

**Council for Trade-Related Aspects of
Intellectual Property Rights**

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**MAIN DEDICATED INTELLECTUAL PROPERTY
LAWS AND REGULATIONS NOTIFIED UNDER
ARTICLE 63.2 OF THE AGREEMENT**

HONG KONG, CHINA

The present document reproduces the text¹ of the Trade Marks Rules, as notified by Hong Kong, China under Article 63.2 of the Agreement (see document IP/N/1/HKG/2).

**Conseil des aspects des droits de propriété
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET RÉGLEMENTATIONS CONSACRÉES À LA
PROPRIÉTÉ INTELLECTUELLE NOTIFIÉES AU TITRE
DE L'ARTICLE 63:2 DE L'ACCORD**

HONG KONG, CHINE

Le présent document contient le texte¹ des Règles relatives aux marques de fabrique ou de commerce, notifiée par Hong Kong, Chine au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/HKG/2).

**Consejo de los Aspectos de los Derechos de Propiedad
Intellectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA PROPIEDAD
INTELLECTUAL NOTIFICADOS EN VIRTUD DEL PÁRRAFO 2
DEL ARTÍCULO 63 DEL ACUERDO**

HONG KONG, CHINA

En el presente documento se reproduce el texto¹ del Reglamento de Marcas de Fábrica o de Comercio notificado por Hong Kong, China en virtud del párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/HKG/2).

¹ In English only./En anglais seulement./En inglés solamente.

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
		Heading:	Empowering section	Version Date: 30/06/1997

(Cap 43, section 90)

[2 March 1992]

(L.N. 5 of 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	1	Heading:	Citation	Version Date: 30/06/1997

- (1) These rules may be cited as the Trade Marks Rules.
- (2) (Omitted as spent)

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	2	Heading:	Interpretation	Version Date: 30/06/1997

- (1) In these rules, unless the context otherwise requires-
"Registry" means the Trade Marks Registry, Hong Kong;
"section" means a section of the Ordinance, a subsection being indicated by a number enclosed in brackets immediately following the number of the section;
"send" includes give;
"specification" means the designation of goods or, as the case may be, services in respect of which a trade mark, or a registered user of a trade mark, is registered or proposed to be registered.
- (2) In these rules, references to something being filed at a place or with a person are to be construed as references to its being sent to that place or person or made or left at that place or given or made to or left with that person, or to that person being furnished with it, and references to the filing of anything without an indication of the place at which or person with whom it is to be filed are to be construed as references to its being filed with the Registrar at the Registry.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	22 of 1999
Rule:	3	Heading:	Unacceptable words and representations	Version Date:	01/07/1997

Remarks:

Amendments retroactively made - see 22 of 1999 s. 3

REGISTRABILITY OF TRADE MARKS (SECTIONS 9 TO 12)
PRELIMINARY ADVICE (SECTION 73)

(1) The Registrar may refuse to accept any application for the registration of a mark upon which any of the following appear-

- (a) the words "Patent", "Patented", "Registered", "Registered Design", "Copyright", "To counterfeit this is a forgery", or words to the like effect;
- (b) (Repealed 22 of 1999 s. 3)
- (c) the words "Red Cross" or "Geneva Cross" and representations of the Geneva and other crosses in red, or of the Swiss Federal cross in white on a red ground or silver on a red ground, or such representations in a similar colour or colours.

(2) Where there appears in a trade mark the registration of which is applied for a representation of a cross in any colour, not being one of those mentioned in subrule (1)(c), the Registrar may require the applicant as a condition of acceptance to undertake not to use the cross device in red, or in white on a red ground or silver on a red ground, or in any similar colour or colours.

(3) Representations of exhibition medals and awards that have been granted to an applicant or his predecessor in business in respect of the goods or services for which a trade mark is proposed to be registered may appear on the mark but shall not be accepted as a registrable feature thereof. Representations of medals and awards that have not been so granted to the applicant or his predecessor in business may not appear on the mark.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	22 of 1999
Rule:	4	Heading:	(Repealed 22 of 1999 s. 3)	Version Date:	01/07/1997

Remarks:

Amendments retroactively made - see 22 of 1999 s. 3

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	5	Heading:	Armorial bearings, insignia, flags, etc.	Version Date:	30/06/1997

Where a representation of the name, initials, armorial bearings, insignia, orders of chivalry, decorations, flags or devices of any state, city, borough, town, place, society, body corporate, institution or person appears on a trade mark, the Registrar shall consider whether to refuse to accept an application for the registration of the mark unless the consent of such official or other person as appears to the Registrar to be entitled to give consent is filed.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	6	Heading:	Living persons or persons recently dead	Version Date:	30/06/1997

Where the name or representation of any person living or recently dead appears on a trade mark, the Registrar shall consider whether to refuse to accept an application for the registration of the mark unless the consent of the person or, as the case may be, his personal representatives is filed.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	7	Heading:	Name or description of goods or services	Version Date:	30/06/1997

(1) Where the name or description of any goods or services appears on a trade mark, the Registrar shall consider whether to refuse to register such mark in respect of any goods or services, as the case may be, other than the goods or services so named or described.

(2) Where the name or description of any goods or services appears on a trade mark and the name or description in use varies, the Registrar shall consider whether to refuse to permit the registration of the mark for those and other goods or services, as the case may be, unless the applicant states in his application that the name or description will be varied when the mark is used upon goods or services covered by the specification other than the named or described goods or services.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	8	Heading:	Preliminary advice by Registrar as to distinctiveness	Version Date:	30/06/1997

(1) Any person who proposes to apply for the registration of a trade mark in Part A or Part B of the register in respect of any goods or services may apply to the Registrar by filing Form TM-No. 2 for advice as to whether the trade mark appears to the Registrar prima facie to be inherently adapted to distinguish within the meaning of section 9 or inherently capable of distinguishing within the meaning of section 10 as the case may be in relation to those goods or services.

(2) Separate applications under subrule (1) shall be made in respect of goods or services comprised within different classes as set out in Schedule 4.

(3) An application for advice under subrule (1) shall contain a representation of the mark to be affixed on the form in the manner provided in rule 9(3A) and be filed together with 2 duplicates of such representation.

(4) A notice of withdrawal of an application for the registration of a trade mark given under section 73(3) for the purpose of obtaining repayment of any fee paid on the filing of the application shall be given in writing within 6 months from the date of the notice of the Registrar's objection.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	9	Heading:	Form of application	Version Date:	30/06/1997

APPLICATION FOR REGISTRATION OF A TRADE MARK (SECTION 13)

(1) An application under section 13 for the registration of a trade mark in Part A or Part B of the register shall be filed with the Registrar on Form TM-No. 3. The application shall be signed by the applicant or his agent. If the application is made for or on behalf of a firm or a body corporate or an unincorporated body it shall be signed in the manner provided by rule 96, but in any case it may be signed by an agent.

(2) Every application claiming priority under section 13A by reason of an application made or deemed to have been made in a Convention country shall specify the country in which the application was made and the date of that application, and the applicant shall file at any time before acceptance of the application a certificate by the registrar or other registering authority of that country, or otherwise verify the application made or deemed to be made in that country to the satisfaction of the Registrar.

(3) Each application shall be for registration in respect of goods or services in one class only of Schedule 4.

(3A) (a) Every application for the registration of a trade mark shall contain a representation of the mark in the space provided on the application form for that purpose.

(b) Where the representation exceeds the space in size part of the representation shall be affixed in the space and the representation shall not be folded.

(4) Each application shall be filed together with 14 additional representations of the trade mark exactly corresponding to that affixed to Form TM-No. 3, one of which shall be affixed on Form TM-No. 3A in the same manner as provided for in subrule (3A).

(5) A request under section 13(7) for the amendment of an application for registration shall be made by filing Form TM-No. 33 and in the case of an amendment to the mark the amended mark shall be affixed as provided in subrule (3A). The request shall be filed together with 14 additional representations of the amended mark which shall correspond exactly with that affixed to Form TM-No. 33. One of the 14 amended marks shall be affixed to Form TM-No. 33A in the same manner as provided for in subrule (3A).

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	10	Heading:	Specification must be justified by use or intended use	Version Date: 30/06/1997

In the case of an application under section 13 for registration in respect of all the goods or services included in a class, or of a large variety of goods or services, the Registrar may refuse to accept the application unless he is satisfied that the specification is justified by the use of the mark which the applicant has made, or intends to make if and when it is registered.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	11	Heading:	Separate applications for different classes	Version Date: 30/06/1997

(1) Applications under section 13 for the registration of the same mark in different classes shall be treated as separate and distinct applications.

(2) Where a trade mark relating to goods is registered under the same official number for goods in more than one class, whether on conversion of the specification under rule 75 or otherwise, the registration in respect of the goods included in each separate class shall be deemed to be a separate registration for all the purposes of the Ordinance.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	12	Heading:	Representations of marks to be satisfactory	Version Date: 30/06/1997

In any application under section 13, the representation of a trade mark shall be clear and durable; and the Registrar, if dissatisfied with any representation of a trade mark, may at any time require another representation satisfactory to him to be substituted before proceeding with the application.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	13	Heading:	Specimens of trade marks in exceptional cases	Version Date:	30/06/1997

In any application under section 13-

- (a) where a representation cannot be filed in accordance with rules 9(3A) and 12, a specimen or copy of the mark either of full size or on a reduced scale may, subject to the consent of the Registrar, be filed in any convenient form; and
- (b) the Registrar shall retain for inspection by the public each specimen or copy filed under paragraph (a) and may refer to it in the register in such manner as he may think fit.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	14	Heading:	Series of trade marks	Version Date:	30/06/1997

When application under section 13 is made for the registration of a series of trade marks under section 26, a representation of each trade mark of the series shall be affixed in accordance with rules 9(3A) and 12, and subject to rule 13, to the application form which shall be filed together with 14 additional sets of representations and rule 9(4) shall apply with such modifications as are required to suit the circumstances.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	15	Heading:	Transliteration and translation	Version Date:	30/06/1997

In any application under section 13-

- (a) where a trade mark contains a word or words in characters other than Roman, there shall, unless the Registrar otherwise directs, be endorsed on the application form a sufficient transliteration and translation to the satisfaction of the Registrar of each of such words, and every such endorsement shall state the language to which the word belongs and shall be signed by the applicant or his agent; and
- (b) where a trade mark contains a word or words in a language other than English, the Registrar may ask for an exact translation thereof together with the name of the language, and such translation and name, if he so requires, shall be endorsed and signed as aforesaid.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	15A	Heading:	Notice of election under section 92(6)	Version Date:	30/06/1997

A notice to the Registrar under section 92(6) shall be given by the applicant by filing Form TM-No. 54.

(L.N. 299 of 1996)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	16	Heading:	Search	Version Date:	30/06/1997

PROCEDURE ON RECEIPT OF AN APPLICATION FOR REGISTRATION OF A TRADE MARK

(1) Upon receipt of an application for the registration of a trade mark in respect of any goods or services the Registrar shall, for the appropriate purpose specified in subrule (2) or (3), cause a search to be made amongst the registered marks and pending applications and the Registrar may cause the search to be renewed at any time before the acceptance of the application, but shall not be bound to do so.

(2) In the case of an application for the registration of a trade mark relating to goods in respect of any goods the appropriate purpose mentioned in subrule (1) is that of ascertaining whether, for the same goods, for the same description of goods or for services or a description of services associated with the goods or goods of that description, there are on record any marks identical with the mark applied for or so nearly resembling it as to render the mark applied for likely to deceive or cause confusion.

(3) In the case of an application for the registration of a trade mark relating to services in respect of any services the appropriate purpose mentioned in subrule (1) is that of ascertaining whether, for the same services, for the same description of services or for goods or a description of goods associated with the services or services of that description, there are on record any marks identical with the mark applied for or so nearly resembling it as to render the mark applied for likely to deceive or cause confusion.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	17	Heading:	Acceptance, absolute or conditional; objection	Version Date:	30/06/1997

After such search, and consideration of the application, and of any evidence of use or of distinctiveness or of any other matter which the applicant may or may be required to file, the Registrar may accept the application absolutely, or he may object to it, or he may express his willingness to accept it subject to such conditions, amendments, disclaimers, modifications or limitations as he may think right to impose.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	18	Heading:	Registrar's objections. Hearing	Version Date:	30/06/1997

If the Registrar objects to the application, he shall send his objections in writing to the applicant, and unless within 6 months from the date of receipt of those objections the applicant files an application with the Registrar for a hearing or files a considered reply in writing to those objections he shall be deemed to have withdrawn his application.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	19	Heading:	Registrar's conditions, etc. Hearing	Version Date:	30/06/1997

(1A) If the Registrar is willing to accept the application subject to any conditions, amendments, disclaimers, modifications or limitations he shall send to the applicant written notice of such willingness.

(1B) If the applicant objects to such conditions, amendments, disclaimers, modifications or limitations he shall within 6 months from the date of receipt of the notice file an application with the Registrar for a hearing or file his considered objections in writing, and if he does not do so he shall be deemed to have withdrawn his application.

(1C) If the applicant does not object to such conditions, amendments, disclaimers, modifications or limitations he shall within 6 months from the date of receipt of the notice file a written statement of his absence of objection and alter his application accordingly, and if he does not do so he shall be deemed to have withdrawn his application.

(2) The Registrar may require that a transliteration or translation of a word trade mark, or the name of a device trade mark, appears on the mark in Chinese characters if in his opinion this is necessary to avoid the likelihood of deception or confusion and for the protection of the public.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	20	Heading:	Decision of Registrar	Version Date:	30/06/1997

(1) When the Registrar has made a decision following a hearing as mentioned in rule 18 or 19(1B) or, if the applicant has not applied for a hearing in accordance with those rules, after considering any considered reply or considered objections filed in accordance with those rules, the Registrar shall send his decision to the applicant in writing.

(2) If the applicant objects to the decision he may within 3 months from the date of receipt of the decision by filing Form TM-No. 5 require the Registrar to state in writing the grounds for his decision and the materials used by him in arriving at it.

(3) Where the applicant does not object to every condition, amendment, disclaimer, modification or limitation sent to him under rule 19(1A), the Registrar may decline to issue a statement as required in subrule (2) until the applicant has altered his application in accordance with those to which he does not object.

