

SECTION C: The application for invalidation is based on Section 5(4)(a) of the Trade Marks Act, where the use of the registered owner or holder's trade mark would be contrary to law, in particular, the law of passing off.

Note: If the trade mark registration you wish to have declared invalid was published for opposition purposes in the Trade Marks Journal on or after **1 October 2007**, then only the proprietor of the earlier trade mark can rely on these grounds to support the application for invalidation.

If the trade mark was published before **1 October 2007**, then anyone can use these grounds to support the application for invalidation.

You must use a separate sheet for each earlier mark, so copy this sheet as many times as you need.

ABOUT THE EARLIER UNREGISTERED TRADE MARK

Q1. Representation of your trade mark

Text only – enter your trade mark only and no other supporting information.

Or

An image – if you are unable to put your image in the box below, you can attach an image of the earlier trade mark to your email or print the image if sending by post.

Q2. When and where was the earlier right first used in the UK?

Date used:

Enter date of first use

Where used:

Enter name of city/region or specify 'throughout UK' if used nationally

Q3. Which goods or services has the earlier right been used for?

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DETAILS OF THE TRADE MARK YOU ARE SEEKING TO HAVE DECLARED INVALID

Q4. For which goods or services, of the trade mark that you are applying to be declared invalid, do you consider that use of the registered owner's mark would amount to passing off?

These should be the goods and services of the trade mark you are invalidating and not the earlier right

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

Q5. Why would use of the registered owner's trade mark be contrary to law, particularly the law of passing off?

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