
	FOREIGN EXCHANGE LAW			
	PHARMACY LAW			
	PROTECTION OF PLANT VARIETIES LAW			
	SECURITISATION AND RECONSTRUCTION OF FINANCIAL ASSETS LAW			
	SEMICONDUCTOR INTEGRATED CIRCUITS LAYOUT-DESIGN LAW			

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: RAJKOT OFFICE :
104, Komal Chamber, 1st Floor, Kashi Vishwanath Plot, Rajkot - 360 001 (Guj.) India. Mobile : +91-98252 96401, 89809 53059

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krrawal@gmail.com
www.jasrajlegal.com

info@tradesafeindia.com
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