



Trade Mark Information Search and Registration Request

TRADE MARKS

A trade mark is any sign capable of being represented graphically which is capable of distinguishing goods or services of one undertaking from those of other undertakings. (SI Trade Marks Act 1994).

A trade mark may consist of: words, designs, letters, numerals, shape of goods or packaging. Colours are also registrable.

What Registration offers:

Prima facie proof of ownership and entitlement to the mark.

A statutory monopoly for use of the mark in relation to the goods or services for which it is registered.

Infringement action against anyone using a confusingly similar mark without proof of actual damage.

Avoidance of costly common law 'passing off' actions.

A property that can be licensed, sold or mortgaged to others.

A financial asset that can appear on a company's balance sheet.

Prevention from others registering your mark, and preventing you from using the mark.

In order to be registered a mark:

- ◆ Must comply with the Trade Marks Act.
- ◆ Must be distinctive.
- ◆ Must not be descriptive.
- ◆ Must not be deceptive, eg by suggesting that the product has certain characteristics which it has not.
- ◆ Must not contain sensitive words or symbols.

York Place will be happy to discuss whether your mark meets the criteria for registration.

REGISTRATION PROCEDURE

UK

It is essential to carry out a search of the register before an application is made. A search of the UK register and the Community Trade Mark (CTM) Register is advised. Holders of UK or Community Trade Marks may object to an application if they feel it infringes their rights and there are no refunds for failed applications

Provided that there are no conflicting marks, application can be made and considered by the Trade Marks Registry. If it is considered to be prima facie acceptable for registration, details are published in the Trade Marks Journal. Up to three months are allowed to elapse during which it is open to any person to give notice of objection to registration.

If there is no opposition the mark is entered in the Register for an initial period of ten years and a certificate of registration is issued. The mark can then be renewed every ten years.

COMMUNITY TRADE MARKS

Europe-wide protection under EU Regulation 40/94 became effective on 1 April 1996, providing for trade mark protection throughout the EU very similar in nature to that provided by UK legislation for UK registered trade marks.

Formal representation (for persons not being domiciled, or not having their principal place of business within the European Union) is only permitted through a Professional Representative. This may be either a legal practitioner entitled to act in trade mark matters or a professional representative entered on the list maintained by the Office for Harmonisation in the Internal Market.

It is possible to register the same mark in a member state and as a community trade mark.

INTERNATIONAL

Trade mark protection is possible in many other countries outside Europe. Please enquire.

www.yorkplace.co.uk

Leeds Office: Elizabeth House, 13-19 Queen Street, Leeds LS1 2TW ◆ **London Office:** 1 George Yard, London EC3V 9DF

Tel: 0113 224 5450 ◆ **Fax:** 0113 224 5498 ◆ **DX:** 26436 – Leeds Park Square

Email: trademarks@yorkplace.com



Trade Mark Information Search and Registration Request

PROPOSED MARK

(Please enter name or supply a copy of any logo on a separate sheet)

logo attached

DESCRIPTION OF GOODS OR SERVICES

SEARCH REQUIRED

Full UK & CTM Combined Search* **£160.00 + VAT**

UK & CTM Combined Same Name Search **£60.00 + VAT**

UK trade marks

Proprietor search **£20.00**

Discover who owns a particular registered Trade Mark or alternatively which registered Trade Marks a specific owner holds.

Proprietor monitoring **£100.00 per annum**

A monthly watch on a specific proprietor.

Same device search **£100.00 UK/CTM**

A search of the UK Register and the Community Trade Mark Register for an identical device.

Trade mark history search **£20.00**

Summary of the history of a particular Trade Mark.

UK & CTM Trade mark monitor – Same Name **£200.00 per annum**

Regular check for identical trade marks on the UK and CTM Trade Marks Register.

UK & CTM Trade mark monitor – Full **£500.00 per annum**

Regular check for identical and similar trade marks on the UK & CTM Trade Marks Register.

*The full search price may be increased depending on the nature of the mark. Device searches in particular can be lengthy and may be subject to a surcharge. Please ask if you require a quote before we proceed.

APPLICATION FOR REGISTRATION

UK Trade Mark **from £520.00 + VAT**

Community Trade Mark **from £1250.00 + VAT**

Please enquire for quotation

UK prices includes one class. CTM includes up to three classes. Additional fees are payable for extra classes.

Name and address of proprietor of proposed mark:

DOMAIN NAMES

A domain name compliments a trade mark securing the brand or company name on the Internet for future use. We will check your proposed name free of charge.

Registration and maintenance of a domain name for 2 years

UK **£25.00**

International **from £30.00**

Proposed Domain Name

(please give first and second choice):

1. _____

2. _____

PLEASE PROCEED WITH THE INSTRUCTIONS GIVEN ON THIS REQUEST SHEET IN ACCORDANCE WITH YOUR STANDARD CONDITIONS OF BUSINESS:

NAME: _____

DATE: _____

SIGNATURE: _____

REF: _____

FIRM/COMPANY: _____

ADDRESS: _____

POSTCODE: _____

TEL NO: _____

MOBILE NO: _____

FAX NO: _____

E-MAIL: _____

PAYMENT INFORMATION

PLEASE COMPLETE THE FOLLOWING DETAILS:

ACCOUNT HOLDER: Yes No

PAYMENT ENCLOSED: Yes No

CHEQUE: Yes No

CREDIT CARD: Yes Please call