(4) The date when the statement is sent to the applicant shall be deemed to be the date of the Registrar's decision for the purpose of appeal.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	21	Heading:	Disclaimer	Version Date:	30/06/1997

The Registrar may call on an applicant to insert in his application such disclaimer as the Registrar may think fit, in order that the public generally may understand what the applicant's rights, if his mark is registered, will be.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	22	Heading:	Advertisement of application	Version Date:	30/06/1997

ADVERTISEMENT OF APPLICATION FOR REGISTRATION
OF A TRADE MARK (SECTION 14)

- (1) An application for the registration of a trade mark required or permitted to be advertised by section 14 shall be advertised by the applicant in one issue of the Gazette; and subrule (5) shall apply.
- (2) In the case of an application with which the Registrar proceeds only after the applicant has lodged the written consent to the proposed registration of the registered proprietor of another trade mark or another applicant, the words "BY CONSENT" and the number of the other mark shall appear in the advertisement.
- (3) If, with the approval of the Registrar, no representation of the trade mark is included in the advertisement of the application, the applicant shall supply a detailed description of the trade mark, approved by the Registrar, and shall state in the advertisement that a representation of the trade mark is deposited in the Registry for inspection.
- (4) When an application relates to a series of trade marks the Registrar may, if he thinks fit, direct the applicant to insert with the advertisement of the application a statement of the manner in which the several trade marks differ from one another.
- (5) Where a mark consists of other than a word or words in plain type, the applicant for its registration shall, if required by the Registrar for the purposes of advertisement, supply to the Government Printer a representation of the mark which permits direct reproduction by electro-static processes and photo-offset in an unlimited number of copies; and such a representation shall be of such dimensions as the Registrar may require or permit for the purpose.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	23	Heading:	Notice of opposition	Version Date:	30/06/1997

OPPOSITION TO APPLICATION FOR REGISTRATION
OF A TRADE MARK (SECTION 15)

- (1) Any person may within 2 months from the date of any advertisement in the Gazette of an application for registration of a trade mark file in duplicate on Form TM-No. 6 notice of opposition to the registration; and the Registrar shall forthwith send the duplicate to the applicant.
- (2) Notice of opposition shall include a statement of the grounds upon which the opponent objects to the registration opposed.
- (3) If registration is opposed on the ground that the mark resembles another mark already on the register or the registration of which is the subject of a current application, the number and class of that other mark and (except in the case of a registered mark or a mark the subject of an application not yet advertised) the date of the Gazette in which it has been advertised shall be set out in the notice.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	24	Heading:	Counter-statement	Version Date:	30/06/1997

(1) Within 2 months from the date of receipt of the duplicate provided for in rule 23 the applicant shall file a counter-statement on Form TM-No. 7 setting out the grounds on which he relies as supporting his application and the facts, if any, alleged in the notice of opposition which he admits.

(2) The counter-statement shall be filed together with a duplicate which the Registrar shall send to the opponent.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	25	Heading:	Evidence in support of opposition	Version Date:	30/06/1997

Within 6 months from the date of receipt of the duplicate the opponent shall file such evidence by way of statutory declaration as he may desire to adduce in support of his opposition and shall send to the applicant a copy of that evidence.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	26	Heading:	Evidence in support of application	Version Date:	30/06/1997

If the opponent files no evidence in accordance with rule 25 he shall, unless the Registrar otherwise directs, be deemed to have abandoned his opposition; but if he does so file evidence the applicant shall, within 6 months from the date of his receipt of the copy of the opponent's evidence provided for in rule 25, file such evidence by way of statutory declaration as he may desire to adduce in support of his application and shall send to the opponent a copy of that evidence.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	27	Heading:	Evidence in reply by opponent	Version Date:	30/06/1997

(1) Within 6 months from the date of receipt by the opponent of the copy of the applicant's evidence provided for in rule 26 the opponent may file evidence in reply by way of statutory declaration and shall send to the applicant a copy of that evidence.

(2) Evidence in reply shall be confined to matters strictly in reply to the applicant's evidence.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	28	Heading:	Further evidence	Version Date:	30/06/1997

No further evidence shall be filed by either side, but in any proceedings before the Registrar he may at any time, if he thinks fit, give leave to either the applicant or the opponent to file any evidence upon such terms as to costs or otherwise as the Registrar may think fit.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	29	Heading:	Exhibits	Version Date:	30/06/1997

(1) Where there are exhibits to statutory declarations filed as evidence in an opposition, the party filing them shall, on the request and at the expense of the other party, send to him a copy or impression of each exhibit or, if a copy or impression cannot conveniently be sent, the originals shall be filed in order that they may be open to inspection.

(2) The originals of the exhibits referred to in subrule (1) shall be produced at the hearing unless the Registrar otherwise directs.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	30	Heading:	Hearing	Version Date:	30/06/1997

(1) After completion of the evidence the Registrar shall send to the parties notice of a date when he will hear argument in the case.

(2) The date for hearing argument shall be at least 14 days after the date of receipt of the notice by the parties, unless the parties consent to shorter notice.

(3) Within 7 days from the date of receipt of the notice any party who intends to appear shall give notice by filing Form TM-No. 8; and any party who does not do so may be treated as not desiring to be heard, and the Registrar may act accordingly.

(4) The Registrar shall communicate to the parties, in writing, his decision and, if so required by any party, the written grounds of his decision.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	31	Heading:	Extension of time	Version Date:	30/06/1997

Where in opposition proceedings an extension of time is granted under rule 91 to any party, the Registrar may thereafter, if he thinks fit, without giving the party so favoured a hearing, grant any reasonable extension of time to the other party in which to take any subsequent step.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	32	Heading:	Withdrawal of appeal	Version Date:	30/06/1997

An appellant entitled to withdraw his application under section 15(8) may do so by sending to the Registrar and to any other party, within 7 days from the date of his receipt of the leave referred to in that section, notice of his intention to withdraw.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	33	Heading:	Advertisement of trade mark under section 15(9), 51(2) or 51(4)	Version Date:	30/06/1997

An advertisement under section 15(9), 51(2) or 51(4) shall be made in the same manner, with such modifications as may be required to suit the circumstances, as an advertisement relating to an application for registration.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	34	Heading:	Security for costs. Costs in uncontested cases	Version Date:	30/06/1997

(1) Where a party filing notice of opposition or an applicant filing a counter-statement after receipt of a copy of such a notice neither resides nor carries on business in Hong Kong, the Registrar may require him to give security, in such form as the Registrar may deem sufficient, for the costs or expenses of the proceedings before the Registrar, for such amount as to the Registrar may seem fit, and at any stage in the opposition proceedings may require further security to be given at any time before giving his decision in the case.

(2) In the event of an opposition being uncontested by the applicant, the Registrar in deciding whether costs should be awarded to the opponent shall consider whether proceedings might have been avoided if reasonable notice had been given by the opponent to the applicant before the notice of opposition was filed.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	35	Heading:	Entry in register	Version Date:	30/06/1997

REGISTRATION OF A TRADE MARK (SECTION 17)

(1) As soon as practicable after the expiration of 2 months from the date of the advertisement in the Gazette of any application for the registration of a trade mark, the Registrar shall, subject to any opposition and the determination thereof, and subject to the provisions of section 17(1), and upon receipt of Form TM-No. 9 together with the prescribed fee, enter the trade mark in the register. The entry of a trade mark in the register shall give the date of the registration, the goods or services in respect of which it is registered and all the particulars specified in section 3(1), including-

- (a) the name and the trade or business address of the proprietor;
- (b) any address for service filed under rule 100;
- (c) particulars of any undertakings given by the proprietor; and
- (d) particulars affecting the scope of the registration or the rights conferred by it.

(2) In the case of an application which the Registrar accepts only after the applicant has filed the written consent to the proposed registration of the registered proprietor of another trade mark or another applicant for registration, the entry referred to in subrule (1) in the register shall state that it is "BY CONSENT", and shall give the number of the previous registration or the application for registration.

(3) When a trade mark has been entered in the register, the fact of registration shall be advertised in the Gazette.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	36	Heading:	Death of applicant before registration; assignment after application	Version Date:	30/06/1997

(1) If an applicant for the registration of a trade mark dies after his application has been made and before the mark has been entered on the register and another person proves to the satisfaction of the Registrar that he enjoys the same rights in or in respect of the mark that the applicant enjoyed, the application shall proceed and rule 35 shall apply as if that person were the applicant.

(2) Where an applicant for the registration of a trade mark is also the registered proprietor of a trade mark registered in respect of relevant goods or services and both the registered mark and the mark the subject of the application are assigned or transmitted (other than on death) to the same person, that person may include in his application under rule 40 an application to be treated as the applicant for registration; and in such a case the application shall proceed and rule 35 shall apply as if that person were the applicant.

(3) Rule 42(2) and (3) shall apply in respect of an application under subrule (2) as it applies in respect of an application under rule 40.

(4) For the purposes of subrule (2), relevant goods or services are-

- (a) in the case of an application for the registration of a trade mark relating to goods in respect of any goods-
 - (i) the same goods; or
 - (ii) the same description of goods; or
 - (iii) services or a description of services associated with the goods or goods of that description; and
- (b) in the case of an application for the registration of a trade mark relating to services in respect of any services-
 - (i) the same services; or
 - (ii) the same description of services; or
 - (iii) goods or a description of goods associated with the services or services of that description.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	37	Heading:	Certificate of registration	Version Date:	30/06/1997

Upon the registration of a trade mark the Registrar shall send to the proprietor a certificate in Form TM-No. 10, and shall affix thereto a representation of the mark filed by the applicant under rule 9(4). No fee shall be charged for the certificate.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	38	Heading:	Non-completion	Version Date:	30/06/1997

NON-COMPLETION OF REGISTRATION

(1) In any case falling within section 17(4), that is to say, in any case in which, by reason of default on the part of the applicant, registration of the trade mark in question is not completed on or before the first anniversary of the date on which the application in question was filed under rule 9, the time specified in the notice of non-completion given by the Registrar under that section within which the application must be completed if it is not to be liable to be treated as abandoned shall be not less than 14 days from the date on which the notice is given.

(2) In any case not falling within section 17(4), that is to say, in any case in which registration of the mark is not completed on or before the said anniversary but the failure to register the mark on or before that anniversary is not attributable to default on the part of the applicant, the provisions of subrules (3) to (5) shall apply; but those subrules shall not otherwise apply.

(3) If the requirements for completion are not satisfied before the end of the period of 1 month beginning on the day following whichever of the events specified in subrule (4) last occurs the Registrar may give notice of non-completion to the effect that if the requirements for completion are not satisfied within the time specified in the notice he may treat the application as abandoned; and the time so specified shall be not less than 14 days from the date on which the notice is given.

(4) The events referred to in subrule (3) are-

- (a) expiry of the time within which notice of opposition may be filed under rule 23 or, as the case may be, rule 54;
- (b) the final determination of any opposition proceedings (including the disposal of any appeal);
- (c) acceptance by the Registrar of the application absolutely;
- (d) the final determination of any proceedings under rule 20 (including the disposal of any appeal).

(5) If the requirements for completion are not satisfied within the time specified in a notice of non-completion given under subrule (3) the Registrar may, subject to subrule (7), treat the application as abandoned.

(6) The Registrar shall give notice of non-completion under section 17(4) or under subrule (3), as the case may be, by sending it to the applicant or his agent.

(7) The Registrar shall not treat an application as abandoned under section 17(4) or under subrule (5) if the requirements for completion are satisfied before he does so.

(8) For the purposes of this rule, the requirements for completion are satisfied when the Registrar has received the prescribed fee referred to in rule 35(1) and Form TM-No. 9 duly completed.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	39	Heading:	Associated marks	Version Date:	30/06/1997

ASSOCIATED TRADE MARKS (SECTION 24)

(1) Where a mark is registered as associated with any other mark or marks the Registrar shall note upon the register in connection with the first-mentioned mark the numbers of the marks with which it is associated, and shall also note upon the register in connection with each of the associated marks the number of the first-mentioned mark as being a mark associated therewith.

(2) An application by a registered proprietor under section 24(2) to dissolve the association between 2 or more associated trade marks shall be made by filing Form TM-No. 12, and shall include a statement of the grounds of the application.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	40	Heading:	Application by subsequent proprietor for registration of assignment or transmission	Version Date:	30/06/1997

ASSIGNMENT AND TRANSMISSION (SECTIONS 41 TO 44)

Where a person becomes entitled by assignment or transmission to a registered trade mark, application to register his title shall be made by filing Form TM-No. 14.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	41	Heading:	Joint application for registration of assignment or transmission	Version Date:	30/06/1997

Application under rule 40 may be made jointly with the registered proprietor.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	42	Heading:	Particulars to be stated and copies of documents	Version Date:	30/06/1997

(1) An application under rule 40 shall contain the name and trade or business address of the applicant, and shall include full particulars of the instrument, if any, under which he claims his entitlement.

(2) There shall be filed with the application for retention by the Registrar, an attested copy of any instrument of which particulars are given, but such a copy shall not be open to public inspection.

(3) The Registrar may at any time, by notice in writing sent to the applicant, require him to produce for inspection any instrument of which an attested copy has been filed.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	43	Heading:	Case accompanying application	Version Date:	30/06/1997

(1) Where an applicant under rule 40 does not claim under any document or instrument which is capable in itself of furnishing proof of his title, he shall, unless the Registrar otherwise directs, file with the application a statement of case setting forth the full particulars of the facts upon which his claim to be proprietor of the mark in question is based and showing that it has been assigned or transmitted to him.

(2) If the Registrar so requires the case shall be verified by statutory declaration.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	44	Heading:	Proof of title	Version Date:	30/06/1997

The Registrar may call on any person who applies to be registered as proprietor of a registered trade mark for such proof or additional proof of title as he may require for his satisfaction.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	45	Heading:	Application for registration of assignment without goodwill	Version Date:	30/06/1997

(1) An application under rule 40 relating to an assignment, on or after the date of the commencement of the Ordinance, of a trade mark in respect of any goods or services shall state-

- (a) whether the trade mark was, at the time of the assignment, used in a business in any of those goods or services; and
- (b) whether the assignment was made otherwise than in connection with the goodwill of that business,

and, if both these circumstances subsisted, then the applicant shall file with the Registrar a copy of the Registrar's directions to advertise the assignment, obtained upon application under section 41(6) or 41A(6) and rule 49, and such proof, including copies of advertisements or otherwise, as the Registrar may require that his directions have been fulfilled.

(2) If the Registrar is not satisfied that the directions have been fulfilled, he shall not proceed with the application.

