



Retention and Disposal Policy for records and documents created in the Trade Marks Directorate

1. Purpose

1.1. This document sets out the retention and disposal policy for documents and records created in the Trade Marks Directorate. It also ensures that we meet the requirements of the Public Records Act 1958 as amended in 1967

2. Scope

2.1 The schedule below relates to all Trade Marks Directorate, records and document, whether kept electronically or on paper. It distinguishes between documents which may be destroyed and documents which must be preserved. It also indicates the time period which documents should be kept for before destruction.

2.2 Documents normally selected for destruction but which are to be preserved beyond their normal disposal date for special reasons) must be identified and stored in such a manner (and/or flagged in any relevant disposal diary) so that they cannot be inadvertently destroyed.

2.3. The paper case file is currently regarded as the record. On completion of the TM10 project the electronic case file will be regarded as the record.

3. Schedule.

Information	Period after which information may be destroyed
Copies of Board papers, balanced scorecard information, office policy documents	
Internal directorate information relating to members of staff and personally held customer contact details.	Delete files/shred docs when no longer needed.
Deficient applications which have not been given a filing date	1 year
Application files - Abandoned/Withdrawn/Refused with/without Statement of Grounds	2 years
Registered files, and related evidence/ exhibits/samples Expired due to non-renewal : Designs expired at end of life Expired assignment/licensee lead files : Transfer forms/docs from lead file to next surviving file and mark that file cover 'Lead file' and Surrendered/ Self-cancelled TM Merged Dead	2 years 2 years immediate
Madrid files Applications refused with/without Statement of Grounds. Protected marks expired due to non-renewal Madrid Office of Origin cases - from date of int application	3 years 3 years 5 years

Law Section files, and related evidence/exhibits (Withdrawn/surrendered/lapsed/revoked/invalidated/oppose d/rectified after the death of the mark),	2 years or files of special interest can be reviewed after 10 years and may be retained for a longer period.
Designs - Third-party cancellations	7 years
Forms (Boxed by Reg Admin before despatch to NMP). Caveats TM31C/ Certified Copies TM31R/DF23/ Sales/ Refund schedules. N.B. Finance retains the relevant Fee Sheet for 7 years.	2 years
Designs Search Reports (DF21)	1 year
Registered TM files - requests for certified copies and renewals	Immediate
Trade Mark Policy files.	Review after 5 years. Either destroy or retain for a further 10 years. The files may be retained for a longer period (but no longer than 20 years in total).

4. Approval and review process

This schedule is to be approved by the Chief Information Officer following approval by the Trade Marks Senior Management Group and the Trade Marks Director. The schedule will be reviewed on a bi-annual basis or whenever changes are agreed to the schedule in section 3.

Approved by:

Signature:

Trade Marks Director –

Date:

5. Version History.

Version 1.00 dated 25th July 2005 approved by the TMD Senior Management Group.

Version 1.10 dated 10th June 2010

Version 1.2 dated 21st October 2010, minor amendments made re historical preservation.

Version 1.30 dated