

## **Trade Marks**

### **Filing Requirements:**

1. Name and physical address of applicant;
2. Details of mark;
3. List of goods and/or services; and
4. Dates, application numbers, applicant, and countries of any convention priorities claimed.

### **General Information for Applicants**

#### **Applicant**

The proprietor of the mark. This may be an individual or corporation (legal entity).

#### **Use**

Intention to use is sufficient. Use may be by an authorised user (licensee).

#### **Classification**

45 classes of goods and services (NICE Classification). Multi class applications are possible.

#### **Examination**

Usually within a few weeks of filing.

#### **Acceptance and Registration**

After acceptance, advertisement marks the beginning of a three month opposition period. If a third party does not oppose within three months then the Certificate of Registration will issue.

#### **Opposition**

A Notice of Intention to Oppose may be filed within three months from the date that acceptance is advertised.

#### **Non-Use**

Marks are vulnerable to revocation if not used by the proprietor or an authorised user for continuous periods of three years from the date of registration.

#### **Marking**

Not compulsory, but failure to mark may affect the damages which may be claimed in the case of infringement.

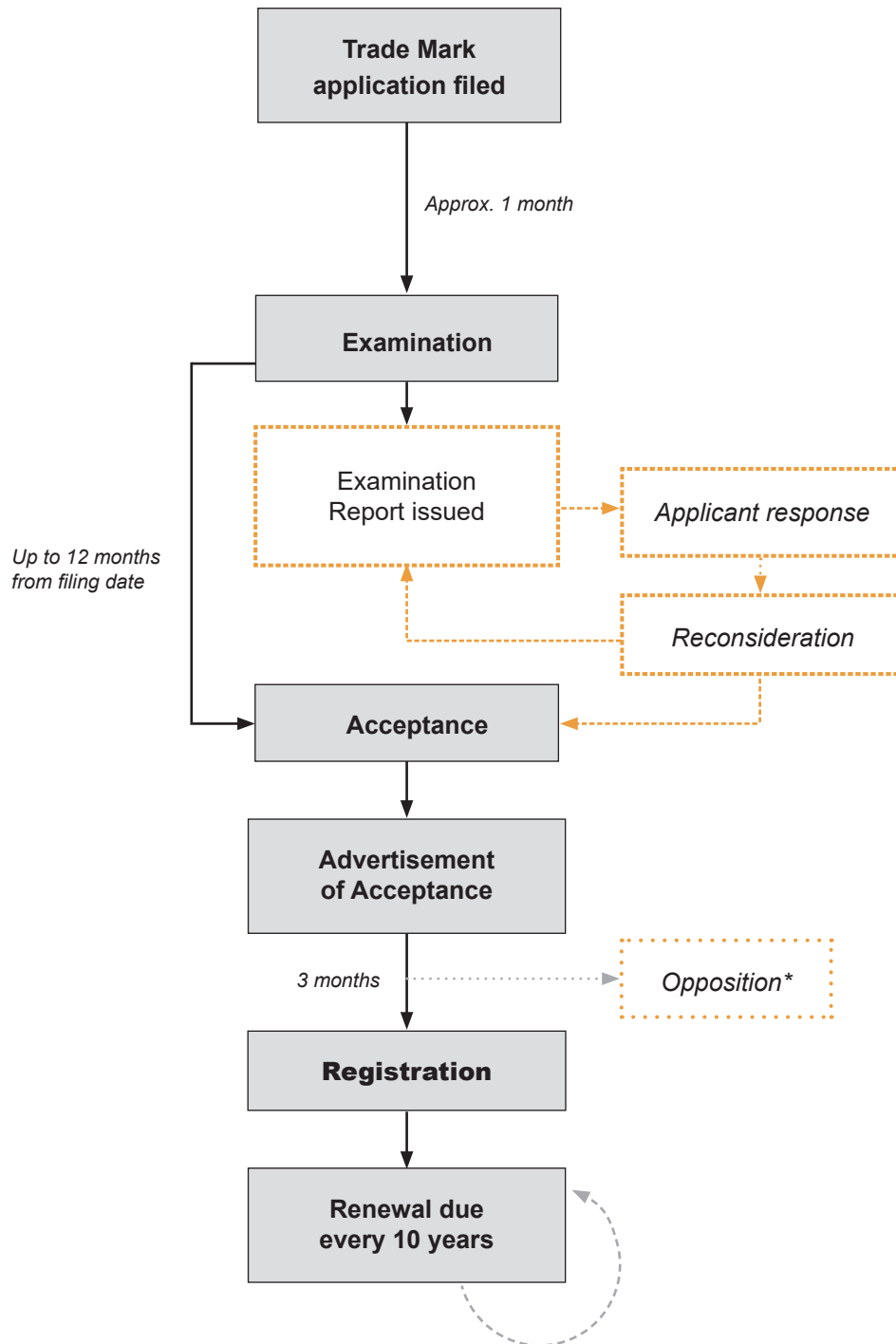
#### **Term**

The initial term is 10 years renewable indefinitely for periods of 10 years, subject to complying with use requirements

#### **Assignments**

Trade marks may be assigned/transferred with or without goodwill and the assignments must be recorded with the New Zealand Trade Marks Office. Both registered and pending trade marks may be assigned.

### Trade Mark Application Procedure



\* Please contact us for further details of oppositions procedure