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18th June 2026

To all the Members of the AIPPI - UAE National Group

12th Circular/ 2026

Subject: Long-Pending Trade Mark Applications in the UAE - Practical Challenges and Emerging Solutions

We are pleased to share our 12th Circular for 2026, authored by Mona Saleh, exploring a practical issue of growing relevance within the UAE trade mark system; long-pending trade mark applications that remain incomplete for years following acceptance, yet continue to affect subsequent filings and brand owners.

The circular examines the legal and practical challenges arising from these applications, their impact on rights holders, the options currently available to affected applicants and potential developments that may bring greater certainty and efficiency to the UAE trade mark landscape.

While such applications have not matured into registrations, they often continue to appear on the Trade Mark Office records and may be cited against later-filed applications, creating practical difficulties for subsequent applicants seeking protection of their brands.

In some cases, applications filed many years ago continue to exist on the register despite no apparent progress being made towards registration.

Why Does This Happen?

Under the current framework, the UAE Trade Mark Law does not expressly provide a clear administrative mechanism for automatically removing applications that remain incomplete following acceptance.

At the same time, the applicable official fees regulations introduced late payment penalties for publication and registration fees. These penalties accumulate over a 10-month period and may, in practice, be renewed yearly, allowing applicants to pay the accumulated fines and continue the application process even after a substantial period has elapsed. There also appears to be some uncertainty surrounding these penalties and the extent to which applications may remain capable of revival. As a result, different practitioners may take different views on how the provisions should be interpreted and applied in practice.

As a result, an application that has remained dormant for several years may theoretically remain capable of being revived and completed. This creates a unique situation where an application may not be registered, may not be actively pursued, yet continues to occupy space within the system and potentially affects later applications.

Impact on Trade Mark Owners

The consequences can be significant. A later applicant may receive a refusal based on an earlier application that:

- Was filed many years ago;
- Has never completed publication or registration formalities;
- Has not resulted in a registered right; and
- May not have been actively pursued by its owner for a considerable period.

This can create uncertainty for businesses seeking to launch products, enter the UAE market, expand operations, attract investment or build brand value.

From a legal and commercial perspective, it raises an important question ‘Should an incomplete application that has remained dormant for many years continue to prevent later applications from proceeding?’

While the answer is not expressly addressed in the current legislation, the issue has become increasingly relevant as more cases emerge involving long-standing incomplete applications.

A Gap Between Legal Status and Commercial Reality

The practical challenge is that there may be a significant difference between the legal status of the application and the commercial reality surrounding it.

On paper, the application remains pending and potentially capable of being completed. In reality, the applicant may have taken no meaningful action for many years and may no longer have any genuine interest in obtaining registration.

The absence of a clear statutory deadline after acceptance can therefore result in applications remaining on record for exceptionally long periods, creating uncertainty for both applicants and examiners.

Available Options for Affected Applicants

Where an application is refused based on such earlier rights, several options may be considered depending on the circumstances.

1. Engage with the Trade Mark Office

In practice, rights holders may raise the issue directly with the UAE Trade Mark Office and explain the circumstances surrounding the earlier incomplete application. The Trade Mark Office has demonstrated awareness of the practical difficulties created by these cases and has, in certain situations, considered them individually.

While there is no guarantee of a particular outcome, correspondence with the Office may assist in clarifying the status of the earlier application and whether further action may be appropriate.

2. Appeal the Refusal

Applicants should generally preserve their rights by filing an appeal against the refusal decision within the prescribed deadlines. This ensures that the application remains active while discussions regarding the earlier incomplete application continue.

3. Cancellation Proceedings

Cancellation may be another option in some circumstances. However, cancellation proceedings require a registered trade mark right. Where the earlier application remains pending and has never matured into registration, cancellation mechanisms may not always provide a straightforward solution.

This creates a procedural gap where the earlier right can block subsequent filings despite not yet being registered.

Is Reform on the Horizon?

The issue is well known among trade mark practitioners and has been the subject of ongoing discussions with the UAE Trade Mark Office over recent years.

Importantly, the Trade Mark Office has demonstrated a practical and proactive approach when dealing with these cases. Recognising the challenges created by long-standing incomplete applications, the Trade Mark Office has, in appropriate circumstances, considered individual cases on their merits and worked with applicants to explore practical solutions within the existing legal framework. This approach has helped mitigate the impact of certain incomplete applications while broader regulatory considerations continue to be evaluated.

As the UAE continues to modernise its intellectual property framework and strengthen its position as a leading regional IP jurisdiction, further clarification on the treatment of long-standing incomplete applications may provide additional certainty for rights holders and contribute to the continued integrity and reliability of the trade mark register.

Potential solutions could include:

- Introducing fixed deadlines for the additional fines after acceptance;
- Limiting the period during which applications can remain incomplete;
- Providing an administrative mechanism for removing dormant applications;
- Requiring applicants to confirm their intention to proceed after extended periods of inactivity; or
- Establishing clearer guidelines for dealing with refusals based on long-pending applications.

Whether through legislative amendment, implementing regulations or administrative practice, greater certainty would benefit both trade mark owners and the integrity of the register itself.

Looking Ahead

The UAE trade mark system continues to be one of the most advanced and dynamic in the region, supported by a Trade Mark Office that has consistently demonstrated a practical and business-oriented approach to intellectual property protection.

While the treatment of long-pending incomplete applications remains an area where additional clarity may be beneficial, the Trade Mark Office has shown a willingness to engage with stakeholders and consider individual circumstances in order to balance the rights of existing applicants with those of subsequent trade mark owners.

In the meantime, businesses facing refusals based on dormant or incomplete applications should carefully assess their available options, preserve their rights through appeals where appropriate, and engage constructively with the Trade Mark Office to explore potential solutions on a case-by-case basis.

As the UAE continues to strengthen and modernise its intellectual property framework, this is an area that may benefit from further guidance or procedural development. Any future measures would likely enhance legal certainty, reinforce confidence in the register, and further support the UAE's position as a leading destination for innovation, investment and brand protection.

Thank you.

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