(3) For the purposes of section 18(3) the period within which a corporation may be registered as the subsequent proprietor of a registered trade mark upon application made under rule 40 shall be 6 months from the date on which the trade mark was entered in the register or such further period not exceeding 6 months as the Registrar may allow, on application being made to him by filing Form TM-No. 16, by the applicant for registration of title or the registered proprietor, as the case may be, at any time before or during the period for which the extension can be allowed.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	46	Heading:	Entry in register	Version Date: 30/06/1997

When the Registrar is satisfied as to the title of an applicant under rule 40 he shall cause him to be registered as proprietor of the mark in question in respect of the relevant goods or services and shall enter in the register-

- (a) the name and the trade or business address of the new proprietor;
- (b) any address for service filed under rule 100; and
- (c) particulars of the assignment or transmission.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	47	Heading:	Separate registrations	Version Date: 30/06/1997

Where pursuant to an application under rule 40, and as the result of a division and separation of the goods or services of a registration, or a division and separation of places or markets, different persons become registered separately whether or not under different official numbers as subsequent proprietors of a trade mark, each of the resulting separate registrations in the names of those different persons shall be deemed to be a separate registration for all the purposes of the Ordinance.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	48	Heading:	Registrar's certificate or approval	Version Date: 30/06/1997

(1) Any person wishing to obtain the Registrar's certificate under section 41(5) or 41A(5) shall file an application on Form TM-No. 17, a statement of case in duplicate setting out the circumstances and a copy of any instrument or proposed instrument effecting the assignment or transmission in question.

(2) The Registrar may call for any evidence or further information that he may consider necessary, and the statement of case shall if required be amended to include all the relevant circumstances or verified by statutory declaration; and if the statement of case is amended, 2 fair copies in its final form shall be filed.

(3) After hearing the applicant (if so required) and any other person whom he may consider to be interested in the transfer, the Registrar shall consider the matter and issue a certificate thereon and shall attach a copy of the statement of case in its final form to the certificate and affix his seal thereto.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	49	Heading:	Registrar's directions for advertisement of assignment without goodwill of trade mark in use	Version Date:	30/06/1997

(1) An application to the Registrar under section 41(6) or 41A(6) shall be made by the assignee by filing Form TM-No. 18 and shall state the date on which the assignment was made.

(2) In the case of a registered trade mark the application shall give particulars of the registration.

(3) In the case of an unregistered trade mark the application shall show the mark and shall give particulars of the registered trade mark that has been assigned with it in accordance with section 41(3) or 41A(3).

(4) The Registrar may call for any evidence or further information, and if he is satisfied about the matters in question he shall issue directions in writing with respect to the advertisement of the assignment.

(5) Extension of the period within which the application may be made shall be for not more than 6 months; and a request to the Registrar for such extension shall be made by filing Form TM-No. 19 before the end of the period for which extension may be allowed.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	50	Heading:	Application for registration	Version Date:	30/06/1997

CERTIFICATION TRADE MARKS (SECTIONS 64, 65, 66 AND 68)

An application for the registration of a certification trade mark under section 64 shall be filed with the Registrar on Form TM-No. 20.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	51	Heading:	Rules to apply as to applications for registration of ordinary trade marks	Version Date:	30/06/1997

(1) These rules shall apply to applications for the registration of certification trade marks as they apply to applications for the registration of ordinary trade marks.

(2) The address of an applicant to register a certification trade mark shall be deemed to be a trade or business address for all the purposes for which such an address is required by these rules.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	52	Heading:	Case: Draft regulations	Version Date: 30/06/1997

(1) The applicant for registration of a certification trade mark shall file (with his application or when required by the Registrar) a statement of case setting out the grounds on which he relies in support of his application and draft regulations for governing the use of the mark, both being in duplicate.

(2) The Registrar may send to the applicant any observations which he may wish to make on the sufficiency of the case or the suitability of the draft regulations and the applicant may modify either of those documents.

(3) The Registrar may at any time call for such evidence, if any, as he thinks fit, and shall if required hear the applicant before acting as provided in section 65(5).

(4) Where the application has been accepted, the approved regulations and the form of application shall be open to public inspection.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	53	Heading:	Advertisement of application	Version Date: 30/06/1997

An application for the registration of a certification trade mark required to be advertised under section 66 shall be advertised by the applicant in one issue of the Gazette. The advertisement shall set forth all the conditions and limitations subject to which the application has been accepted. Where the mark consists of other than a word or words in plain type, rule 22(5) shall apply.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	54	Heading:	Opposition to application	Version Date:	30/06/1997

Expanded Cross Reference:

23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34

(1) Any person may within 2 months from the date of the advertisement of an application for registration of a certification trade mark file in duplicate on Form TM-No. 6 with the Registrar notice of opposition under section 66(1).

(2) Any person may within the same period as mentioned in subrule (1) file in duplicate on Form TM-No. 22 with the Registrar a notice of opposition under section 66(2).

(3) The Registrar shall forthwith send to the applicant the duplicate filed under subrule (1) or (2) as the case may be and rules 23 to 34 shall apply to the proceedings on such notices of opposition with such modifications as may be required to suit the circumstances.

(4) In case of doubt any party may apply to the Registrar for directions.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	55	Heading:	Application by registered proprietor for variation of regulations	Version Date:	30/06/1997

(1) An application by a registered proprietor of a certification trade mark under section 68(1) for variation of the deposited regulations shall be made by filing Form TM-No. 25.

(2) Where the Registrar requires such an application to be advertised by the applicant in the Gazette the time within which any person may file notice with the Registrar of opposition to the application shall be 2 months from the date of the advertisement.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	56	Heading:	Rectification of certification trade mark entries in register	Version Date:	30/06/1997

Expanded Cross Reference:
24, 25, 26, 27, 28, 29, 30, 31

(1) An application by an aggrieved person to the Registrar under section 68(2) for the expunging or varying of an entry in the register of or relating to a certification trade mark, or for varying the relevant deposited regulations, shall be made by filing Form TM-No. 26, together with a statement setting out full particulars of the grounds on which the application is made.

(2) The application shall be filed together with 2 copies of the application and 2 copies of the statement, and the Registrar shall forthwith send these copies to the registered proprietor at his trade or business address as entered in the register, and, if an address for service different therefrom is entered in the register, at that address also.

(3) Where an application under this rule has been made and copies have been sent to the registered proprietor, rules 24 to 31 and 34 shall apply to the further proceedings thereon with such modifications as may be required to suit the circumstances; but the Registrar shall not rectify the register or remove the certification trade mark in question from the register merely because the registered proprietor has not filed a counter-statement.

(4) In any case of doubt arising under this rule, any party may apply to the Registrar for directions.
(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	57	Heading:	Reminder of renewal	Version Date:	30/06/1997

RENEWAL OF REGISTRATION (SECTIONS 45 TO 47)

(1) At any time not earlier than 3 months and not later than 1 month before the expiration of the last registration of a trade mark the Registrar shall send to the registered proprietor notice of the approaching expiration.

(2) The said notice shall be in the form of Form TM-No. 27 but need not be a replica of that form.
(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	58	Heading:	Renewal	Version Date:	30/06/1997

- (1) Renewal of registration shall be effected upon the filing of either-
- (a) the notice sent in accordance with rule 57 or an exact replica thereof; or
 - (b) Form TM-No. 27,
- together with the prescribed renewal fee.
- (2) If the filing is effected on or before the date 1 month before the expiration of the last registration, it shall be treated as having been effected on the first day after that date.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	58A	Heading:	Authority for renewal	Version Date:	30/06/1997

If the person filing a document under rule 58 is not the registered proprietor he shall enter on that document his name and address and sign a statement thereon to the effect that he is directed by the proprietor to pay the renewal fee.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	59	Heading:	Late renewal	Version Date:	30/06/1997

If on the expiration of the last registration of a trade mark a renewal fee has not been paid, the Registrar shall advertise that fact forthwith in the Gazette and if within 1 month from the date of the advertisement the notice or replica referred to in rule 58(1)(a) or Form TM-No. 27 is filed together with the renewal fee and the prescribed additional fee he shall renew the registration without removing the mark from the register.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	60	Heading:	Removal and restoration	Version Date: 30/06/1997

If the renewal fee and the prescribed additional fee have not been paid by the end of the period of 1 month referred to in rule 59, the Registrar may remove the mark from the register as of the expiration of the last registration; but upon the filing of Form TM-No. 29 together with the renewal fee and the prescribed restoration fee he may restore the mark to the register and renew its registration upon such conditions as he may think fit if satisfied that it is just to do so.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	61	Heading:	Record of removal	Version Date: 30/06/1997

Where a trade mark has been removed from the register, the Registrar shall cause to be entered in the register a record of the removal and of its cause.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	62	Heading:	Notice and advertisement of renewal or restoration	Version Date: 30/06/1997

Upon the renewal or restoration and renewal of a registration, a notice to that effect shall be sent to the registered proprietor and the renewal or restoration and renewal shall be advertised in the Gazette.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	63	Heading:	Application to rectify or remove a trade mark from the register	Version Date:	30/06/1997

RECTIFICATION AND CORRECTION OF REGISTER
(SECTIONS 37, 48, 49, 50 AND 57)

(1) An application to the Registrar under section 37, 48, 49, 50 or 57 for the making, expunging or varying of any entry in the register shall be made by filing Form TM-No. 30 together with a statement setting out fully the nature of the applicant's interest, the facts upon which he bases his case and the relief which he seeks.

(2) Where the application is made by a person who is not the registered proprietor of the trade mark in question it shall be filed together with 2 copies of the application and 2 copies of the statement, and the Registrar shall forthwith send these copies to the registered proprietor at his trade or business address as entered in the register, and, if an address for service different therefrom is entered in the register, at that address also.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	64	Heading:	Procedure on receipt of application	Version Date:	30/06/1997

Expanded Cross Reference:
24, 25, 26, 27, 28, 29, 30, 31

(1) Where an application under rule 63 has been made and, where appropriate, copies have been sent to the registered proprietor, the provisions of rules 24 to 31 and 34 shall apply to the further proceedings thereon with such modifications as may be required to suit the circumstances; but the Registrar shall not rectify the register or remove the mark in question from the register merely because the registered proprietor has not filed a counter-statement.

(2) In any case of doubt arising under this rule, any party may apply to the Registrar for directions.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	65	Heading:	Intervention by third parties	Version Date:	30/06/1997

(1) Any person other than the registered proprietor alleging interest in a registered trade mark in respect of which an application is made under rule 63 may apply for leave to intervene by filing Form TM-No. 31, stating thereon the nature of his interest, and the Registrar may, after hearing the parties concerned if so required, grant or refuse such leave upon such terms or conditions as he may think fit.

(2) Before dealing in any way with an application for leave to intervene the Registrar may require the applicant to give an undertaking to pay such costs as he may award to any party.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	66	Heading:	Application under section 50	Version Date:	30/06/1997

(1) A request to the Registrar under section 50 for the alteration of the register shall be made by filing Form TM-No. 32, Form TM-No. 33, Form TM-No. 34, Form TM-No. 35, Form TM-No. 36, Form TM-No. 37 or Form TM-No. 38, as may be appropriate.

(2) Where it appears to the Registrar that the description formerly entered in the register of the registered proprietor or registered user of a trade mark is no longer correct, he may, if he thinks fit, remove it from the register.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	67	Heading:	Evidence	Version Date:	30/06/1997

In the case of a request under section 50, the Registrar may require such evidence by statutory declaration or otherwise as he may think fit as to the circumstances in which the application is made.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	68	Heading:	Advertisement of request to enter disclaimer or memorandum	Version Date:	30/06/1997

Before deciding on a request made under section 50(1)(e) for the entry of a disclaimer or memorandum, the Registrar shall advertise the request in the Gazette in order to enable any person wishing to do so to state, within 2 months from the date of the advertisement, any reasons in writing against the making of the entry.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	69	Heading:	Certificate of validity to be noted	Version Date:	30/06/1997

(1) Where the Court has certified as provided in section 75 with regard to the validity of a registered trade mark, the registered proprietor thereof may by filing Form TM-No. 39 request the Registrar to add to the entry in the register a note that the certificate of validity has been so granted.

(2) An office copy of the certificate shall be sent with the request, and the Registrar shall enter a note in the register and publish it in the Gazette.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	70	Heading:	Application for alteration	Version Date:	30/06/1997

ALTERATION OF REGISTERED TRADE MARK (SECTION 51)

Application under section 51 for addition to or alteration of a registered trade mark shall be made by filing Form TM-No. 40 together with 6 representations of the mark as it will appear when added to or altered; and every such representation shall, subject to rule 13, comply with rule 12.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	71	Heading:	Advertisement before decision	Version Date:	30/06/1997

Expanded Cross Reference:

24, 25, 26, 27, 28, 29, 30, 31

(1) The Registrar shall consider each application filed in accordance with rule 70 and, if it appears to him to be expedient to do so, shall advertise it in the Gazette before deciding it.

(2) Within 2 months from the date of the advertisement any person may give notice of opposition to the application by filing Form TM-No. 41 together with a statement of objections, both in duplicate.

(3) The Registrar shall send to the applicant the duplicate of the notice and of any statement of objections filed together with the Form TM-No. 41, and rules 24 to 31 and 34 shall apply to any further proceedings on the application with such modifications as may be required to suit the circumstances.

(4) In any case of doubt arising under this rule, any party may apply to the Registrar for directions.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	72	Heading:	Alteration of mark	Version Date:	30/06/1997

If the Registrar decides to allow an application filed in accordance with rule 70 he shall add to or alter the mark in the register in accordance with the application, and unless the application has been advertised under rule 71(1) and no notice has been given under rule 71(2) he shall advertise the mark in the Gazette as added to or altered.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	73	Heading:	Advertisement illustration	Version Date:	30/06/1997

In connection with an application to alter a registered trade mark the Registrar may for the purposes of advertisement at any time require the applicant to comply with rule 22(5), if in the opinion of the Registrar an advertisement describing the addition or alteration in words would not be likely to be understood by persons interested in the matter.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	74	Heading:	Classification of goods and services	Version Date:	30/06/1997

CLASSIFICATION (SECTIONS 8 AND 54)

(1) For the purposes of trade marks registrations dated before the commencement of the Ordinance, goods are classified in the manner appearing in Schedule 3, unless any specification has been converted to Schedule 4 in accordance with rule 75.

(2) For the purposes of registrations of trade marks relating to goods dated on or after the date of the commencement of the Ordinance, and of registrations of registered users thereunder, and for the purposes of any registrations dated before the commencement of the Ordinance in respect of which the specifications have been converted in accordance with rule 75, goods are classified in the manner appearing in Part 1 of Schedule 4.

(3) For the purposes of registrations of trade marks relating to services, services are classified in the manner appearing in Part 2 of Schedule 4.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	75	Heading:	Application by registered proprietor for conversion of specification	Version Date:	30/06/1997

(1) Where the specification of a registered trade mark is founded on Schedule 3 the registered proprietor may apply to the Registrar by filing Form TM-No. 42 for the conversion of that specification so that it may be founded on Part 1 of Schedule 4, whether with or without the striking out of goods therefrom, but so that the registration retains its original date, and he shall include in the application a request for the like conversion of the specification of the goods of any registered users under that registration.

