



## 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 on the date that the opposed mark was published in the Journal 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

*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.

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#### 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

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#### 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

Name

(BLOCK CAPITALS)

Date

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#### 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.12 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

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#### Trade mark number

Your trade mark

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#### Type of mark

Please tick

 UK International UK

#### 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.

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#### Representation of your trade mark

Enter your trade mark in the space provided - use a continuation sheet if necessary.



**Q1. Which goods or services covered by the earlier trade mark are relied upon for the opposition?**

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

**Q2. 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’.**

Yes

No > Go To Q10

**If ‘Yes’ you must complete the statement below and also Q3 to Q9, before continuing to Q10.**

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

**Q3. For which of the goods and services listed at Q1 is use of the trade mark being claimed?**

**Q4. 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

**Q5. 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 Q7.)**

*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.*

**Q6. 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.**

**Q7. 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.*

**Q8. 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 Q10. 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.**

**Q9. 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 9.*

**Statement of truth – to be completed by the person identified at Q2 above**

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

**Signature**

**Name (BLOCK CAPITALS)**

**Date**

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

**Q10. Please tick the relevant section(s) that apply.**

5(1) It is <b>identical</b> with an earlier registered or protected mark and for <b>identical goods or services</b> as the earlier mark
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5(2)(a) It is <b>identical</b> with an earlier registered or protected mark and for <b>similar goods or services</b> as the earlier mark.
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5(2)(b) It is <b>similar</b> to an earlier registered or protected mark and for <b>identical or similar goods or services</b> as the earlier mark.
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**Q11. 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 Q1?**

All goods and services
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Some goods and services <i>(please specify below, use a continuation sheet if necessary)</i>
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**Q12. 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.**

## Checklist

Please make sure you have remembered to:

- Sign and date the form

### Email your form to us:

Send your form, saved as a PDF to:

[forms@ipo.gov.uk](mailto:forms@ipo.gov.uk)

For help saving your form as a PDF see:

<https://www.gov.uk/government/publications/how-to-file-documents-with-the-intellectual-property-office/how-to-file-documents-with-the-intellectual-property-office>

### If you cannot email your form, post to:

Intellectual Property Office  
Concept House  
Cardiff Road  
Newport  
South Wales  
NP10 8QQ

**Data Privacy:** <https://www.gov.uk/government/publications/intellectual-property-office-privacy-notices/privacy-notice-for-personal-data-processed-for-the-administration-of-ip-rights>



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# 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)

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## Your contact details should we have a query

Name

Email

Phone

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## 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