



HSM IP Trade Mark Client Guide

EUROPEAN COMMUNITY

Registration

A trade mark can be registered in the European Community (EC) pursuant to *Council Regulation (EC) 207/2009* which provides for Community trade mark applications (EU-wide applications).

The following information and documentation is required:

1. name of the trade mark
2. one copy of the mark (unless mark is word only)
3. class(es) and specification of goods and/or services
4. applicant's name and address
5. priority information (if priority is claimed)

It usually takes about six months for the Office for Harmonization in the Internal Market (OHIM) to process an application for registration. Paris Convention priority can be claimed. Once the registration is complete the OHIM will issue a Registration Certificate.

Classes

The International Classification system is used. Multi-class applications are allowed.

Searches

In order to conduct a search the only documentation required is the name of the trade mark and one copy of the mark (unless mark is word only). The result can usually be provided within two working days.

Renewal

A trade mark registration is valid for 10 years after which it can be renewed for like periods. Two months before the renewal date we will send you an Expiry Notice asking whether you wish us to renew the registration or allow the mark to lapse. If the registration is to be renewed no documentation is required.

The application for renewal should be filed within six months prior to the expiration date of the registration. A grace period of six months, however, is allowed from the expiration date for the filing of the application for renewal upon payment of a late fee. After that time a new application for registration is required.

It usually takes two months or less for the OHIM to process an application for renewal. Once the renewal is complete the OHIM will issue a Certificate of Renewal.

If you do not wish to renew the mark please inform us so that we can advise the OHIM accordingly.

Abandonment

Please inform us as soon as possible if you wish to abandon your trade mark or allow it to lapse so that we can update our records and advise the OHIM accordingly. This will avoid us sending out unnecessary Reminder Notices.

Assignment

Please inform us as soon as possible if the trade mark has been assigned so that we can file an application to record the assignment in the EC.

To record the assignment of a trade mark registration the only documentation required is the document evidencing the assignment.

It usually takes two months or less for the OHIM to process an application to record an assignment. Once the recording is complete the OHIM will issue a Certificate of Assignment.

Change of Particulars

Please inform us as soon as possible if there is any change to the registration so that we can file an application to record the change in the EC.

To record a change of name and/or address for a trade mark registration no documentation is required unless required by the OHIM after the application is filed.

It usually takes two months or less for the OHIM to process an application to record a Change of Particulars. Once the recording is complete the OHIM will issue a Certificate showing the change.

Our Firm

HSM IP Ltd. provides worldwide intellectual property services.

Based in the Cayman Islands our experienced team of attorneys and paralegals deliver first class service to a broad client base which includes major Fortune Global 500 brand owners, international law firms and other specialist IP practices.

Our interactive database enables us to proactively manage each client's portfolio efficiently and cost-effectively in an environmentally friendly and substantially paperless workplace. It also enables us to fulfil our clients specific reporting and invoicing requirements, including multi-currency invoicing and e-billing.

We offer a competitive schedule of fixed fees, inclusive of both disbursements and official fees, which enables us to provide clients with an accurate estimate of their project costs before embarking on a filing programme for their portfolio.

The growth of our firm has enabled us to establish a specialist Caribbean department whose members regularly contribute to leading IP publications.

Supported by HSM Chambers, an offshore law firm with experienced attorneys admitted in multiple jurisdictions, we have substantial experience in taking action to address the infringement of trade marks and patents and in the conduct of passing-off actions. We are also able to offer investigative services to identify the source of, and distributors of, infringing goods, working closely with police and customs officials as necessary.

Memberships: INTA, AIPLA and ITMA.

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HSM IP Ltd. is a Law Firm recognised under the Legal Practitioners (Incorporated Practice) Regulations, 2006 (as amended).

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