(2) After receipt of such application the Registrar, in accordance with section 54(3), shall send to the registered proprietor a proposal showing the form which, in the Registrar's view, the amendment of the register should take.

(3) Two or more registrations of a trade mark in respect of goods falling within the same class of Part 1 of Schedule 4, having the same date of registration, may be amalgamated upon conversion in accordance with this rule.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	76	Heading:	Advertisement of proposed conversion. Opposition	Version Date:	30/06/1997

(1) The advertisement of a proposal for amendment under section 54(3) shall be made by the applicant in one issue of the Gazette.

(2) Notice of any opposition shall be filed on Form TM-No. 43 within 2 months from the date of the advertisement together with a duplicate of the notice and with a statement in duplicate showing how the proposed conversion would be contrary to section 54(2).

(3) Upon receipt the Registrar shall send the duplicates to the registered proprietor who may, within 2 months from the date of receipt of such duplicates, file a counter-statement setting out fully the grounds on which the opposition is contested, and if he does so he shall send to the opponent a copy of the counter-statement.

(4) Upon receipt of the counter-statement the Registrar may require or admit evidence directed to the questions in issue, and if so desired by either party he shall before deciding the matter, give the parties an opportunity to be heard thereon.

(5) If the Registrar decides that the proposal shall be amended it shall be advertised in the Gazette as so amended; and thereupon subrules (1) to (3) and this subrule shall apply, but only in respect of the matter contained in the amended proposal not contained in the proposal before amendment.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	77	Heading:	Conversion of specification	Version Date:	30/06/1997

(1) When a proposal for the conversion of a specification in accordance with rule 75 has been advertised and has not been opposed, and the time for notice of opposition has expired, or having been opposed the opposition has been determined and a conversion allowed, the Registrar shall make all the entries in the register necessary to give effect to the conversion in accordance with the proposal as advertised under rule 76(1), or if it was amended under rule 76(5), and shall enter in the register the date when such entries were made.

(2) In respect of the entries made in the register in accordance with subrule (1), the expiration of the last registration within the meaning of section 45 shall be the same as that in respect of the corresponding entries before conversion.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	78	Heading:	Application under sections 55 and 55A	Version Date:	30/06/1997

DEFENSIVE TRADE MARKS
(SECTIONS 55 TO 57)

(1) An application for the registration of a defensive trade mark under sections 55 and 55A shall be made to the Registrar by filing Form TM-No. 44 together with a statement of case setting forth full particulars of the facts on which the applicant relies in support of his application, verified by a statutory declaration made by the applicant or some other person approved for the purpose by the Registrar.

(2) The applicant may file with the statutory declaration or within such time as the Registrar may allow such other evidence as he may desire, whether after request made by the Registrar or otherwise, and the Registrar shall consider the whole of the evidence before deciding on the application.

(3) Subject to subrules (1) and (2), these rules shall, except to the extent that they are inappropriate or it is otherwise provided, apply to applications for the registration of defensive trade marks as they apply to applications for the registration of ordinary trade marks.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	79	Heading:	Application for entry of registered user	Version Date:	30/06/1997

REGISTERED USERS (SECTIONS 58 TO 63)

An application to the Registrar for the registration under section 58 of a person as a registered user of a registered trade mark shall be made by that person and the registered proprietor by filing Form TM-No. 45.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	80	Heading:	Entry of registered user	Version Date:	30/06/1997

(1) The entry of a registered user in the register shall state the date on which the application for such entry was made, and that date shall be deemed to be the date on which the person mentioned in the entry as a registered user was so registered.

(2) The entry shall state the name and the trade or business address of the registered user and any address for service filed under rule 100.

(3) The Registrar shall send to the registered proprietor of the trade mark in question and to the registered user notification in writing of the registration of the registered user and shall insert such notification in the Gazette. The cost of the notification in the Gazette shall be paid by the applicants.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	81	Heading:	Application of registered proprietor to vary entry	Version Date:	30/06/1997

An application by the registered proprietor of a trade mark for the variation of the registration of a registered user of that trade mark under section 60(1)(a) shall be made by filing Form TM-No. 46, together with a statement of the grounds on which it is made, and, where the registered user in question consents, with the written consent of that registered user.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	82	Heading:	Application by registered proprietor or user to cancel entry	Version Date:	30/06/1997

An application by the registered proprietor or any registered user of a trade mark for the cancellation of the registration of a registered user of that trade mark under section 60(1)(b) shall be made by filing Form TM-No. 47 together with a statement of the grounds on which it is made.

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	83	Heading:	Application under section 60(1)(c) to cancel entry	Version Date:	30/06/1997

An application by any person for the cancellation of the registration of a registered user under section 60(1)(c) shall be made by filing Form TM-No. 47 together with a statement of the grounds on which it is made.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	84	Heading:	Notification and intervention	Version Date:	30/06/1997

(1) When an application is made in accordance with rule 81, 82 or 83, the Registrar shall send written notice thereof to the registered proprietor and to each registered user (not being the applicant), and shall advertise the application in the Gazette.

(2) If the registered proprietor, a registered user or any other interested person intends to intervene in the proceedings he shall give notice within 2 months from the date of publication of the advertisement by filing Form TM-No. 49 together with a statement of the grounds of his intervention.

(3) The Registrar shall send a copy of the notice and the statement referred to in subrule (2) to the applicant, the registered proprietor, each registered user whose registration is the subject of the application and any other person who intervenes.

(4) Any of the persons mentioned in subrule (3) may, within such time or times as the Registrar may appoint, file evidence in support of his case.

(5) After giving such persons the opportunity of being heard the Registrar may accept or refuse the application or accept it subject to any conditions, amendments, modifications or limitations which he may think right to impose.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	85	Heading:	Cancellation and striking out	Version Date:	30/06/1997

(1) In case of the registration of a registered user for a period, in accordance with section 58(3)(d), the Registrar shall cancel the entry of the registered user at the end of that period.

(2) Where some or all of the goods or services, as the case may be, are struck out from those in respect of which a trade mark is registered, the Registrar shall at the same time strike them out from those specifications of registered users of the trade mark in which they are comprised.

(3) The Registrar shall send written notice of every cancellation or striking out under this rule to the registered users whose permitted use is affected thereby and to the registered proprietor of the trade mark in question.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	86	Heading:	Hearing	Version Date: 30/06/1997

DISCRETIONARY POWER (SECTION 74)

Before exercising adversely to any person any discretionary power given to the Registrar by the Ordinance, or these rules, the Registrar shall, if so required by the person who would be so affected, hear him on the subject.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	87	Heading:	Application for hearing	Version Date: 30/06/1997

Except where rule 18 or 19 applies a request under rule 86 for a hearing shall be filed within 1 month from the date on which the person filing the request receives notice sent by the Registrar of any objection to an application or of any other proposal to exercise a discretionary power.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	88	Heading:	Notice of hearing	Version Date: 30/06/1997

(1) Upon receipt of a request filed under rule 87 the Registrar shall send to the person making the request notice of a time when he may be heard, which shall be not less than 10 days after the date of receipt of the notice by that person.

(2) If the person making the request intends to be heard on the matter he shall, within 5 days from the date of his receipt of the notice, file notice of his intention; and if he does not do so he may be treated as not intending to be heard.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	89	Heading:	Hearing and decision	Version Date: 30/06/1997

(1) The hearing before the Registrar of any dispute between 2 or more parties relating to any matter in connection with a registered trade mark or an application to register a trade mark shall be in public unless the Registrar, after consultation with those parties to the dispute who appear in person or are represented at the hearing, otherwise directs.

(2) If the Registrar exercises adversely to any person a discretionary power referred to in rule 86 he shall send to that person notice of his decision.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	90	Heading:	Dispensing with evidence, etc.	Version Date: 30/06/1997

POWER TO DISPENSE WITH EVIDENCE, ETC.

Where under these rules any person is required to do any act or thing, or to sign any document, or to make any declaration on behalf of himself or of any body corporate, or any document or evidence is required to be filed with the Registrar, and it is shown to the satisfaction of the Registrar that from any reasonable cause the person is unable to do the act or thing, or to sign the document, or to make the declaration, or that the document or evidence cannot be filed as aforesaid, it shall be lawful for the Registrar, upon the filing of such other evidence, and subject to such terms as he may think fit, to dispense with any such act or thing, signature, declaration, document or evidence.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	91	Heading:	Extension of time	Version Date: 30/06/1997

EXTENSION OF TIME

If in any particular case the Registrar is satisfied that the circumstances are such as to justify an extension of the time for doing any act or taking any proceeding under these rules, not being a time expressly provided in the Ordinance or prescribed by rule 45(3) or 49(5), he may extend the time for so doing upon such terms as he may direct, and shall give notice thereof to other interested parties. The extension may be granted though the time has expired for doing the act or taking the proceeding in question.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	92	Heading:	Excluded days	Version Date: 30/06/1997

Whenever the last day fixed by the Ordinance, or by these rules, for doing any act or thing at the Registry shall fall on a day when the Registry is closed for the transaction of business or on a Saturday, such day shall be an excluded day for the purposes of the Ordinance and these rules, and it shall be lawful to do the act or thing on the first day following such excluded day which is not an excluded day.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	92A	Heading:	Power to tax costs	Version Date: 30/06/1997

POWER TO TAX COSTS

The Registrar shall have power to tax any costs awarded by him under the Ordinance.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	93	Heading:	Fees	Version Date: 30/06/1997

FEES

(1) The fees to be paid in relation to trade marks shall be those specified in Schedule 1 and in any case where a form listed in that Schedule in relation to any matter is required to be used that form shall be filed together with the fee specified in respect of that matter.

(2) Fees shall be paid by such means, and in such manner, as the Registrar directs.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	94	Heading:	Forms	Version Date:	30/06/1997

FORMS

The forms mentioned in these rules are those contained in Schedule 2, modified as necessary to enable them to be used and such forms shall be used in all cases in which they are applicable and may be modified as directed by the Registrar to meet other cases.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	95	Heading:	Size, etc. of documents	Version Date:	30/06/1997

DOCUMENTS

Subject to any other directions that may be given by the Registrar, all applications, notices, statements, representations, or other documents authorized or required by the Ordinance or by these rules to be filed with the Registrar shall be upon strong paper of a size of approximately 210 x 297 mm, and, except in the case of statutory declarations and affidavits, on one side only, and shall have on the left-hand side thereof a margin of not less than 40 mm.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	96	Heading:	Signature of documents by partnerships, companies and associations	Version Date:	30/06/1997

(1) A document signed for or on behalf of a firm shall be signed by its partners, by any partner stating that he signs on behalf of the firm or by any other person who satisfies the Registrar that he is authorized to sign the document.

(2) A document signed for or on behalf of a body corporate shall be signed by a director or the secretary or other principal officer of the body or by any other person who satisfies the Registrar that he is authorized to sign the document.

(3) A document signed for or on behalf of an unincorporated body or association of persons other than a firm may be signed by any person who satisfies the Registrar that he is authorized to sign the document.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	97	Heading:	Service of documents	Version Date: 30/06/1997

(1) Any document, prescribed form, statutory declaration, evidence, application or request required or authorized to be filed under the Ordinance or by these rules must be filed by hand or by post.

(2) Any thing required or permitted by the Ordinance, or by these rules to be sent to any person or place or otherwise filed may be sent by post and except for the purposes of rule 58(2) shall, if so sent, be deemed to have been received or filed at the time when the letter, properly addressed and the postage thereon prepaid, containing it would be delivered in the ordinary course of post.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	98	Heading:	Amendments and irregularities	Version Date: 30/06/1997

Any document filed in any proceedings before the Registrar and any drawing or other representation of a trade mark may, if the Registrar thinks fit, be amended, and any irregularity in procedure in or before the Registry may be rectified, on such terms as the Registrar may direct.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:
Rule:	99	Heading:	Address	Version Date: 30/06/1997

ADDRESS

Where any person is by the Ordinance or these rules bound to file with the Registrar an address, the address given shall in all cases be as full as possible, for the purpose of enabling any person easily to find the place of trade or business or residence of the person whose address is given. The Registrar may require the address to include the name of the street, and the number in the street or name of the premises, if any.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	100	Heading:	Address for service	Version Date:	30/06/1997

(1) An applicant, opponent, agent, registered proprietor or registered user who does not reside or carry on business within Hong Kong shall file an address for service within Hong Kong.

(2) Any other applicant, opponent, agent, registered proprietor or registered user may file an address for service within Hong Kong.

(3) In any case in which an address for service is filed at the same time as the filing of a form prescribed in these rules which makes provision for the furnishing of an address for service, the address shall be filed on that form; and in any other case it shall be filed on Form TM-No. 38.

(4) In any case in which no address for service is filed, the Registrar shall treat as the address for service of the person concerned his trade or business address in Hong Kong, if any.

(5) Anything sent to any person at an address filed by him, or treated by the Registrar as his address for service, shall be deemed to be properly sent.

(6) Where, in the case of an address for service entered in the register in accordance with rule 35, 46 or 80, doubt arises as to whether it is still appropriate, the Registrar may send to that address a letter requesting the person for whom it is entered to confirm it and to the trade or business address of that person a copy of the letter, and if within 3 months from the date of sending the letter and the copy the Registrar receives no confirmation of the address he may strike it off the register.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	101	Heading:	Alteration of address in register	Version Date:	30/06/1997

(1) A registered proprietor or registered user of a trade mark whose-

- trade or business address is changed; or
- address for service as entered in the register is no longer appropriate, whether by reason of discontinuance of the entered address or otherwise,

so that the entry in the register is rendered incorrect shall forthwith, by filing Form TM-No. 32 or Form TM-No. 38, as appropriate, request the Registrar to make the appropriate alteration of the address in the register.

(2) Upon a request under subrule (1) the Registrar shall, if he is satisfied in the matter, alter the register accordingly.

(3) If the address of one person is the address for service of more than one registered proprietor or registered user, that person may request the Registrar to make the appropriate alteration in respect of every such proprietor or user by filing a single Form TM-No. 38 suitably amended so as to give particulars of each registration; and the Registrar may, on proof that the address is that of the applicant and if satisfied that it is just to do so, alter the register accordingly.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	102	Heading:	Agency	Version Date:	30/06/1997

AGENTS

(1) Except as otherwise required by these rules but without prejudice to rule 96, any act required or permitted to be done under the Ordinance or these rules by or to any person may be done by or to an agent authorized by that person.

(2) In any particular case the Registrar may require the personal signature or presence of any person.

(3) The Registrar may by notice in writing sent to an agent require him to produce evidence of his authority.

