

1990 No. 1801

TRADE MARKS

**The Trade Marks and Service Marks (Forms)
(Amendment) Rules 1990**

<i>Made - - - - -</i>	<i>3rd September 1990</i>
<i>Laid before Parliament</i>	<i>5th September 1990</i>
<i>Coming into force</i>	<i>1st October 1990</i>

Whereas in pursuance of the requirements of section 40(3) of the Trade Marks Act 1938(a) the Secretary of State has, before making the following Rules under that Act, published notice of his intention to make such Rules and of the place where copies of the draft Rules might be obtained by advertising such notice in the Trade Marks Journal and the Official Journal (Patents) on 8th August 1990 and 15th August 1990, being the manner which he considered most expedient so as to enable persons affected to make representations to him before the Rules were finally settled:

Now, therefore, the Secretary of State, in exercise of the powers conferred by sections 40 and 68(1) of the Trade Marks Act 1938 and now vested in him(b) and after consultation with the Council on Tribunals pursuant to section 10(1) of the Tribunals and Inquiries Act 1971(c) hereby makes the following Rules:—

1. These Rules may be cited as the Trade Marks and Service Marks (Forms) (Amendment) Rules 1990 and shall come into force on 1st October 1990.

2. The Schedule to the Trade Marks and Service Marks (Forms) Rules 1986(d) shall be amended—

- (a) in the List of Forms shown thereunder, by substituting for the reference to “TM2” the reference to “TM3”, and by inserting after the reference to “TM10” the following entry—
“TM10A Completion of registration of a trade or service mark.”;
- (b) by substituting for Forms TM2, TM10 and TM11 set out thereunder, the Forms TM3, TM10 and TM11, respectively, set out in the Schedule to these Rules; and
- (c) by inserting after Form TM10 set out thereunder the Form TM10A set out in the Schedule to these Rules.

3rd September 1990

Douglas Hogg
Department of Trade and Industry

(a) 1938 c.22; the Act was applied with modifications, to service marks by the Trade Marks (Amendment) Act 1984 (c.19), section 1, as amended by the Patents, Designs and Marks Act 1986 (c.39), section 2(1) and Schedule 3.

(b) S.I. 1970/1537.

(c) 1971 c.62.

(d) S.I. 1986/1367, amended by S.I. 1988/1112.

<p>The Patent Office</p> <p>Trade Marks</p> <p>Form TM3</p> <p>Application for Registration of a Trade or Service Mark</p>	
<p>1. If this application is part of a companion group enter in the box the total number of applications within the group (including this one).</p>	<p>For official use</p>
<p>2. The application will be examined for registrability in Part A unless "B" is entered in the box.</p>	
<p>3. Indicate type of mark (tick <i>one</i> box)</p> <p>Device only: <input type="checkbox"/> Word only: <input type="checkbox"/></p> <p>Device and word: <input type="checkbox"/> Stylised word: <input type="checkbox"/></p>	
<p>4. Enter class number to which this application relates.</p>	
<p>5. Particular requirements relating to this mark or specification. Enter here limitations, for example disclaimers or translations.</p>	

<p>10. Applicant details</p> <p style="margin-left: 40px;">Applicant's Patent Office ADP number (if known): <input style="width: 200px; height: 15px;" type="text"/></p> <p>Name: _____</p> <p>Address: _____</p> <p>_____</p> <p>County/ State: _____ Postcode/ Zipcode: _____</p> <p>Country: _____</p>	For official use
<p>11. Enter Country of Incorporation and if appropriate State of Incorporation.</p> <p style="margin-left: 40px;">Country: <input style="width: 200px; height: 30px;" type="text"/></p> <p style="margin-left: 40px;">State: <input style="width: 200px; height: 30px;" type="text"/></p>	
<p>12. Agent's details</p> <p style="margin-left: 40px;">Agent's Patent Office ADP number: <input style="width: 200px; height: 15px;" type="text"/></p> <p>Name: _____</p> <p>Address: _____</p> <p>_____</p> <p>County: _____ Postcode: _____</p> <p>Telephone contact: _____ STD code: _____ Telephone number: _____</p>	
<p>Agent's own reference <input style="width: 200px; height: 15px;" type="text"/></p>	
<p>13. Address for service</p> <p style="margin-left: 40px;">ADP number (if known): <input style="width: 200px; height: 15px;" type="text"/></p> <p>Name: _____</p> <p>Address: _____</p> <p>_____</p> <p>County: _____ Postcode: _____</p>	

