

## HOW TO OPPOSE OR DEFEND A TRADE MARK APPLICATION IN THE UK

### APPLICANT FOR A UK TRADE MARK REGISTRATION

### TIMELINE

### BRAND OWNER WHO WISHES TO OPPOSE

The application is advertised by the UK IPO

**2 months**  
During which opposition may be filed - may be extended to 3 months by request

*Letter before action (optional)*

Send opposition to UK IPO

Applicant files their defence (counterstatement). Applicant may request proof of use of trade marks over 5 years old

**2 months**  
During which defence must be filed - if both parties agree may extend by seven months and then by nine months

Brand owner files evidence of fact, and evidence of use, if required.

*Legal submissions (optional)*

Applicant files evidence of fact

*Legal submissions (optional)*

**2 months**  
Extension may be requested by applicant, if very good reasons

Brand owner indicates if reply evidence will be filed

**1 month**

Brand owner files any reply evidence (optional)

**1 month**

*Option to request hearing (or decision is made based on the papers)*

*File any legal submissions*

**Few weeks**

*Option to request hearing (or decision is made based on the papers)*

*File any legal submissions*

Hearing by UK IPO

**Several weeks later**

Hearing by UK IPO

Decision by UK IPO, with possible costs award

**Several months later**

Decision by UK IPO, with possible costs award

Option to appeal to court or appointed person

**28 days**

Option to appeal to court or appointed person.