(4) Where, after a person has become a party to proceedings before the Registrar, he appoints an agent for the first time or appoints one agent in substitution for another, the newly appointed agent shall file Form TM-No. 50 on or before the first occasion on which he acts as agent.

(5) The Registrar shall not be bound to recognize as such agent any person who has been convicted criminally or struck off the roll kept under and in accordance with the provisions of the Legal Practitioners Ordinance (Cap 159) and of any regulations made thereunder or (during the term of his suspension) any person who has been suspended from acting as an attorney, solicitor, or proctor.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	103	Heading:	Certificates by Registrar	Version Date:	30/06/1997

CERTIFICATES

(1) Subject to subrule (2), any person may, by filing Form TM-No. 51, request the Registrar to give a certificate as to any entry, matter or thing which he is authorized or required by the Ordinance or these rules to make or do, other than a certificate of registration issued under section 17(3).

(2) Before giving a certificate under subrule (1), the Registrar may, if he thinks fit, require the person making the request to show to his satisfaction an interest in the entry, matter or thing in question.

(3) Except in a case falling under rule 105 the Registrar shall not be obliged to include in the certificate a copy of any mark unless the person making the request has filed such a copy suitable for the purpose.

(Enacted 1992)

Chapter:	43 A	Title:	TRADE MARKS RULES	Gazette Number:	23 of 1998 s. 2
Rule:	104	Heading:	Certificate of mark registered without limitation of colour	Version Date:	01/07/1997

Remarks:

Amendments retroactively made - see 23 of 1998 s. 2

Where a mark is registered without limitation of colour the Registrar may, for the purpose of obtaining registration outside Hong Kong, give a certificate of its registration either in the colour in which it appears in the register or in any other colour or colours; but in the latter case the certificate shall be marked: "FOR USE IN OBTAINING REGISTRATION OUTSIDE HONG KONG ONLY".

(Enacted 1992. 23 of 1998 s. 2)

Chapter:	43 A	Title:	TRADE MARKS RULES	Gazette Number:	23 of 1998 s. 2
Rule:	105	Heading:	Certificate for use in obtaining registration abroad	Version Date:	01/07/1997

Remarks:

Amendments retroactively made - see 23 of 1998 s. 2

(1) Where a certificate of registration of a trade mark is requested for use in obtaining registration outside Hong Kong, the Registrar shall, subject to subrule (2), include in the certificate a copy of the mark.

(2) The Registrar may require the person requesting the certificate to file with him a copy of the mark suitable for the purpose, and may refuse to give the certificate until such a copy is filed.

(3) The Registrar may state in the certificate such particulars concerning the registration of the mark as he thinks fit, and may omit reference to any disclaimers appearing in the register; but in the case of such omission the certificate shall be marked: "FOR USE IN OBTAINING REGISTRATION OUTSIDE HONG KONG ONLY".

(Enacted 1992. 23 of 1998 s. 2)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	106	Heading:	Manner in which, and person before whom, declaration is to be taken	Version Date:	30/06/1997

DECLARATIONS

(1) The statutory declarations required by the Ordinance, and these rules, or used in any proceedings thereunder, shall be made and subscribed as follows-

- (a) in Hong Kong-before any notary public or any commissioner or other officer authorized by law in Hong Kong to administer an oath for the purpose of any legal proceeding; (47 of 1997 s. 10)
- (b) in any other part of Her Majesty's dominions-before any court, judge, justice of the peace, notary public, or any officer authorized by law to administer an oath there for the purpose of a legal proceeding;
- (c) if made out of Her Majesty's dominions-before a British minister or person exercising the function of a British minister, or a British consul, vice-consul or other person exercising the functions of a British consul, or before a notary public, or a judge or magistrate.

(2) A person signing the declaration by virtue of the provisions of rule 96 shall state thereon the capacity in which he makes the declaration.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	107	Heading:	Seal or signature of officer taking declaration to prove itself	Version Date:	30/06/1997

Any document purporting to have affixed, impressed or subscribed thereto or thereon the seal or signature of any person authorized by rule 106 to take a declaration in testimony that the declaration was made and subscribed before him, may be admitted by the Registrar without proof of the genuineness of the seal or signature or of the official character of the person or his authority to take the declaration.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	108	Heading:	Search to ascertain whether trade mark resembling submitted mark is on record	Version Date:	30/06/1997

SEARCH

(1) Any person may request the Registrar, by filing Form TM-No. 2, to cause a search to be made in respect of specified goods or services classified in any one class of Schedule 4 to ascertain whether any trade mark is on record at the date of the search which resembles a trade mark of which a representation shall be contained in the space provided on the form for that purpose and where necessary rule 9(3A)(b) shall apply with such modifications as are required to suit the circumstances. The form shall be filed together with 2 duplicates of such representation. The Registrar shall cause such a search to be made and the person making the request to be sent the result thereof.

(2) The Registrar may permit any person, on request and on payment of the prescribed fee, to-

- (a) inspect or make a search in any one class of the register;
- (b) inspect and make a search in the list of pending applications filed on or after 15 November 1989; or
- (c) inspect a notice of opposition, counter-statement or decision in connection with any opposition or application for rectification of the register relating to any particular trade mark.

(3) The Registrar shall supply, on request in writing by an applicant for registration of a trade mark (including a certification or defensive trade mark) or a registered proprietor of such a mark and on payment of the prescribed fee, a list of the numbers and the class of all other pending applications or, as the case may be, registered marks owned by such registered proprietor.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	109	Heading:	Application or appeal to Court. Right of defendant in action for infringement	Version Date:	30/06/1997

APPLICATIONS AND APPEALS TO THE COURT

(1) When any person intends to apply to the Court such application shall be made to the Court by notice of motion.

(2) When any person intends to appeal to the Court such appeal shall be made by notice of motion within 3 months from the date of the decision appealed against.

(3) When the Registrar decides to refer an application to the Court, the applicant shall apply to the Court within 3 months from the date of the decision so to refer, and unless he so applies he shall be deemed to have abandoned the application.

(4) Where under section 13(6) or 15(8) an applicant becomes entitled and intends to withdraw his application, he shall give notice of the intention in writing to the Registrar and to the other parties, if any, to the appeal within 3 months after the leave referred to in those subsections has been obtained.

(5) A defendant in an action for infringement may, in regard to any registered trade mark in issue, counterclaim for the rectification of the register and shall within the time limited for the delivery of the counterclaim serve the Registrar with the same, and the Registrar shall be entitled to take such part in the action as he may think fit without delivering a defence or other pleading.

(6) The times specified in subrules (2) and (3) may be extended by the Court or the Registrar upon the application of any party interested and notwithstanding that the time so specified has expired.

(7) The Court appealed to may, on the application of either party or of its own motion, remove any application or appeal from Court to Chambers or vice versa, and may give such directions as to the scale upon which costs may be taxed as to the Court may seem proper.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	110	Heading:	Application to be served on the Registrar	Version Date:	30/06/1997

Every application to the Court under the Ordinance whether by way of appeal or otherwise shall be served on the Registrar.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	111	Heading:	Copy of order of Court to be filed with the Registry	Version Date:	30/06/1997

ORDERS OF THE COURT

(1) Where an order is made by the Court in any case under the Ordinance, the person in whose favour the order is made or, if there is more than one, such one of them as the Registrar may direct, shall file an office copy of the order and, if rectification or alteration of the register is required, Form TM-No. 53.

(2) The register shall, where appropriate, be rectified or altered by the Registrar accordingly.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	112	Heading:	Publication of order of Court	Version Date:	30/06/1997

Whenever an order is made by the Court under the Ordinance the Registrar may, if he thinks that the order should be made public, cause it to be published in the Gazette by and at the expense of the person in whose favour the order has been made, or such one of them, if more than one, as the Registrar may direct.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	113	Heading:	Days and hours	Version Date:	30/06/1997

DAYS AND HOURS OF BUSINESS

The Registry shall be open to the public-

- (a) for filing of notices, applications and other documents every week-day, except Saturday, between the hours of 9:00 a.m. and 12:30 p.m. and between the hours of 1:30 p.m. and 5:00 p.m., and on Saturdays between the hours of 9:00 a.m. and 12:00 noon; and
- (b) for making a search on the register and of any document to which rule 108(2) applies on request, every week-day, except Saturday, between the hours of 9:30 a.m. and 12:30 p.m. and between the hours of 1:30 p.m. and 4:00 p.m., and on Saturdays between the hours of 9:30 a.m. and 11:30 a.m.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Rule:	114	Heading:	(Omitted as spent)	Version Date:	30/06/1997

(Omitted as spent)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Schedule:	1	Heading:	FEES	Version Date:	30/06/1997

Expanded Cross Reference:
103, 104, 105

[rule 93]

Fee No.	Matter or Proceeding	Amount \$	Form No. (Schedule 2)
1.	On request for the Registrar's preliminary advice under section 73 and rule 8, for each trade mark submitted in respect of one class	270	TM-No. 2
2.	For a search under rule 108(1) for each trade mark in respect of one class	270	TM-No. 2
3.	On application not otherwise charged to register a trade mark (section 13(1), and rule 9(1)) or a series of trade marks (section 26(1) and rule 14) or a certification trade mark (section 64 and rule 50) for a specification of goods or services included in one class	1400	TM-No. 3 or TM-No. 20 as appropriate
4.	On a request to the Registrar to state grounds of decision relating to an application to register a trade mark, and materials used (section 13(4) and rule 20)	1750	TM-No. 5
5.	On notice of opposition before the Registrar under section 15 and rule 23, or under section 66(1) and rule 54(1), or under section 66(2) and rule 54(2), for each application opposed, by opponent	900	TM-No. 6 or TM-No. 22 as appropriate
6.	On lodging a counter-statement in answer to a notice of opposition under section 15 and rule 24, for each application opposed, by the applicant; or in answer to an application under section 37, 48, 49 or 57, by the proprietor in respect of each trade mark; or in answer to a notice of opposition under section 51 or 54, for each application or conversion opposed, by the proprietor; or in answer to a notice of opposition under section 66(1) and rule 54(1), or under section 66(2) and rule 54(2), or in answer to an application under section 68(2) and rule 56, for each application	600	TM-No. 7
7.	On the hearing of each opposition under section 15 and rule 30, by the applicant and by the opponent respectively; or on the hearing of an application under section 37, 48, 49, 57 or 68(2), by the applicant and by the proprietor respectively; or on the hearing of an opposition under section 51 or 54, by the proprietor and by the opponent respectively; or on the hearing of an opposition under section 66(1) and rule 54(1), or under section 66(2) and rule 54(2) by the applicant and the opponent respectively	1750	
8.	For registration of a trade mark (including a certification or defensive trade mark) or a series of trade marks for a specification of goods or services included in one class	2000	TM-No. 9
8a.	(Repealed L.N. 541 of 1994)		
9.	On application, under section 24(2) and rule 39(2), to dissolve the association between registered trade marks	900	TM-No. 12
10.	On application, under section 43 and rule 40, to register a subsequent proprietor in a case of assignment or transmission of a single trade mark	900	TM-No. 14
10a.	On application, under section 43 and rule 40, to register a subsequent proprietor of more than one trade mark standing in the same name, the devolution of title being the same in each case-		TM-No. 14
	(a) for the first mark		
	(b) for every other mark	900	
		120	

11.	On application, under section 18(3) and rule 45(3), for extension of time for registering a corporation as subsequent proprietor of trade marks on one assignment	600	TM-No. 16
12.	On application for certificate of the Registrar, under section 41(5) and section 41A(5) and rule 48-		TM-No. 17
	(a) for the first mark proposed to be assigned	900	
	(b) for every other mark of the same proprietor included in that assignment	60	
13.	On application, under sections 41(6) and 41A(6) and rule 49(1), for directions by the Registrar for advertisement of assignment of trade marks in use, without goodwill-		TM-No. 18
	(a) for one mark assigned	500	
	(b) and for every other mark assigned with the same devolution of title	60	
14.	On application, under sections 41(6) and 41A(6) and rule 49(5), for extension of time for applying for directions for advertisement of assignment of trade marks in use, without goodwill, in respect of one devolution of title	600	TM-No. 19
19.	On request, under section 68(1) and rule 55(1), by the registered proprietor of a certification trade mark to permit alteration of the deposited regulations thereof-		TM-No. 25
	(a) for the regulations of one such registration	600	
	(b) for the same or substantially the same regulations of each other registration proposed to be altered in the same way and included in the same request	120	
20.	On application, under section 68(2) and rule 56(1), to expunge or vary the registration of a certification trade mark or to vary the deposited regulations of a certification trade mark	1100	TM-No. 26
21.	For renewal, under section 45 and rule 58, of registration of a trade mark or series of trade marks (including defensive and certification trade marks) at expiration of last registration	4100	TM-No. 27 or TM-No. 29 as appropriate
22.	Additional fee under rule 59	550	TM-No. 27
23.	Restoration fee under rule 60	1650	TM-No. 29
24.	On application, under section 37, 48, 49 or 57 and rule 63, for rectification of the register or removal of a trade mark from the register	1750	TM-No. 30
25.	On application, under rule 65(1), for leave to intervene in proceedings under section 37, 48, 49 or 57 for rectification of the register or removal of a trade mark from the register	900	TM-No. 31
26.	For altering, under section 50 and rule 66(1), one or more entries of the trade or business address of a registered proprietor or a registered user of a trade mark where the address in each case is the same and is altered in the same way-		TM-No. 32
	(a) for the first entry		
	(b) for every other entry	270	
		60	
27.	On request, not otherwise charged, for correction of clerical error in register	270	TM-No. 33
28.	On application, under section 50 and rule 66(1), to change the name of a proprietor or a registered user of a single trade mark where there has been no change in the proprietorship or in the identity of the user	270	TM-No. 34

