

**SECTION A: Opposition is based on sections 5(1) or 5(2) of the Trade Marks Act on the basis of an earlier registered or pending mark.**

**Q1. Please tick the relevant section(s) that apply.**

<input type="checkbox"/>	5(1) It is <b>identical</b> with an earlier mark and for <b>identical goods or services</b> as the earlier mark
<input type="checkbox"/>	5(2)(a) It is <b>identical</b> with an earlier mark and for <b>similar goods or services</b> as the earlier mark.
<input type="checkbox"/>	5(2)(b) It is <b>similar</b> to an earlier mark and for <b>identical or similar goods or services</b> as the earlier mark.

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

**Information before you complete the rest of section A**

Q2 – Q7 of section A are based on the earlier trade mark.

Q8 & Q9 of section A are based on the trade mark you are opposing.

**ABOUT THE EARLIER TRADE MARK**

**Q2. Trade mark number**

Your trade mark.

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**Q3. Type of mark**

Please tick.

<input type="checkbox"/>	UK	<input type="checkbox"/>	International UK
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Please note, tick the "UK" box above if your mark is a national UK mark, a comparable mark deriving from a registered EUTM or IR(EU), or a national UK mark which constitutes a re-filing of a pending EUTM – please see TPN 2/2020 for further information.

**Q4. 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.

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**Q5. Which goods or services covered by the earlier trade mark are relied upon for the opposition?**

These should be the goods and services of the earlier trade mark and not the trade mark you are opposing. These goods and services should also be identical and/or similar to those contained in the trade mark application.

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

**Q6. STATEMENT OF USE - Was the registration or protection process for the earlier trade mark completed 5 years or more before the application date (or priority date, if applicable) of the application or international registration you wish to oppose?**

You should tick 'no' if the earlier trade mark was registered less than 5 years before the application or priority date of the application you are opposing.

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Yes &gt; GO TO Q7

☐

No &gt; GO TO Q8

**Q7. Has the trade mark been used in the 5-year period ending on the date of application (or priority date, if applicable) of the opposed mark?**☐

Yes &gt; GO TO Q7a

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No &gt; GO TO Q7b

Please note: If you are relying on a comparable mark please see TPN 2/2020 for when it may be permissible to rely on use in the EU rather than solely in the UK.

**Q7a. For which of the goods and services listed at Q5 is trade mark use being claimed?**

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

**> GO TO Q8.**

**Q7b. Please state any proper reasons for non-use.**

**DETAILS OF THE TRADE MARK YOU ARE OPPOSING**

**Q8. Which goods or services in the application that you are opposing do you claim are identical or similar to those covered by the earlier mark which you have listed at Q5?**

These should be the goods and services of the trade mark you are opposing and not the earlier trade mark.

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

**Q9. Use this space to supply any further information about why you consider there is a likelihood of confusion and for example why you consider the respective marks or goods and/or services to be similar.**