



# Intellectual Property Office

## Form TM8(N) Notice of defence and counterstatement for the use in revocation on the grounds of non-use No Fee

**Use this form** if your trade mark has been subject to revocation proceedings on the grounds of non-use and you want to defend your registration.

<b>1. Trade mark number</b> If the defence concerns an International Registration, help us identify the correct case by adding "IR".													
<b>2. Cancellation number</b>													
<b>3. Full name of registered owner/holder</b>													
<b>4. Full name</b> Person filing this notice.													
<b>Address</b> The address must be in the United Kingdom, Gibraltar, or the Channel Islands.  Please note for certain proceedings it may be permissible to rely on an address for service in the EEA, please refer to Tribunal Practice Notice 2/2020 for further information.													
<b>Email address</b> In order to enable us to correspond with you by email, please provide an email address to be used for the purposes of these proceedings and any subsequent appeal to the Appointed Person.													
<b>5. Interest in the trade mark</b> Tick one of the options.	<table border="1"><tr><td><input type="checkbox"/></td><td>Recorded Owner or Holder of the trade mark</td></tr><tr><td><input type="checkbox"/></td><td>Recorded Representative for the Owner or Holder</td></tr><tr><td><input type="checkbox"/></td><td>Other <i>(Please specify)</i></td></tr></table>	<input type="checkbox"/>	Recorded Owner or Holder of the trade mark	<input type="checkbox"/>	Recorded Representative for the Owner or Holder	<input type="checkbox"/>	Other <i>(Please specify)</i>						
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<input type="checkbox"/>	Recorded Representative for the Owner or Holder												
<input type="checkbox"/>	Other <i>(Please specify)</i>												
<b>6. Related proceedings</b> If applicable, select location of any related proceedings and enter number.	<table border="1"><tr><td><input type="checkbox"/></td><td>IPO Registry</td><td><input type="checkbox"/></td><td>UK Courts</td><td><input type="checkbox"/></td><td>EUIPO</td></tr><tr><td colspan="6">Number</td></tr></table>	<input type="checkbox"/>	IPO Registry	<input type="checkbox"/>	UK Courts	<input type="checkbox"/>	EUIPO	Number					
<input type="checkbox"/>	IPO Registry	<input type="checkbox"/>	UK Courts	<input type="checkbox"/>	EUIPO								
Number													

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**7. Notice of defence**

Please specify the goods and/or services of the registration for which you are submitting this notice of defence.

**List of goods and/or services** (tick option)

	All goods and services
	Some goods and services <i>(please specify below, use a continuation sheet if necessary)</i>

**8. Counterstatement by defendant: If a defence is based on “proper reasons for non-use” then this should be clearly set out in the counterstatement**

The counterstatement should state the reason(s) why the proprietor opposes the application for revocation for non-use. The counterstatement should say which goods/services you have used the mark for.

*Please use a continuation sheet if not enough space.*

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**9. Evidence in support of the counterstatement**

**Are you filing evidence with this form in support of your defence?**

**Note:** You do not have to file evidence of use with your counterstatement. However, if you do not, then you need to provide this evidence within 2 months.

*Please use a continuation sheet if not enough space.*

Yes > **List details below**

No

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**10. Declaration**

I believe that the facts stated in this notice of defence and counterstatement are true.

**Signature**

This can be typed or handwritten.

**Name**

*(BLOCK CAPITALS)*

**Date**

Number of sheets attached to this form.

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**11. Your reference**

Complete if you would like us to quote this in communications with you, otherwise leave blank.

**Contact details**

Name, daytime telephone number of the person to contact in case of query.

# Before you send us your form

## Make sure you have:

- Answered questions 1 – 11.
  - Provided the trade mark number at question 1.
  - Provided the cancellation number at question 2.
  - Provided a signature and date at question 10. This can be typed or handwritten.
- | We aim to process this form within 20 working days (4 weeks).

**Email your completed PDF form to:  
forms@ipo.gov.uk**

**If you cannot email us your form, you can print and post your form to:  
Intellectual Property Office, Concept House, Cardiff Road, Newport, South Wales, NP10  
8QQ.**

**Please note: It takes longer to process paper forms sent by post.**

**Data Privacy:** <https://www.gov.uk/government/publications/intellectual-property-office-privacy-notice-for-personal-data-processed-for-the-administration-of-ip-rights>