



Intellectual Property Office

Form TM26(I) Application to declare invalid a registration or a protected international trade mark (UK)

Fee £200

Do not use this form:

- To apply to revoke a trade mark on grounds of non-use. Use Form **TM26(N)**.
- To apply to revoke a trade mark on grounds other than non-use. Use Form **TM26(O)**.

<p>1 Trade mark number Number of the trade mark you are applying to cancel. If the application concerns an International Registration, help us identify the correct trade mark by adding "IR".</p>	
<p>2 Full name of the registered owner or holder Whose trade mark you are applying to invalidate.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>NOTE: A copy of this form will also be sent to the trade mark registered owner/holder.</p> </div>	
<p>3 Full name of applicant for cancellation Person or company invalidating the above trade mark</p> <p>Address If the address is not within the United Kingdom, Gibraltar or the Channel Islands you must also complete section 4 below. <i>If you are seeking to cancel this registration on the basis of a comparable mark, please refer to TPN 2/2020 for information about the address for service that will apply to you.</i></p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>NOTE: It will no longer be possible for two (or more) parties to jointly invalidate a trade mark based on earlier marks/ rights that they each own, unless the parties jointly own the relevant earlier marks/rights. Separate invalidations will now be required. See section 47(5)(a) of the Act.</p> </div> <p>Email address 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.</p>	
<p>4 Representative name If you have no representative, go to section 5.</p> <p>Address The address provided in this section must be within the United Kingdom, Gibraltar or the Channel Islands. <i>If you are seeking to cancel this registration on the basis of a comparable mark, please refer to TPN 2/2020 for information about the address for service that will apply to you.</i></p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>NOTE: We will communicate with the representative if this section has been completed.</p> </div> <p>Email address Complete if you would like us to correspond with you by email.</p>	

5 Related proceedings If applicable, tell us the opposition or cancellation number.	IPO Registry	UK Courts	EUIPO
	Number		

6 **Invalidation notification date**
If you have informed the registered owner /holder of your intention to seek invalidation of the registration of their trade mark – enter the date you notified them.
[**See Note]

****Note:** Starting invalidation proceedings without giving the registered holder or the registered owner a reasonable opportunity to surrender the registration may result, (if the application for invalidation is undefended), in a successful applicant not being awarded costs.

7 **Declaration**

I believe that the facts stated in this form and the attached statement of grounds are true.

Signature
This can be typed or handwritten.

Name
(BLOCK CAPITALS)

Date

Number of sheets attached to this form.

8 **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.

Please tick on what grounds you are basing your application for invalidation of the trade mark and continue to the relevant section(s)

Invalidation is based on Sections 5(1) or 5(2): The trade mark is either identical or similar to an earlier trade mark and is to be registered for identical and/or similar goods and services.

> **COMPLETE SECTION A**

Invalidation is based on Section 5(3): The trade mark is either identical or similar to an earlier trade mark which has a reputation. Using the later mark would take unfair advantage of, or be detrimental to, the distinctive character or reputation of the earlier mark.

> **COMPLETE SECTION B**

Invalidation is based on Section 5(4)(a): Where the use of the registered owner's trade mark would be contrary to law, in particular, the law of passing off.

> **COMPLETE SECTION C**

Invalidation is based on Section 3: The trade mark is excluded from registration because it describes the goods/services, or is not distinctive, or consists of signs that are customary within the trade or the application has been made in bad faith.

> **COMPLETE SECTION D**

Invalidation is based on other grounds.

> **COMPLETE SECTION E**

A fee will need to be paid for this form.

Tell us how you would like to pay on the following page.

Fees and payment

We will only process the form with this section completed (one form per payment)

To check the correct fee for this form, search on [GOV.UK](https://www.gov.uk) for 'trade mark forms and fees'

Total Fee Paying (£)

Your own reference (Optional)

Your contact details should we have a query

Name

Email

Phone

How would you like to pay?

Tick one

Using a debit or credit card – you will need the internet to pay by card

- 1 Go to our secure website – <https://fees.ipo.gov.uk/pay>
- 2 Enter your name, email address and total amount to pay from above
- 3 As proof of payment, write below the 10-character reference code displayed from the online payment screen.
DO NOT write your debit/credit card number

Deduct from IPO deposit account

IPO deposit account number

Cheque – make payable to 'Intellectual Property Office'

Bank transfer

Reference – use your IPO deposit account number if you have one or an application number or your name if you don't.

Use the following bank account details

Sort code	20-18-23
Account number	80531766
Account name	Intellectual Property Office
SWIFT code	BARCGB22
IBAN number	GB92 BARC 2018 2380 5317 66

Before you send us your form

Make sure you have:

- Answered questions 1 – 8 on pages 1 & 2 and the applicable sections.
- Provided a signature and date at question 7 on page 2. This can be typed or handwritten.
- Made payment by card, cheque, bank transfer or IPO deposit account.
- Completed the payment sheet above.

| 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-privacy-notice-for-personal-data-processed-for-the-administration-of-ip-rights>