

September 2008

## Trade Mark Rules 2008 - Briefing Note

Important changes to the UK Trade Mark Rules 2008 are due to come into effect on 1st October 2008.

The Trade Mark Rules govern trade mark procedure in the United Kingdom and changes to them have a number of important consequences for anyone using the trade mark system in the UK.

The most important changes are as follows:

- the initial period for opposing a UK trade mark application will be reduced from three months to two months, with provision for an automatic extension of one additional month.
- the deadline for responding to any opposition, invalidity or revocation proceedings will now be two months.
- the current twelve-month cooling-off period (the optional period allowed for parties to negotiate a potential settlement) will be reduced to an initial nine months, with a further nine-month extension available if both parties request it.
- the official period to respond to some minor deficiencies will be reduced to one month.
- the requirements to provide certified documents to support priority claims will be relaxed, although full details of how this will work in practice are not yet provided.

The new amended Rules are intended to expedite the trade mark application procedure in the United Kingdom. This effect will be welcomed by new applicants. However, trade mark owners will have reduced time in which to comply with deadlines, especially opposition deadlines. It will therefore be important to ensure that trade mark owners, particularly those who own Community trade marks, have in place appropriate watching services and procedures to ensure that necessary action can be taken against conflicting trade marks.

***If you would like further information on the new Trade Mark Rules and their effects, please do not hesitate to contact us on. +44 (0) 113 233 0100 or email [info@hgf.com](mailto:info@hgf.com)***

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