28a.	On application, under section 50 and rule 66(1), to change the name of a proprietor or a registered user of more than one trade mark standing in the same name, where there has been no change in the proprietor or in the identity of the user, the change being the same in each case-		TM-No. 34
	(a) for the first mark		
	(b) for every other mark	270	
		60	
29.	For cancelling, under section 50(1)(c) or (d) and rule 66(1), the entry or part of the entry of a trade mark upon the register on the application of the registered proprietor of the trade mark	270	TM-No. 35 or 36
30.	On request, under section 50(1)(e) and rule 66(1), by the registered proprietor of a trade mark for entry of disclaimer or memorandum in the register	500	TM-No. 37
32.	On request to enter in the register and advertise a certificate of validity, under section 75 and rule 69-		TM-No. 39
	(a) for the first registration certified	350	
	(b) for every other registration certified in the same certificate	60	
33.	On application to the Registrar, under section 51 and rule 70, for leave to add to or alter a single registered trade mark	900	TM-No. 40
33a.	On application to the Registrar, under section 51 and rule 70, for leave to add to or alter more than one registered trade mark of the same proprietor, being identical marks, the addition or alteration to be made, in each case, being the same-		TM-No. 40
	(a) for the first mark		
	(b) for every other mark	900	
		500	
34.	On notice of opposition, under section 51(2) and rule 71(2), to application for leave to add to or alter registered trade marks, for each application opposed	900	TM-No. 41
35.	On application by the registered proprietor, under section 54 and rule 75(1), for conversion of specification	270	TM-No. 42
36.	On notice of opposition, under section 54(3) and rule 76(2), to a conversion of the specification or specifications of a registered trade mark or registered trade marks-		TM-No. 43
	(a) for one mark		
	(b) for every other mark of the same proprietor having the same specification	900	
		120	
37.	On application, under sections 55 and 55A and rule 78(1), to register a defensive trade mark for a specification of goods or services included in one class	1800	TM-No. 44
38.	On application, under section 58 and rule registered trade mark in respect of goods or services within the specification thereof	1100	TM-No. 45
38a.	On application, under section 58 and rule 79, to enter the same registered user of 79, to enter a registered user of a more than one registered trade mark of the same registered proprietor in respect of goods or services within the respective specifications thereof and subject to the same conditions and restrictions in each case-		TM-No. 45
	(a) for the first mark		
	(b) for every other mark of the proprietor included in the application and statement of case	1100	
		120	
39.	On application by the proprietor of a single trade mark, under section 60(1)(a) and rule 81, to vary the entry of a registered user thereof	900	TM-No. 46

39a.	On application by the proprietor of more than one trade mark under section 60(1)(a) and rule 81, to vary the entries of a registered user thereof-		TM-No. 46
	(a) for the first mark		
	(b) for every other mark of the proprietor for which the same user is registered, included in the application	900 120	
40.	On application by the proprietor or registered user of a single trade mark, under section 60(1)(b) and rule 82, for cancellation of the entry of a registered user thereof	900	TM-No. 47
40a.	On application by the proprietor or registered user of more than one trade mark, under section 60(1)(b) and rule 82, for cancellation of the entries of a registered user thereof-		TM-No. 47
	(a) for the first mark		
	(b) for every other mark of the proprietor for which the same user is registered, included in the application	900 60	
41.	On application under section 60(1)(c) and rule 83, to cancel the entry of a registered user of a single trade mark	900	TM-No. 47
41a.	On application under section 60(1)(c) and rule 83, to cancel the entries of a registered user of more than one trade mark-		TM-No. 47
	(a) for the first mark		
	(b) for every other mark of the same proprietor for which the same user is registered included in the application	900 60	
42.	On notice under section 61 and rule 84(2) of intention to intervene in one proceeding for the variation or cancellation of entries of a registered user of trade marks	900	TM-No. 49
43.	For certificate of the Registrar (other than certificate under section 17(3)), under rules 103 to 105, of the registration of a trade mark or a series trade marks <* Note- Exp. x-Ref: Rules 103, 104, 105 *>	270	TM-No. 51
44.	For inspecting, or making a search in any one class of the register, or inspecting a notice of opposition, counter-statement or decision in connection with any opposition or application for rectification of the register relating to any particular trade mark, or inspecting or making a search in the list of pending applications, for every half hour or part thereof	100	-----
45.	For every entry in the register of a rectification thereof or an alteration therein, not otherwise charged	550	TM-No. 53
45a.	On application to the Registrar for an extension of time under rule 91 for doing any act or taking any proceeding	270 for every 3 months or less	-----
46.	Other than providing to an applicant a copy of a device mark when setting out the Registrar's objections under rule 18 or giving notice under rule 19(1A), for office copy of entry in the register or of document, for each page or portion of a page	6	-----
47.	For certifying office copy, or MS. or photographic or printed matter	140	-----
48.	On the taxation of a bill of costs, for every \$100 or fraction of \$100 of the amount allowed-		-----
	(a) for the first \$100000	6	
	(b) for the next \$150000	4	
	(c) for the next \$250000	3	
	(d) for the remainder	1	
49.	On each request by an applicant or a registered proprietor for a list of the file numbers of all pending applications or registration numbers of registered marks owned by such applicant or proprietor	270	-----

50. On filing notice, under section 92(6) and rule 15A, electing to have the 1000 TM-No. 54
registrability of a mark determined in accordance with the Ordinance, as
amended by the Intellectual Property (World Trade Organization
Amendments) Ordinance 1996 (11 of 1996) (L.N. 299 of 1996)

(Enacted 1992. L.N. 379 of 1993; L.N. 541 of 1994; L.N. 438 of 1997; L.N. 472 of 1997)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	23 of 1998 s. 2
Schedule:	2	Heading:	FORMS	Version Date:	01/07/1997

Expanded Cross Reference:
103, 104, 105

Remarks:
Amendments retroactively made - see 23 of 1998 s. 2

[rule 94]

Form No.	Description	Fee No. (Schedule 1)
TM-No. 2	Request, under section 73 and rule 8, for Registrar's preliminary advice on registrability and request for search under rule 108(1) (L.N. 299 of 1996)	1 and/or 2
TM-No. 3	Application for registration of trade mark or series of trade marks (other than defensive or certification trade marks)	3
TM-No. 3A	Additional representation of trade mark to be filed together with an application for registration	---
TM-No. 5	Request for statement of Registrar's grounds of decision	4
TM-No. 6	Notice of opposition before Registrar to application for registration of a trade mark (other than a certification trade mark under section 66(2) and rule 54(2))	5
TM-No. 7	Counter-statement to opposition, rectification, or conversion before Registrar	6
TM-No. 8	Notice to Registrar of attendance at hearing in opposition matter, or in rectification, removal or certain other proceedings	7
TM-No. 9	Application for entry of trade mark in register and issue of certificate of registration (L.N. 541 of 1994)	8
TM-No. 10	Certificate of registration of a trade mark	---
TM-No. 12	Application to Registrar, under section 24(2) and rule 39(2), to dissolve association between registered trade marks	9
TM-No. 14	Request, under rule 40, to be registered as subsequent proprietor	10 or 10a
TM-No. 16	Application, under section 18(3) and rule 45(3), for extension of time to request registration of corporation-assignee as subsequent proprietor	11
TM-No. 17	Application for certificate of Registrar under sections 41(5) and 41A(5) and rule 48 with reference to proposed assignment of a registered trade mark	12
TM-No. 18	Application, under sections 41(6) and 41A(6) and rule 49(1), for Registrar's directions for advertisement of assignment of trade mark in use, without goodwill	13
TM-No. 19	Application, under sections 41(6) and 41A(6) and rule 49(5), for extension of time in which to apply for directions for advertisement of assignment of trade mark in use, without goodwill	14
TM-No. 20	Application, under section 64 and rule 50, for the registration of a certification trade mark	3
TM-No. 22	Notice to Registrar, under section 66(2) and rule 54(2) of opposition to an application for registration of a certification trade mark	5
TM-No. 25	Request, under section 68(1) and rule 55(1), for consent of Registrar to alteration of certification trade mark regulations	19
TM-No. 26	Application to Registrar, under section 68(2) and rule 56(1), for expunging or varying an entry in register relating to a certification trade mark or varying the deposited regulations	20

TM-No. 27	Application, under section 45 and rule 58, for renewal of registration of a trade mark and forwarding additional fee, under rule 59, to accompany renewal fee within 1 month after advertisement of non-payment of renewal fee	21 and 22 (if appropriate)
TM-No. 29	Application for restoration and renewal of a trade mark removed from register for non-payment of fee	21 and 23
TM-No. 30	Application, under rule 63, for rectification of register or removal of trade mark from register	24
TM-No. 31	Application, under rule 65(1), for leave to intervene in proceedings for rectification of register or removal of trade mark from register	25
TM-No. 32	Application, under section 50 and rule 66(1), for alteration of trade or business address in register	26
TM-No. 33	Request for correction of clerical error in register or amendment of application	27
TM-No. 33A	Additional representation of trade mark to be filed together with request for permission to amend a trade mark under application	---
TM-No. 34	Request, under section 50 and rule 66(1), to enter change of name of registered proprietor, or registered user, of trade mark on register	28 or 28a
TM-No. 35	Application by registered proprietor, under section 50(1)(c) and rule 66(1), for cancellation of entry of trade mark in register	29
TM-No. 36	Request by registered proprietor, under section 50(1)(d) and rule 66(1), to strike out goods or services from those for which trade mark is registered	29
TM-No. 37	Request by registered proprietor, under section 50(1)(e) and rule 66(1), to enter a disclaimer or memorandum in register	30
TM-No. 38	Request, under rule 100 or 101, for entry, alteration or cancellation in the register of address for service	---
TM-No. 39	Request, under section 75 and rule 69, for entry on register and advertisement of certificate of validity	32
TM-No. 40	Application, under section 51 and rule 70, for addition to or alteration of registered trade mark	33 or 33a
TM-No. 41	Notice of opposition, under section 51(2) and rule 71(2), to application to add to or alter a registered trade mark	34
TM-No. 42	Application, under section 54 and rule 75(1), for conversion of specification from Schedule 3 to Schedule 4	35
TM-No. 43	Notice of opposition, under section 54(3) and rule 76(2), to proposal for conversion of specification from Schedule 3 to Schedule 4	36
TM-No. 44	Application, under sections 55 and 55A and rule 78(1), for registration of a defensive trade mark	37
TM-No. 45	Application, under section 58 and rule 79, for registration of a registered user	38 or 38a
TM-No. 46	Application by a registered proprietor, under section 60(1)(a) and rule 81, for variation of the entry of a registered user	39 or 39 a
TM-No. 47	Application under section 60(1)(b) and (c) and rules 82 and 83, for cancellation of entry of registered user	40, 40a, 41 or 41a
TM-No. 49	Notice, under section 61 and rule 84(2), of intention to intervene in proceedings for variation or cancellation of an entry of a registered user	42
TM-No. 50	Authorization of agent, under rule 102(4)	---
TM-No. 51	Request for general certificate of Registrar, under rules 103 to 105	43
TM-No. 53	Notice of order of court for alteration or rectification of register (rule 111)	45
TM-No. 54	Notice, under section 92(6) and rule 15A, electing to have the registrability of a mark determined in accordance with the Ordinance, as amended by the Intellectual Property (World Trade Organization Amendments) Ordinance 1996 (11 of 1996) (L.N. 299 of 1996)	50

See Schedule 1 to the Trade Marks Rules for details of fees

TRADE MARKS ORDINANCE
(CHAPTER 43)

Form TM-No. 2

Fee No. 1 and/or 2

I. Request for Search under Rule 108(1)	FOR OFFICIAL USE
II. Request for Registrar's Preliminary Advice as to Distinctiveness or Capability of Distinguishing under Section 73 and Rule 8	

Mark the appropriate box with an X
You may mark either or both requests I and II

1.	<p>I. Request for search to ascertain whether any</p> <p>trade marks are on record which resemble the trade mark a representation of which is shown below (rule 108(1))</p> <p style="text-align: center;">and/or</p> <p>II. Request for Registrar's preliminary advice as to whether the trade mark a representation of which is shown below appears to be prima facie inherently adapted to distinguish or inherently capable of distinguishing the goods or services to be registrable in Part A or Part B of the register within the requirements of section 9 or 10 respectively (section 73 and rule 8)</p>
----	---

A representation of the mark should be affixed in this space. If the representation exceeds the space then part of the representation should be affixed. Two duplicate representations should be filed together with the form. A mark must be visually perceptible and capable of being represented graphically if it is not a word or a picture. This means you may need to give a clear description of the mark in this space

2. Representation of the trade mark												
<div style="text-align: right;"> <table border="1"> <tr> <th colspan="3">FOR OFFICIAL USE</th> </tr> <tr> <th colspan="3">Device mark classification</th> </tr> <tr> <th>Major</th> <th>Heading</th> <th>Sub Heading</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> </div>	FOR OFFICIAL USE			Device mark classification			Major	Heading	Sub Heading			
FOR OFFICIAL USE												
Device mark classification												
Major	Heading	Sub Heading										

2A. If the mark is not a word or a picture, please indicate here (for example, 3-dimensional)

3. Class of goods/services
4. Specification of goods/services

Complete if no agent

5. Details of applicant who proposes to apply for registration of the above mark and/or requests for search	
Name	
Address	
6. Agent's details	
Name	
Address	
Agent's own reference	
Signature	Date
_____	_____ 19____
	Day Month Year
Name (BLOCK LETTERS) _____	
Official capacity of signatory _____	

See rules 96 and 102

(L.N. 299 of 1996)

See Schedule 1 to the
Trade Marks Rules
for details of fees

TRADE MARKS		Form TM-No. 3	
ORDINANCE		Fee No. 3	
(CHAPTER 43)			
Application for Registration of a Trade Mark or Series of Trade Marks			
01 Part of the register in which the application is made		FOR OFFICIAL USE	
02 Class of goods or services in which the application is made			
03 Application made under section 26(1) for a series of marks		Appl. No. : Reg. No. :	
04 Applicant's details			
Name			
Address			
Kind of incorporation _____			Code
Country _____ of _____ incorporation _____			
State of incorporation (if appropriate) _____			
05 Application to be considered under International Convention/Priority			
Country _____		Date _____	
_____ claimed		Day Month Year	
06 Representation of mark(s) applied for		FOR OFFICIAL USE	
		Type of Mark	
		Device Mark	
		Classification	

Fix one representation of the mark in the space opposite. A mark must be visually perceptible and capable of being represented graphically if it is not a word or a picture. This means you may need to give a clear description of the mark in this space

Major	Heading	Sub Heading

06A If the mark is not a word or a picture, please indicate here (for example, 3-dimensional)

07 Specification of goods or services for which registration is sought

FOR OFFICIAL USE

08	If this application is made under section 18(1)(b), tick this box. A Form TM-No. 45 must accompany the application	FOR OFFICIAL USE
09	Agent's details Name Address	Agent Code
Agent's own reference		
010	Address for service Name Address	
011	Signature _____ Applicant/Agent for applicant Name (BLOCK LETTERS) _____ Official capacity of signatory _____ Date _____ Day Month 19_____ Year	

See rules 96 and 102

(L.N. 299 of 1996)

Application No. _____

Fix one representation of the mark in the space opposite. It must correspond in all respects exactly with the representation on the application. The remaining 14 copies of the representation of the mark are not to be attached to this form or to the application form. A mark must be visually perceptible and capable of being represented graphically if it is not a word or a picture. This means you may need to give a clear description of the mark in this space

