

# The Trade Mark Filing Process

## Stage 1 - Searching

Comprehensive searches should be undertaken to determine whether a third party has rights that could pose an obstacle to the registration of your mark.

## Stage 2 - Filing

Once a comprehensive list of goods/services has been agreed between you and your attorney, the application will be filed at the Trade Marks Registry. Official filing details will be received within a few days of the application being submitted.

## Stage 3 - Examination

The Registry will assess whether the mark is suitably distinctive and determine if the list of goods/services is adequately defined. It will also conduct its own search of the register and let you know if there are any earlier marks it regards as similar to your own. If any objections are

## Stage 4 - Publication for Opposition

Details of the application are then published for any third party to oppose, should they so wish. The owners of earlier UK marks identified in the Registry's search may be notified of your application. The publication period is two months, although a potential opponent is entitled to a one month extension of time. If oppositions are received, these can prove costly and timely to resolve, and they can delay the application for many months. However, we always strive to resolve any such disputes amicably.

## Stage 5 - Registration

If oppositions are not received or they are overcome/settled, the application will progress to registration.

## Stage 6 - Certificate issued

This will usually follow within three weeks of registration. Where an application becomes registered in a straightforward manner, the entire process will take 4-6 months.

Week One

Week Two

Week Six

Month Two

Month Four

Month Five