

FOI Release
Information released under the Freedom of Information Act

Title: Trade mark oppositions

Date of release: 5 February 2020

Information request:

Since the last disclosure (Ref: FOI/2015/448) concerning figures up to 2014:

- 1) What percentage of opposition proceedings have been defended i.e. a TM8 Defence filed?
- 2) What percentage of 1) have been defended after the filing of a TM9c (entering of cooling-off period)?
- 3) What is the percentage breakdown of 1) in terms of Standard and Fast Track Oppositions?

What is the percentage breakdown of each of the percentage figures in 3) in terms of unrepresented businesses (e.g. companies or partnerships), unrepresented individuals and represented Applicants (both individuals and businesses)?

Information released:

Please see the attached breakdown of oppositions received by FY from 2014 to 2018. We have only removed those cases marked as deleted as that would indicate that either they were filed in error or else there was a duplicate record.

We have not counted the figures by forms filed (TM7 and TM8) but rather by whether an opposition case was created on our UKTM system and then by whether a TM8 form was accepted as valid by our Tribunal section as part of the opposition process. If a TM8 was filed but not validated by them, we have assumed that for whatever reason, it was not a valid defence.

Please note the following:

1. The figures are as of 22 January.
2. The overall totals are for oppositions against domestic UK applications AND International designations.
3. The quality of our data is not perfect and the totals of breakdowns by individual and business are probably inaccurate to some degree because the identifier for applicant type is set by the customer and we know that some individuals record themselves as a business and vice versa.
4. The breakdown of individuals and business into represented and unrepresented **only relates to domestic UK applications** as we have no way to identify whether an applicant for an IR designation is a business or an individual. As noted at point 3 above, we cannot guarantee accuracy even for that.

This is the best we can achieve with the quality of data that we hold.