TRADE MARKS ORDINANCE (CHAPTER 43)	FORM TM-No. 3A No Fee
Additional Representation of Trade Mark to be filed together with an Application for Registration	
If the mark is not a word or a picture, please indicate here (for example, 3-dimensional)	
Name of applicant (BLOCK LETTERS)	

(L.N. 299 of 1996)

See Schedule 1 to the Trade Marks Rules for details of fees

If the Registrar has made any requirements to which the applicant does not object, the applicant shall comply with them before the Registrar will issue the grounds of his decision

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 5 Fee No. 4	
Request to the Registrar for Statement of Grounds of Decision			FOR OFFICIAL USE
1. Application No.	Trade Mark	Class No.	
2. Name of applicant or agent requesting the statement of grounds of decision and the address to which the decision should be sent			
Name			
Address			

See rules 96 and
102

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 6	
		Fee No. 5	
Notice of Opposition to Application for Registration of a Trade Mark		FOR OFFICIAL USE	
1. Number of the application against which opposition is lodged	Trade Mark	Class No.	
2. Details of the Gazette in which the above application was advertised			
Date _____ Gazette No. _____ Page _____ DayMonth Year			
3. Full name of applicant			
4. Opponent's details			
Name			
Address			

Set out in full the grounds for opposition. If registration is opposed on the ground that the mark resembles any mark already on the register or the subject of a current application, the number of that mark or for a current application which has been advertised, the date, number and page of the Gazette in which it has been advertised should also be given

5. Grounds of opposition to registration

An opponent who is resident outside Hong Kong must give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent

See rules 96 and 102

6. Agent's details	
Name	
Address	
Agent's own reference	
7. Address for service	
8. Signature	Date
_____	_____ 19____
	Day Month Year
Name (BLOCK LETTERS) _____	
Official capacity of signatory _____	

(23 of 1998 s. 2)

See Schedule 1 to the Trade Marks Rules for details of fees
This form must be filed in duplicate

Complete the appropriate column

Only one column should be completed

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 7
		Fee No. 6
Form of Counter-Statement for Opposition, Rectification, Alteration or Conversion		FOR OFFICIAL USE
Oppositions	Rectifications, Alterations or Conversions	
(1) Number of the trade mark application which is being opposed	(1) Registration number of the trade mark for rectification, alteration or conversion	
(2) Name of applicant for registration opposed	(2) Name of registered proprietor	
(3) On a separate sheet of paper provide the following information Details of grounds upon which the applicant relies as supporting his application Details of any allegations in the notice of opposition that the applicant is admitting	(3) On a separate sheet of paper provide the following information Details of the grounds upon which the registered proprietor relies as supporting his registration or conversion Details of any allegations in the notice of rectification, alteration or conversion that the registered proprietor is admitting	
(4) Agent's details		
Name		
Address		
Agent's own reference		

An applicant or registered proprietor who is resident outside Hong Kong must give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent

See rules 96 and 102

(5) Address for service			
Signature _____		Date _____	
		Day	Month
		19	Year
Name (BLOCK LETTERS) _____			
Official capacity of signatory _____			

(23 of 1998 s. 2)

See Schedule 1 to the Trade Marks Rules for details of fees

Mark the appropriate box with an X

If the hearing is in respect of other matters please give details

If the applicant for the hearing is resident outside Hong Kong a Hong Kong address must be given, to which all correspondence from the Trade Marks Registry will be sent

See rules 96 and 102

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 8 Fee No. 7	
Notice to the Registrar of Attendance at Hearing			FOR OFFICIAL USE
1. Application/Registration No. of trade mark in respect of which the hearing is to be held	Class No.		
2. Reason for hearing Opposition to registration Rectification of the register Other matters and details _____			
3. I confirm that the hearing of the Registrar in the Time (hours) above matter arranged for _____ will be attended by me/us or, by some person on Date _____ my/our behalf _____ <div style="text-align: right;"> Day Month Year _____ 19 </div>			
4. Address for service Signature _____ Date _____ <div style="text-align: right;"> Day Month Year _____ 19 </div> Name (BLOCK LETTERS) _____ Official capacity of signatory _____			

(23 of 1998 s. 2)

See Schedule 1 to the Trade Marks Rules for details of fees

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"

An applicant who is resident outside Hong Kong must give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent

See rules 96 and 102

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 9 Fee No. 8	
Application for Entry of a Trade Mark in the Register and issue of Certificate of Registration			FOR OFFICIAL USE
1. Application No.	Trade Mark	Class No.	
2. Date of advertisement of the application in the Gazette <div style="display: flex; justify-content: space-between;"> _____ 19 _____ Gazette No. _____ Page _____ </div> <div style="display: flex; justify-content: space-between;"> Day Month Year </div>			
3. Address for service <div style="margin-top: 10px;">Name _____</div> <div style="margin-top: 10px;">Address _____</div>			
Declaration I/We declare that any written undertakings given to the Registrar to send notice of the advertisement of the application to other proprietors have been fulfilled. To the best of my knowledge and belief, either the period or extended period for filing opposition to the application has expired without any notice of opposition having been filed, or any oppositions filed have finally been determined in favour of the applicant. Applicant's name _____			
Signature _____		Date _____	
_____		_____ 19 _____ Day Month Year	
Name (BLOCK LETTERS) _____			
Official capacity of signatory _____			

(L.N. 541 of 1994; 23 of 1998 s. 2)

Form TM-No. 10

TRADE MARKS ORDINANCE

(CHAPTER 43)

CERTIFICATE OF REGISTRATION

It is hereby certified that the Trade Mark a specimen of which is hereunto annexed has been registered in Part _____ of the Register in the name of _____

in Class _____ under No. _____ as of the date of _____, 19 _____, in respect of _____

Scaled at my direction this _____ day of _____, 19 ____.

Trade Marks Registry,
Intellectual Property Department,
Hong Kong.

for Registrar of Trade Marks

- Note: 1. Registration is for a period of 7 years from the date first above-mentioned. At the end of that period it may be renewed for 14 years, after which it may be renewed successively for further periods of 14 years.
2. This certificate is not for use in legal proceedings or for obtaining registration outside Hong Kong.
3. Upon any change of ownership of this trade mark, or change in address, application should AT ONCE be made to the Registrar to register the change.

(23 of 1998 s. 2)

See Schedule 1 to the Trade Marks Rules for details of fees Attention is drawn to section 24(2) and rule 39(2)	TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 12 Fee No. 9
	Application to Dissolve the Association between a Registered Trade Mark and (an)other Registered Trade Mark(s)		FOR OFFICIAL USE
Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"	1. Mark to have its association dissolved with those shown in Part 2		
	Registration No. _____	Trade Mark _____	Class _____
If you do not have enough space use a separate sheet of paper Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"	2. Dissolution of association with the following marks being proposed		
	Registration No. _____ _____ _____ _____	Trade Mark _____ _____ _____ _____	Class _____ _____ _____ _____
	3. Registered proprietor's details		
	Name _____ Address _____		
4. A statement of case setting out the grounds for application must be attached on a separate sheet of paper			

5. Agent's details		
Name _____		
Address _____		
Agent's own reference _____		
Signature _____	Date _____	
	Day	Month
	19	Year
Name (BLOCK LETTERS) _____		
Official capacity of signatory _____		

See rules 96 and 102

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

See Schedule 1 to the Trade Marks Rules for details of fees.

An application under rule 36(2) and (3) for treatment of an assignee as an applicant for registration may be made on this form but only at the same time as an application under rule 40

If you do not have enough space use a separate sheet of paper

Enter the names of each subsequent proprietor. Names of individuals should be entered in full. The names of partners in a firm must be given in full. Bodies corporate should be designated by their corporate name

Attach an attested copy of the instrument under which the transferee claims ownership

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 14 Fee No. 10 or 10a
Application to Register a Subsequent Proprietor of a Trade Mark upon the same Devolution of Title		FOR OFFICIAL USE
1	Registration or Application No. and Class No. of the mark(s) which are to be assigned	
	Registration or Application No.	Class No.
2. Full name of registered proprietor		
3. Subsequent proprietor's details		
Name _____		
Address _____		
Kind of incorporation _____		
Country of incorporation _____		
State of incorporation (if appropriate) _____		
4. Full particulars of the instrument or assignment or transmission (if any) or statement of case		
Date of instrument of assignment _____		
Day	19	Month
		Year

Mark the appropriate box with an X

When an assignment includes marks goodwill and others without goodwill then the list of marks in Part 1 (and on any continuation sheets) should clearly indicate those being assigned without the goodwill of the business. For those marks assigned without goodwill and where the mark was in use, a Form TM-No. 18 must be filed with this application

NOTE

New proprietors who are resident outside Hong Kong must give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent. Form TM-No. 38 should be used for this purpose
See rules 96 and 102

6. Was (Were) the mark(s) in use by the business in respect of the goods or services in question?	Yes	No
If the mark(s) was (were) in use does the assignment include the goodwill of the business in the goods or services for which the mark(s) is (are) registered?	Yes	No
7. Agent's details		
Name		
Address		
Agent's own reference		
Signature	Date	
_____	_____ 19 Day Month Year	
Name (BLOCK LETTERS) _____		
Official capacity of signatory _____		
(23 of 1998 s. 2)		

See Schedule 1 to the Trade Marks Rules for details of fees
Attention is drawn to section 18(3) and rule 45(3)

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 16
Fee No. 11		
Application for Extension of Time for the Registration of the Name of a Corporation as subsequent Proprietor of a Trade Mark in the Register		FOR OFFICIAL USE
1. Registration No	Trade Mark	Class No.
2. Extension of time		
Filing of this form at the Trade Marks Registry will be considered as a request for the maximum allowable extension period of 6 months, beyond the 6 months period allowed by section 45(2).		

*Delete as appropriate

3. *Applicant's/Agent's details			
Name			
Address			
Agent's own reference			
Signature		Date	
_____		_____ 19	
		Day	Month Year
Name (BLOCK LETTERS) _____			
Official capacity of signatory _____			

See rules 96 and 102

See Schedule 1 to the
Trade Marks Rules for
details of fees

Attention is drawn to
sections 41(5) and
41A(5) and rule 48

If you do not have enough
space use a separate sheet
of paper

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 17	
		Fee No. 12	
Application for the Certificate of the Registrar in connection with a Proposed Assignment of a Registered Trade Mark			FOR OFFICIAL USE
1. Registration Nos. and Class Nos. of the marks for which a certificate is requested			
Registration No.		Class No.	
_____		_____	
_____		_____	
_____		_____	
2. Full name of registered proprietor			
3. Proposed assignee's details			
Name			
Address			
4. Statement of case			
A statement of case and one duplicate copy setting out fully the circumstances of the proposed assignment must be attached to the form together with a copy of the proposed assignment.			
5. Agent's details			
Name			
Address			
Agent's own reference			

See rules 96 and 102

Signature _____	Date _____
Name (BLOCK LETTERS) _____	_____ 19_____ Day Month Year
Official capacity of signatory _____	

NOTE: An address for service if not already supplied should be filed on form TM-No. 38.

See Schedule 1 to the Trade Marks Rules for details of fees
Attention is drawn to sections 41(6) and 41A(6) and rule 49(1)

One attested copy of the instrument of assignment must be attached to this form

Details of any unregistered trade marks assigned at the same time should be entered in this part

Enter the names of each subsequent proprietor. Names of individuals should be entered in full. The names of partners in a firm should be given in full. Bodies corporate should be designated by their corporate name

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 18	
		Fee No. 13	
Application for Directions for the Advertisement of an Assignment of Trade Marks without the Goodwill of the Business			FOR OFFICIAL USE
1. Registration No.	Class No.	Goods and services in respect of which the mark has been used and is assigned	
2. Representation of mark and Application No. (if known)	Class No.	Goods and services in respect of which the mark has been used and is assigned	
3. Full name of current registered proprietor (assignor)			
4. Applicant's (i.e. assignee's) details Name _____ Address _____			
5. Date of assignment <div style="text-align: right;">_____ 19_____ Day Month Year</div>			
6. Suggested publications in which the advertisement of the assignment should appear			

7. Agent's details		
Name		
Address		
Agent's own reference		
Signature	Date	
	<div style="display: flex; justify-content: space-between;"> Day Month 19 </div> <div style="display: flex; justify-content: space-between;"> Year </div>	
Name (BLOCK LETTERS) _____		
Official capacity of signatory _____		

See rules 96 and 102

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to sections 41(6) and 41A(6) and rule 49(5)

If the assignment is in respect of more than one registration give only the earliest number in the list of marks assigned

The complete list of marks assigned must be provided with Form TM-No. 14 and Form TM-No. 18

*Delete appropriate

as

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 19 Fee No. 14
Application for Extension of Time in which to apply for the Registrar's Directions for the Advertisement of an Assignment of Trade Marks without the Goodwill of the Business	FOR OFFICIAL USE	
1. Registration No.	Class No.	
2. Full name of current registered proprietor (assignor)		
3. Filing of this form at the Trade Marks Registry will be considered as a request to extend by the maximum of 6 months, the period allowed for filing at the Trade Marks Registry of Form TM-No. 18 in connection with the mark shown at Part 1 and any others which are assigned with that mark. This form may be filed at any time before or during the period for which extension can be allowed. Date of assignment <div style="text-align: right; margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> Day Month 19 </div> <div style="display: flex; justify-content: space-between;"> Year </div> </div>		
4. *Applicant's/Agent's details Name Address		
Agent's own reference		

Signature _____ Name (BLOCK LETTERS) _____ Official capacity of signatory _____	Date _____ <div style="text-align: right;"> 19 Day Month Year </div>
---	--

See rules 96 and 102

See Schedule 1 to the Trade Marks Rules for details of fees
Attention is drawn to section 64 and rule 50

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 20	
Fee No. 3			
Application for Registration of a Certification Trade Mark			
01	Part of the register in which the application is made	A	FOR OFFICIAL USE
02	Class of goods or services in which the application is made		
03	Application made under section 26(1) for a series of marks		Appl. No.: _____ Reg. No.: _____
04 Applicant's details			
Name _____			
Address _____			
Kind of incorporation _____ Country of incorporation _____ State of incorporation (if appropriate) _____			Code
05 Application to be considered under International Convention/Priority			
Country _____		Date claimed _____ Day _____ Month _____ Year _____	
Fix one representation of the mark in the space opposite. A mark must be visually perceptible and capable of being represented graphically if it is not a word or a picture. This means you may need to give a clear description of the mark in this space	06 Representation of mark(s) applied for		FOR OFFICIAL USE
			Type of Mark
			Device Mark Classification
			Major Heading Sub Heading

06A If the mark is not a word or a picture, please indicate here (for example, 3-dimensional)			
07 Specification of goods or services for which registration is sought		FOR OFFICIAL USE	

--	--

*Delete as appropriate

08 Draft regulations (in duplicate) for governing the use of the certification trade mark(s) referred to in this application are *attached/will be submitted	FOR OFFICIAL USE
09 Agent's details Name Address	Agent Code :
Agent's own reference	
010 Address for service Name Address	
011 Signature _____ Applicant/Agent for applicant Name (BLOCK LETTERS) _____ Official capacity of signatory _____ Date _____ Day Month 19 Year	

(L.N. 299 of 1996)

See Schedule 1 to the
Trade Marks Rules for
details of fees

TRADE MARKS
ORDINANCE
(CHAPTER 43)

Form TM-No. 22
Fee No. 5

Attention is drawn to

Notice of Opposition to an Application for Registration of a

FOR OFFICIAL USE

section 66(2) and rule 54(2)

This form must be filed in duplicate

Insert written particulars of the certification trade mark. If the trade mark includes a device refer only to "a device"

Certification Trade Mark

1. Application No. of the certification trade mark which is being opposed

Certification Trade Mark

Class No.

