

Overview of the UK Trade Mark Application Process

Registering a trade mark is an essential part of protecting your brand. This guide sets out the key steps in the process of applying for registration and how Ionic Legal can help you throughout.

Before Filing

Consider carrying out clearance searches, which will feed into any strategic advice on what to register.

Ionic will then provide a draft specification for you to consider. This will include the goods and services you currently offer, what you may offer in the future, and what you would want to prevent others from offering.

Filing Trade Mark Application at Registry

Once your application has been submitted, the Registry will review it and issue an examination report.

This is typically received around 3-4 weeks from filing.

Examination by the Registry on Absolute Grounds for Refusal

If there are any objections under the absolute grounds for refusal, these will be raised at this stage. You will have two months to respond to these objections. Ionic Legal can advise you on how best to do overcome these objections.

If earlier identical or similar marks are identified by the Registry in the examination report, the owners of those marks will be informed of your mark at publication.

Publication

Once any objections raised at the previous stage are dealt with, the application is progressed to publication for opposition purposes.

Opposition Period

This period runs until 2 months after publication, but it can be extended by a further one month if a notice of threatened opposition is filed.

If an opposition is filed, Ionic legal will assist you in the proceedings.

If there are no oppositions filed during this period, the application will usually proceed to registration within a few weeks.

Registration

At this stage the registration certificate will be issued. The registration process usually takes 4 to 6 months from filing assuming no objections or oppositions.

5 Year Non-Use Period

Use needs to be made of the mark for the goods and services for which it is registered, otherwise there is a risk that the mark will be challenged in whole or in part by a third party for non-use.

A third party can challenge the registration on the basis of non-use if you fail to use your mark for a consecutive period of 5 years.

Renewal

Trade marks can be renewed every 10 years, indefinitely.

We will diarise the renewal date and contact you 6 months before this date to discuss renewal.