



Form TM7F

Notice of FAST TRACK opposition and statement of grounds

Fee £100

Use this form to notify of a fast track opposition to a trade mark application or international registration and to set out the grounds on which you are basing this opposition.

Do not use this form if your grounds are not limited to Section 5(1) and/or 5(2) based on already registered or protected marks, (use form TM7 instead).

Do not use this form if any of the earlier marks on which the opposition is based had been registered/protected for 5 years or more before the application date (or priority date, if applicable) of the application you wish to oppose AND you are not including proof of use of the mark(s) with this Notice (use Form TM7 instead).

1. Trade mark number

Number of the trade mark you are opposing. If the opposition concerns an International Registration, help us identify the correct trade mark by adding "IR"

2. Full name of applicant/holder

Whose trade mark you are opposing

3. Full name of opponent

Person or company opposing the above trade mark

If you are opposing 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.

Address

If the address is not within the United Kingdom, Gibraltar or the Channel Islands you must have a representative in one of these regions and complete section 4 below.

PLEASE NOTE: Publication of name and address and other information you provide. We publish the owner's name and address and other information you provide in our searchable records. You should provide a business or PO Box address if you do not want your home address published. I understand that name and address details and other information I provide will be published.

Postcode

ADDITIONAL NOTE: It will no longer be possible for two (or more) parties to jointly oppose a trade mark based on earlier marks/rights that they each own, unless the parties jointly own the relevant earlier marks/rights. Separate oppositions will now be required. See section 38(2A) of the Act.

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.

4. Representative name

If you have no representative, go to section 5.

Address

The address provided in this section must be within the United Kingdom, Gibraltar or the Channel Islands.

If you are opposing 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.

Postcode

Email address

Complete if you would like us to correspond with you by email.

5. Related proceedings

If applicable, select location of any related proceedings and enter the case number allocated to the proceedings.

IPO Registry

UK Courts

EUIPO

Number

6. Opposition notification date

If you have informed the applicant/holder of an intention to oppose the trade mark application, international registration – enter the date you notified them. [****See Note**]

****Note:** An opposition launched without giving the applicant or holder a reasonable opportunity to withdraw the application, international registration or amendment may result in the opponent being ineligible for an award of costs.

7. Signature

This can be typed or handwritten.

Name

(BLOCK CAPITALS)

Date

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.

Number of sheets attached to this form

No more than three earlier trade marks may be relied upon to support this opposition. If you are relying upon more than one earlier mark you must repeat this section, including your statements to the points Q.1 to Q.16 below (to the extent relevant) for each earlier mark.

Note: Opposition on these grounds must be made by the 'proprietor' (owner) of the earlier trade mark.

ABOUT THE EARLIER TRADE MARK

Q1. Trade mark number

Your trade mark

Q2. Type of mark

Please tick

 UK International UK

Q3. Date the mark became registered or protection was granted

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.

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 date on which the earlier trade mark became registered or protected 5 years or more before the application date (or priority date, if applicable) of the application or international registration you wish to oppose? This is the period referred to below as ‘the relevant period’.
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.

Yes

No > Go To Q14

If ‘Yes’ you must complete the statement below and also Q7 to Q13, before continuing to Q14.

I, (name)..... of (address) and holding the position of (position in company) , state the following in answer to the following questions.

Q7. For which of the goods and services listed at Q5 is use of the trade mark being claimed?

Q8. If the opposition is based on a national registration, or an international registration protected by the UK, please indicate if the mark has been used throughout the UK or, if only used locally or regionally, state where in the UK the mark was used. Please indicate if the mark has been used throughout the UK or, if only used locally or regionally, state where in the UK the mark was used. Please note, if you are relying on a comparable mark, it is possible in certain circumstances to rely on use in the EU please see the relevant guidance in TPN 2/2020.

Throughout the UK (tick)

or, in the following areas

Q9. Please provide a list of examples of the mark in use in the relevant period and indicate against each such entry the goods/services for which you claim it shows use of the mark. Examples of use of the mark could include in price lists, brochures, advertisements, invoices etc. The documents included in your list should be attached as exhibits, which should be clear and easy to read. Each exhibit should be numbered, e.g. exhibit 1, exhibit 2 etc. and the pages of each exhibit should also be numbered, e.g. 1/7, 2/7 and so on. The total number of pages attached as exhibits to this TM7F should not exceed 100 pages. (If you cannot provide examples of the mark in use, please go to Q11.)

Note: If you cannot provide examples from the relevant period but provide more recent examples instead, you must state clearly whether the mark was used in the same form and in the same ways during the relevant period or in some part of that period.

Q10. If no examples are available, a statement of how the mark was used during the relevant period should be provided along with an explanation as to why no examples of the mark in use are available.

Q11. Please provide details of the number of sales achieved under the mark in the UK (or in the EU if the earlier mark is registered or protected at Community level) during the relevant period. These figures should, if possible, be provided on an annual basis and, if possible, be split in relation to each of the goods/services for which use of the mark is claimed; estimates should be provided if exact figures are not readily available.

Note: You may provide financial turnover figures to illustrate the level of sales under the mark, but if you do please also provide an indication of the typical unit price for the product or service.

Q12. If you consider that the information already provided clearly shows genuine use of the mark during the relevant period in relation to the goods/services for which use is claimed, please complete the statement of truth before continuing to Q14. If you wish to supplement the information already provided, please state how much was spent promoting the mark in the UK during the relevant period. Ideally, this should be broken down by year. Estimates may be provided if exact figures are not readily available.

Q13. Please provide any other information that you consider to be relevant.

PLEASE NOTE: *If following the guidance and TPN 2/2020 you consider use in EU to be relevant to any comparable mark you might be relying upon, please also include this information in question 13.*

Statement of truth – to be completed by the person identified at Q6 above

I believe that the facts stated in this form are true.

Signature

This can be typed or handwritten.

Name (BLOCK CAPITALS)

Date

DETAILS OF THE TRADE MARK YOU ARE OPPOSING

Q14. Please tick the relevant section(s) that apply.

5(1) It is **identical** with an earlier registered or protected mark and for **identical goods or services** as the earlier mark

5(2)(a) It is **identical** with an earlier registered or protected mark and for **similar goods or services** as the earlier mark.

5(2)(b) It is **similar** to an earlier registered or protected mark and for **identical or similar goods or services** as the earlier mark.

Q15. 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 and 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 *(please specify below, use a continuation sheet if necessary)*

Q16. 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.

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 all applicable questions.
- 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-for-personal-data-processed-for-the-administration-of-ip-rights>