<p>14. Enter here the specification of goods or services to which this application relates.</p>	<p>For official use</p>
<p>To be completed by person or firm completing the form.</p>	
<p>Signature:</p>	
<p>Name <i>(BLOCK letters):</i></p>	
<p>Telephone number for contact purposes <i>(if not entered in Section 12):</i></p>	<p>Date:</p>
<p>Check list When you have filled in the form, tick the boxes below to show you have:</p> <p>Enclosed the necessary fee <input type="checkbox"/></p> <p>Enclosed 4 copies of a representation of the mark each on a separate form TM4 <input type="checkbox"/></p> <p>Enclosed a copy of form TM50 if applying for registration of registered user under Section 29(1)(b) of the Trade Marks Act 1938 <input type="checkbox"/></p> <p>Enclosed any continuation sheets <i>(if appropriate)</i> <input type="checkbox"/></p>	

The Patent Office

Trade Marks Form TM10

Payment of Registration fee for a Trade or Service Mark

1. Trade or Service Mark application number:
Class number:

2. Number of the journal in which this application was advertised:

3. Address for service:
Patent Office ADP number *if known*:

Name: _____
Address: _____
Postcode: _____

Telephone contact: _____ STD code: _____ Telephone number: _____

4. Declaration

I/We declare that any written undertakings given to the Registrar to send notice of the advertisement of the application to other proprietors have been fulfilled. To the best of my/our knowledge and belief, either the period or extended period for filing opposition to the application has expired without any notice of opposition having been filed, or any oppositions filed have finally been determined in favour of the applicant.

Applicant's name: _____

Signature: _____ Date: _____ 19__

Status: _____

Checklist

When you have filled in the form, tick the boxes below to show you have:

Fulfilled all the written undertakings described in the declaration at box 4

Enclosed the necessary fee

Signed at box 4

The Patent Office

**Trade Marks
Form TM10A**

**Completion of Registration
of a Trade or Service Mark**

There is no fee for filing this form

1. Trade or Service Mark application number:
Class number:

2. Number of the journal in which this application was advertised:

3. Address for service:
Patent Office ADP number (if known):
Name: _____
Address: _____
Postcode: _____
Telephone contact: _____ STD code: _____ Telephone number: _____

4. Declaration

I/We declare that any written undertakings given to the Registrar to send notice of the advertisement of the application to other proprietors have been fulfilled. To the best of my/our knowledge and belief, either the period or extended period for filing opposition to the application has expired without any notice of opposition having been filed, or any oppositions filed have finally been determined in favour of the applicant.

Applicant's name: _____

Signature: _____ Date: _____ 19__

Status: _____

Checklist

When you have filled in the form, tick the boxes below to show you have:

Fulfilled all the written undertakings described in the declaration at box 4 Signed at box 4

The Patent Office

**Trade Marks
Form TM11**

**Form for renewal
of Registration**

1. Name of proprietor as entered on the register:

2. Name and address of agent or address for service:

Telephone contact: _____ STD code: _____ Telephone number: _____

Date: _____ ADP no: _____ Your ref: _____

3. Payment of renewal fee

Due date of renewal	Registration number	Class	Advertised in Trade Marks Journal number (if available)	Fee
_____	_____	_____	_____	_____

4. Name and address of person paying the fee (if not the registered proprietor)

Name: _____

Address: _____

Postcode: _____

Declaration

I declare that I am directed by the proprietor of the above numbered mark to pay the requested Renewal Fee.

Signature: _____

Date: _____

Additional fee (late payment):

Please send this form and your fee to the address shown in the enclosed explanatory notes.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules prescribe a new Form TM3 (to replace Form TM2) for an application to register a trade mark or service mark filed on or after the date of the coming into force (1st October 1990) of the Trade Marks and Service Marks (Fees) Rules 1990 (S.I. 1990/1800) under which a composite fee for application to register and for the registration of the mark is prescribed. A new Form TM10A is also prescribed (with no further fee payable) for the application for registration of a mark for which application to register was made on or after 1st October 1990. Form TM10 (which will continue to be required in the case of an application to register filed before 1st October 1990) and Form TM11 (form for renewal of registration) are revised.