

“FAST-TRACK” TRADEMARK APPLICATION PROCEDURE AT UKIPO

The UKIPO have announced that, from **7 April 2008**, a new “Fast-track” service for examination of UK trademark applications will be introduced.

A UK trademark application filed after 7 April 2008 can, on payment of an additional fee, be examined within 10 working days from the filing date of the application.

For comparative purposes, conventional applications currently take around 1-2 months from the filing date to be examined, and it takes around 7-8 months to obtain a registration, assuming no major problems are encountered. Registration time for a Fast-track application would be shortened to around 4 months, assuming no major problems are encountered.

The cost for requesting a Fast-track examination is £400 (irrespective of the number of classes claimed). This is in addition to the existing application fees.

Why Fast-track?

The main benefits to an Applicant are:

- Obtaining earlier infringement rights.
- Earlier notification of any conflicting rights that exist on the UK and Community Trade Mark Registers by virtue of earlier examination of the application.
- Greater certainty of obtaining an International Registration (Madrid Protocol) based on a UK application.

Additional Points

The Fast-track procedure only relates to the examination of the application. There is no Fast-track procedure for obtaining the UKIPO’s response to submissions filed in the light of any objections raised against an application. However, the UKIPO will try to deal with all correspondence as quickly as possible where Fast-track applications are concerned.

The period for third parties to oppose a published application remains at 3 months from the publication date.

It is not possible to obtain Fast-track examination for an application for a series of trademarks in a single application.

Our Approach

Unless you instruct us otherwise we will file conventional (non Fast-track applications).

If you would like further details, please contact Sanjay Kapur, John Peacock, Jackie Tolson or David Thompson.

The information in this Newsletter was correct at the date of release. More up to date information is available by contacting Potter Clarkson LLP. All comments contained here are of a general nature and full professional advice should be sought on any specific problem. Please note that all our Newsletters can be found on our website at www.potterclarkson.com.

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