

Form CNA 2

Official fee of £150 is due with this form



The Company Names Tribunal
Adjudicating on opportunistic company name registrations

The Company Names Tribunal

Located at the Intellectual Property Office
Concept House
Cardiff Road, Newport
South Wales NP10 8QQ

Notice of defence

1. Company Names Adjudicator proceedings number.	
2. Registration number of your company/limited liability partnership.	
3. Your company's/limited liability partnership's name and address.	
4. Your representative's details (if applicable).	
5. Declaration	I believe that the facts stated in this notice are true.
Your signature.	
Your name in BLOCK CAPITALS.	
Date	
6. Name and daytime phone number of the person we should contact in case of query	
Your reference.	
Number of sheets attached to this form.	This is sheet 1 of

Please provide a concise statement of the grounds in support of your company name/limited liability partnership registration.

1. State which of the allegations in the statement of grounds you agree with and which you deny.

2. State which of the allegations you are unable to admit or deny and which you require the applicant to prove.

Note

If the applicant proves the case in relation to its claim of the goodwill/reputation in the same/similar trading name a defence will arise from the following:

- that your name was registered before the commencement of the activities on which the applicant relies to show goodwill or reputation, or
- that your company/limited liability partnership -
Is operating under the name, or
Is proposing to do so and has incurred substantial start-up cost in preparation, or
Was formerly operating under the name and is now dormant, or
- that your name was registered in the ordinary course of a company formation business and the company is available for sale to the applicant on the standard terms of that business, or
- that your name was adopted in good faith, or
- that the interests of the applicant are not adversely affected to any significant extent.

However, if the applicant shows that the main purpose of the respondents (or any of them) in registering the name was to obtain money (or other consideration) from the applicant or prevent him from registering the name the first three defences cannot assist you.

If you intend to rely on any of the above defences say so here and provide relevant information to support your defence.