

UK Trade Mark Applications

To apply for a UK trade mark registration we need to submit details of your trade mark and the goods and/or services with which it will be used. The trade mark can be a word, a logo, or a picture. We will also need to classify the goods/services with which the mark will be used. We have knowledge of the classification system and will work with you to best describe the goods/services.

Once the application has been filed and the appropriate fees have been paid, the UK Intellectual Property Office will examine your trade mark. They will check that your trade mark meets the requirements for registration by being capable of distinguishing your goods/services from someone else's, that the mark is distinctive and that the mark is not descriptive of the goods/services for which you are seeking registrations. They will also search the Trade Mark Register for any existing marks that are identical or similar to your mark and have been registered for the same or similar goods/services. We will receive an examination report detailing any objections raised by the Examiner and will be given a two month period to respond. We will review the examination report and the cited registrations on your behalf and advise you on the best way to proceed.

The UKIPO will not refuse registration of your mark in light of an early registration, but they will notify the owners of the earlier registration/s. This gives the owners of the earlier registration/s the opportunity to oppose the registration of your mark. We are able to argue with the Examiner to overcome their objections, for example, by arguing that the marks are not similar and we can also contact the owner of the earlier registration/s and seek their consent to your use and registration of the mark.

Your application will then proceed to publication in the Trade Mark Journal and be open to opposition for a period of two months (which can be extended to three months). We have experience of trade mark oppositions and can advise you on the risks and costs involved on a case-by-case basis.

If your trade mark application is not opposed your mark will proceed to registration. Your trade mark registration must then be renewed every ten years. We will monitor the renewal deadlines on your behalf and notify you when fees are due.

If you would like us to review your potential trade mark registration and provide an estimate of the costs involved, please let us know.