



## TRADE MARKS - FREQUENTLY ASKED QUESTIONS

It is essential that Trade Mark applications are drafted properly and yet they can be difficult and confusing. In this Q&A we aim to give comprehensive answers to the questions that are most frequently asked of us.

### Why should I register?

A registered Trade Mark:

- may put people off using your Trade Mark without your permission
- makes it much easier for you to take legal action against anyone who uses your Trade Mark without your permission
- allows Trading Standards Officers or Police to bring criminal charges against counterfeiters if they use your Trade Mark
- is your property, which means you can sell it, franchise it or let other people have a licence that allows them to use it.

### What should I register?

You should register the key brand names that are important to you and your business. This is usually the company name, the company logo and often the names of key product lines.

### Where should I register?

Trade Mark registrations are territorial, so it is important that you obtain protection in the key territories in which you trade.

There are international treaties in place which allow you to link your Trade Marks together based upon an existing UK registration. So we usually advise starting in the UK or with a Community Trade Mark (which covers all of Europe in one go) before considering international applications.

### In which classes?

All products and services are categorised into different classes under the Nice Classification System. There are currently 45 different classes. You must think laterally about the products and or services that you wish to protect and list them in a specification. You want to try and cover everything in one application. However, as with everything, there is a balance to achieve - the wider the specification, the larger the potential for it to conflict with an existing registration.

### How long does it take?

If your mark is distinctive and does not conflict with an existing registration, then the process can take about 4 months. If there are objections from the Registry or a third party files an opposition, then the process can take much longer and in some cases, the application doesn't get granted.



## How much does it cost?

Cost increased depending on the number of classes you seek to protect.

The IPO fees start at £200 and we charge our professional fees on top.

## Find out more

Please look at:

- Our fee schedule
- Q&A on Trade Marks

Please contact us to discuss your requirements or to find out more.



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