

How to fill in your application to register a trade mark (form TM3)

Important,

- You cannot alter your mark after you have sent us your application form.
- We cannot refund your fee if your mark cannot be registered for any reason.

So, please read these notes and our booklets ‘Trade Marks: essential reading’ and ‘Trade Marks: application guide’ carefully before you fill in your application form. You should also read our ‘Search and Advisory Service’ leaflet, which provides full details of the professional services we offer.

Fill in the form in CAPITAL LETTERS or type it.

What to put in each section of the form

You must fill in at least sections 2, 9 and 12, and sign the declaration at section 14 for your application to be valid.

Section

- 1 Your reference. You don’t have to provide one, but if you do we will use it whenever we contact you.
- 2 Provide an illustration of your trade mark, which may be a word, logo, picture or a combination of these, in the box. Remember that you cannot change your mark after you have sent us your application form. A trade mark can be something other than a word, logo or picture, but it must be capable of being shown or represented in words or pictures. We will record the mark exactly as you show it in the box, so do not underline it, or put it in quotes, for example, unless you actually use the mark in that style. If your mark is a colour alone, or a number of colours, you must tell us what those colours are, using an internationally recognised colour identification system, such as Pantone, Focoltone, Munsell Colour or Toyo (these are registered trade marks). We will treat whatever you say about the colour as more important than the colour sample you give. If your mark is larger than the box, you can send us an illustration of it on a separate sheet which must be no larger than A4 size. However, if you want to make an international application at a later date, the mark must be no larger than the 8cm by 8cm box on this form. Please do not staple the illustration to the application form.
- 3 If your mark is a word, logo or picture, do not write anything. If it is a three-dimensional shape or a sound or a repeating pattern, say which of these it is.
- 4 If you want to register your mark in the colours shown, do not write anything. If your mark is shown in particular colours but you do not want to have these colours recorded as a feature of the mark, say so here.

- 5 If you have shown your mark in black and white because you do not want to include colour in the registered mark, do not write anything here. If you want to include the colours black and white as a feature of your trade mark, for example, like a 'photo negative', say so here.
- 6 A series of marks is a number of marks which only have very small differences that do not substantially affect the marks (for example, marks shown in CAPITALS and 'small' letters). Please see our website at www.patent.gov.uk for more information about series.
- 7 If you are claiming priority from an earlier application made in a country outside the UK which has signed the Paris Convention (for the Protection of Industrial Property) for any of the goods or services in your application, give details in this section. You can only make a priority claim within six months of the first application.
- 8 You only need to fill in this section if you are transforming a UK designation (that is, where you have opted to protect your trade mark in the UK) under an international registration into a UK application. The transformation date is the date the UK was designated for protecting the international registration.
- 9 List all the goods or services you trade in, or intend to trade in, using the mark you are applying for. If your application covers goods or services in more than one class, list the correct classes in numerical order and list the goods or services within each class (see page 8 for more information about goods and service classes). Draw a line or leave a blank line after each class. If there is not enough space on this page, continue on separate sheets. Please remember that you cannot add goods or services after you have sent us your application form.
- 10 If you are applying for an ordinary trade mark, do not write anything. If you are applying for a certification or collective mark (see page 15 of the booklet 'Trade marks: essential reading'), write this here. Remember that you must send us the regulations for certification or collective marks within nine months of making your application.
- 11 If you want to disclaim the right to the exclusive use of any part of your mark, or limit the rights you are claiming under the mark in any way, say so here.
- 12 Provide as much detail as possible and decide whether you want the application to be in your name or your company's name. If your address is outside the UK, the Channel Islands or the European Economic Area (EEA), in section 13 you must give a contact address in one of these areas where we can write to you. You will only have an ADP number if you have previously applied to us to register a trade mark. You will find it on our receipt for your last application.
- 13 If you appoint someone (for example, a trade mark attorney) to deal with your application for you, give details here. You do not have to appoint an agent but if you want us to write to an address other than the one given in section 12 (we call this an 'address for service'), please give details. The address for service must be an address within the UK, the Channel Islands or the European Economic Area (EEA). If you leave this section blank, we will write to you at the address given in section 12 as long as it is in one of these areas. You can change or appoint an agent, or change an address for service, at any time after making your application by sending us a form TM33. This form is available from us.

- 14 Declaration: You or your agent must sign and date the form.
- 15 It will help us to sort out any possible queries if you can provide the name and daytime phone number of someone we can contact.

More information about applying

Name and address

Please note that your application details, including your name and address, will appear on our records. We also include them in the Trade Marks Journal if we accept your application. Both are open to the public on our website, which is permanently searchable by most standard search engines.

Returning the form to us

When you have filled in the form, please return it with your fee to:

Trade Marks Registry
Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

Then what happens?

We will send you a receipt for your application confirming:

- all the details you have given us, and
- the date when we received it - this will be your 'filing date'

If you have paid the right fee, we will examine your application within two months of receipt, and **either**:

- write to confirm that we have accepted your application, **or**
- send you a report which will tell you why we have objected to it.

Help

If you need any more help with the form, or have any other queries before making your application, please:

- Phone us on 08459 500 505 (charged at local rate), **or**
- e-mail us at enquiries@ipo.gov.uk

Trade Marks Registry
Cardiff Road
Newport
South Wales
NP10 8QQ

website www.ipo.gov.uk