



## HAMPSHIRE FARE OFFER - UK TRADE MARK APPLICATION AT FIXED PROFESSIONAL CHARGE

Your trade mark is a valuable business asset - it is the 'badge' on which your goodwill and reputation is pinned and it should be protected. Up until 31 December 2017 we would like to offer all Hampshire Fare members a fixed professional charge to file your trade mark application.

### Why should I register?

A registered Trade Mark:

- May deter third parties from using or registering a similar or identical trade mark to yours;
- Makes it easier for you to take legal action against anyone who uses a similar or identical trade mark to your own without your permission;
- Allows Trading Standards Officers or police to bring criminal charges against counterfeiters if they use your Trade Mark;
- Is your property, which means it has value. You can sell it, franchise it or let other people have a licence that allows them to use it.

### What should I register?

You should register the key brand names that are important to you and your business. This is usually the company name, the company logo and often the names of key product lines.

### Where should I register?

Trade Mark registrations are territorial, so it is important that you obtain protection in the key territories in which you trade.

There are international treaties in place which allow you to link your Trade Marks together based upon an existing

UK registration. However, we usually advise starting in the UK or with a European Union Trade Mark (which covers all 28 member states of the EU) before considering international applications.

### Can all Trade Marks be registered?

Not all Trade Marks are capable of registration. Words that are commonly used in the trade or which are descriptive or generic may not be registrable.

Trade Marks that are not distinctive, designate geographical origin or which are offensive are also not registrable, so careful consideration has to be given when looking at the registration of your mark. Remember, APPLE in respect of computers is distinctive and not something which other traders might legitimately want to use. APPLE in respect of fruit and vegetables, is not!

### In which classes?

This is the part where we come in and this is where our skill and expertise is required!

All goods and services are categorised into different classes under the Nice Classification System. There are currently 45 different classes. You must think laterally about the goods and/or services that you wish to protect and list them in a specification. You should try and cover all goods and/or services of interest to you in one application.



You want to try and cover everything in one application. However, as with everything, there is a balance to achieve - the wider the specification, the greater the potential for it to conflict with an existing registration.

## How long does it take?

If your mark is distinctive and does not conflict with an existing registration, then the process can take about 4 months. If there are objections from the Registry or if a third party files an opposition, then the process can take longer, additional fees will be incurred in dealing with these objections and/or oppositions and in some cases, the application may not be granted.

## How much does it cost?

**As a Hampshire Fare member, we can offer you a fixed rate on our professional fees for UK Trade Mark applications of £400 + VAT regardless of the number of classes of goods and/or services.** If you want to file an EU trade mark then we can fix our fees at £600 + VAT.

**This offer is for our professional fees relating to the application only** and does not include the IPO's official fees (which start at £170 if applying in one class + £50 per additional class). We can advise you of these once we know the goods/services to be protected. Please note the offer applies to our initial application charges only and further fees will be incurred as the application progresses, for example, if the IPO have any queries or if any third parties object to the application due to a perceived prior right.

## Find out more

Please contact us to discuss your requirements or to find out more. Our offer remains open until 31 December 2017 - please quote '**HAMPSHIRE FARE**'.



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