2. Details of the Gazette in which this application was advertised
Date

Gazette

No.

Page

Day Month Year

3. Full name of applicant

4. Opponent's details

Name

Address

Before setting out the grounds of opposition refer to section 66(2)

If you do not have enough space use a separate sheet of paper

5. Grounds of opposition to registration

6. Agent's details

Name

Address

Agent's own reference

An Opponent who is resident outside Hong Kong must give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent

7. Address for service

8. Signature

Date

See rules 96 and 102

Name (BLOCK LETTERS)
Official capacity of signatory

Day Month Year

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to section 68(1) and rule 55(1)

If you do not have enough space use a separate sheet of paper

Insert written particulars of the certification trade mark. If the certification trade mark includes a device refer only to-"a device"

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 25	
		Fee No. 19	
Request for the Consent of the Registrar of Trade Marks to vary the deposited Regulations for Use of a Certification Trade Mark		FOR OFFICIAL USE	
1. Registrations Nos. and Class Nos. etc. of the certification trade mark which are to have their regulations altered			
Registration No.		Trade Mark	
_____		_____	
_____		_____	
_____		_____	
2. Details of alteration			
The alteration should be shown in red on 2 copies of the regulations, or on a separate sheet of paper, and attached to this form.			
3. Full name of registered proprietor			
4. Agent's details			
Name			
Address			
Agent's own reference			
Application is made by the registered proprietor for the deposited regulations governing the use of the mark to be varied in the manner shown in red in the 2 copies of the regulations filed together herewith, and for the consent of the Registrar of Trade Marks to this alteration.			
Signature		Date	
_____		_____ 19 _____	
		Day Month Year	
Name (BLOCK LETTERS) _____			
Official capacity of signatory _____			

See rules 96 and 102

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to section 68(2) and rule 56(1)

2 copies of this form must be filed

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 26	
		Fee No. 20	
Application for an Order for the Expunging or Varying of an Entry in the Register relating to a Certification Trade Mark or Varying the deposited Regulations		FOR OFFICIAL USE	

Insert written particulars of the certification trade mark. If the certification trade mark includes a device refer only to "a device"

Mark the appropriate box with an X

2 copies of statement of case will have to be furnished

An applicant who is resident outside Hong Kong must give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent

See rules 96 and 102

1. Registration Nos. of the Certification Trade Mark	Certification Trade Mark	Class No.
2. Full name of current registered proprietor		
3. Applicant's details Name Address		
4. This application is for expunging of an entry in the register variation of an entry in the register variation of the deposited regulations		
5. Details of the application On a separate sheet of paper attach 2 copies of statement of case setting out fully the details and reasons for the application		
6. Agent's details Name Address		
Agent's own reference		
7. Address for service		
Signature _____		Date _____ _____ Day Month Year
Name (BLOCK LETTERS) _____		
Official capacity of signatory _____		

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to section 45 and rule 58

TRADE MARKS ORDINANCE
(CHAPTER 43)

Form TM-No. 27

Fee Nos. 21 and 22

Renewal of Registration of Trade Mark

FOR OFFICIAL USE

1. Name of proprietor as entered on the register

2. Name and address of agent or address for service

Agent's own reference

3. Payment of renewal fee

Registration number Class Due date of renewal Fee

If paying an addition fee tick this box

4. Details of person paying the fee (if not the registered proprietor)

Name

Address

Declaration

I declare that I am directed by the proprietor of the above numbered mark to pay the requested renewal fee.

Signature

Date

_____ 19
Day Month Year

Name (BLOCK LETTERS)

Official capacity of signatory

See rules 96 and 102

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to rule 60

This form must be filed together with both the prescribed restoration fee and the renewal fee

TRADE MARKS ORDINANCE
(CHAPTER 43)

Form TM-No. 29

Fee Nos. 21 and 23

Application for the Restoration and Renewal of a Trade Mark removed from the Register through Non-payment of the Renewal Fee

FOR OFFICIAL USE

1. Registration No. of the mark for which the application for restoration to the register is made

Class No.

2. Name of proprietor as entered on the register

3. Agent's details			
Name			
Address			
Agent's own reference			
4. Applicant's details (if not the registered proprietor or his agent)			
Name			
Address			
Signature		Date	
_____		_____ 19	
		Day	Month
Name (BLOCK LETTERS) _____		Year	
Official capacity of signatory _____			

See rules 96 and 102

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

See Schedule 1 to the Trade Marks Rules for details of fees
Attention is drawn to rule 63

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"

Where application is made by the registered proprietor this form must be filed with a statement of case

Where application is not made by the registered proprietor, 2 copies of this form must be filed together with 2 copies of a statement of case

Insert "Rectification" or "Removal" as appropriate

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 30	
		Fee No. 24	
Application for the Rectification of the Register or the Removal of a Trade Mark from the Register		FOR OFFICIAL USE	
1. Registration No. of the mark for which rectification or removal is sought	Trade Mark	Class No.	
2. Full name of registered proprietor			
3. Applicant's details			
Name			
Address			
4. Is this application for rectification or removal of a mark?			

*Delete as appropriate

If you do not have enough space use a separate sheet of paper

An applicant for rectification or removal who is resident outside Hong Kong must give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent

See rules 96 and 102

<p>5. Grounds for the *rectification/removal of a mark applied for</p>
<p>6. Agent's details</p> <p style="margin-left: 40px;">Name</p> <p style="margin-left: 40px;">Address</p>
<p>Agent's own reference</p>
<p>7. Address for service</p>
<p>Declaration</p> <p>I declare that there is no action concerning the mark in question pending in the Court.</p> <p>Signature _____ Date _____</p> <p style="text-align: right; margin-right: 100px;">19</p> <p style="text-align: right; margin-right: 100px;">Day Month Year</p> <p>Name (BLOCK LETTERS) _____</p> <p>Official capacity of signatory _____</p>

(23 of 1998 s. 2)

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to rule 65(1)

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"

<p>TRADE MARKS ORDINANCE (CHAPTER 43)</p>		<p>Form TM-No. 31</p>	
<p>Fee No. 25</p>		<p>FOR OFFICIAL USE</p>	
<p>Application for Leave to Intervene in Proceedings relating to Rectification or Removal of a Trade Mark from the Register</p>			
<p>1. Registration No. of the mark for which rectification or removal is sought</p>	<p>Trade Mark</p>	<p>Class No.</p>	
<p>2. Full name of registered proprietor</p>			

If you do not have enough space use a separate sheet of paper

The intervenor who is resident outside Hong Kong must give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent

See rules 96 and 102

3.	Details of applicant for intervention	<p>Name _____</p> <p>Address _____</p>								
4.	Details of grounds of the application to intervene									
5.	Agent's details	<p>Name _____</p> <p>Address _____</p>								
Agent's own reference										
6.	Address for service									
<table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;">Signature _____</td> <td style="width: 40%; border: none;">Date _____</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none; text-align: right;"> <div style="display: flex; justify-content: space-between;"> _____ _____ 19____ </div> <div style="display: flex; justify-content: space-between;"> Day Month Year </div> </td> </tr> <tr> <td colspan="2" style="border: none;">Name (BLOCK LETTERS) _____</td> </tr> <tr> <td colspan="2" style="border: none;">Official capacity of signatory _____</td> </tr> </table>			Signature _____	Date _____		<div style="display: flex; justify-content: space-between;"> _____ _____ 19____ </div> <div style="display: flex; justify-content: space-between;"> Day Month Year </div>	Name (BLOCK LETTERS) _____		Official capacity of signatory _____	
Signature _____	Date _____									
	<div style="display: flex; justify-content: space-between;"> _____ _____ 19____ </div> <div style="display: flex; justify-content: space-between;"> Day Month Year </div>									
Name (BLOCK LETTERS) _____										
Official capacity of signatory _____										

(23 of 1998 s. 2)

See Schedule 1 to the Trade Marks Rules for details of fees
Attention is drawn to section 50 and rule 66(1)

If you do not have enough space use a separate sheet of paper

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 32
		Fee No. 26
Request for Alteration of Trade or Business Address in the Register of Trade Marks		FOR OFFICIAL USE
1. Registration No.	Class No.	
_____	_____	
_____	_____	
_____	_____	
_____	_____	

*Delete as appropriate

2.	Full name of *registered proprietor registered user currently on register applying for alteration		
3.	New address to be entered on register		
4.	Agent's details		
	Name		
	Address		
Agent's own reference			
Signature		Date	
_____		_____ 19	
		Day	Month Year
Name (BLOCK LETTERS) _____			
Official capacity of signatory _____			

See rules 96 and 102

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

See Schedule 1 to the Trade Marks Rules for details of fees

*Delete as appropriate

Insert written particulars of the mark. If the mark includes a device refer only to "a device"

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 33	
		Fee No. 27	
Request for Correction of Clerical Error in the Register or for Permission to amend an Application		FOR OFFICIAL USE	
01 *Application No. or Registration No.	Trade Mark	Class No.	
02 Full name of *applicant/registered proprietor			
03 Details to be amended or corrected		FOR OFFICIAL USE CODES	
		01	
		02	
		03	
		04	
		05	
		06	
		07	
		08	

03A	If the mark is not a word or a picture, please indicate here (for example, 3-dimensional)	
04	Agent's details	
	Name	
	Address	
Agent's own reference		
Signature		Date
_____		_____ 19
		Day Month Year
Name (BLOCK LETTERS) _____		
Official capacity of signatory _____		

See rules 96 and 102

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.
(L.N. 299 of 1996)

Application No. _____

Fix one representation of the mark in the space opposite. It must correspond in all respects exactly with the representation on Form TM-No. 33. The remaining copies of the representation of the mark are not to be attached to this form or to Form TM-No. 33. A mark must be visually perceptible and capable of being represented graphically if it is not a word or a picture. This means you may need to give a clear description of the mark in this space

TRADE MARKS ORDINANCE (CHAPTER 43)	Form TM-No. 33A No Fee
Additional Representation of Trade Mark to be filed together with the Request for Permission to amend a Trade Mark under Application	
If the mark is not a word or a picture, please indicate here (for example, 3-dimensional)	
Name of applicant (BLOCK LETTERS)	

(L.N. 299 of 1996)

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to section 50 and rule 66(1)

If you do not have enough space use a separate sheet of paper

*Delete as appropriate

Enter the name of each applicant. Names of individuals should be entered in full. The names of partners in a firm should be given in full. Bodies corporate should be designated by their corporate name

See rules 96 and 102

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 34			
		Fee No. 28 or 28a			
Request to enter Change of Name of Registered Proprietor or Registered User of Trade Mark upon the Register		FOR OFFICIAL USE			
1. Registration Nos. and Class Nos. of the marks affected by the change					
Registration No.		Class No.			
2. Full name of the *registered proprietor/registered user at present on the register applying for change					
3. New name or full names of partners of the *registered proprietor/registered user to be entered in register					
4. Agent's details					
Name					
Address					
Agent's own reference					
5. Declaration					
I declare that there has been no change in the actual proprietorship of the registered mark, or identity of the registered user					
Signature		Date			
		Day Month Year			
		19			
Name (BLOCK LETTERS)					
Official capacity of signatory					

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to section 50(1)(c) and rules 66(1) and 67

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 35	
		Fee No. 29	
Application by Registered Proprietor of a Trade Mark for Cancellation of an Entry in the Register		FOR OFFICIAL USE	
1. Registration No. of the mark to be cancelled		Trade Mark	Class No.
2. Full name of registered proprietor			

See rules 96 and 102

3. Agent's details		
Name		
Address		
Agent's own reference		
Signature	Date	
_____	_____ 19 Day Month Year	
Name (BLOCK LETTERS) _____		
Official capacity of signatory _____		

See Schedule 1 to the Trade Marks Rules for details of fees
Attention is drawn to section 50(1)(d) and rule 66(1)

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"

See rules 96 and 102

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 36	
		Fee No. 29	
Application by Registered Proprietor of Trade Mark to the Registrar to strike out Goods or Services from those for which the Trade Mark is registered		FOR OFFICIAL USE	
1. Registration No.	Trade Mark	Class No.	
2. Full name of registered proprietor			
3. Goods or services to be struck out			
4. Agent's details			
Name			
Address			
Agent's own reference			
Signature		Date	
_____		_____ 19 Day Month Year	
Name (BLOCK LETTERS) _____			
Official capacity of signatory _____			

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to section 50(1)(e) and rule 66(1)

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"

If you do not have enough space use a separate sheet of paper

See rules 96 and 102

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 37	
		Fee No. 30	
1. Request by the Registered Proprietor of a Trade Mark for Entry of disclaimer or Memorandum in the Register		FOR OFFICIAL USE	
Registration No. of the mark		Trade Mark	Class No.
2. Full name of registered proprietor			
3. Details of disclaimer or memorandum to be entered on the register			
4. Agent's details			
Name			
Address			
Agent's own reference			
Signature		Date	
_____		_____ 19	
		Day	Month Year
Name (BLOCK LETTERS) _____			
Official capacity of signatory _____			

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

Attention is drawn to rules 100 and 101 of the Trade Marks Rules

If you do not have enough space use a separate sheet of paper

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 38	
		No Fee	
Request to enter, alter or substitute an Address for Service		FOR OFFICIAL USE	
1. Registration Nos. and Class Nos. of the mark(s) to have an address for service entered, altered or substituted			
Registration No.		Class No.	
_____		_____	
_____		_____	

* Delete as appropriate

2.	*Registered proprietor/registered user making the request for entry, alteration or substitution of address for service		
	Name		
	Address		
3.	New address of service to be entered, altered or substituted		
4.	Agent's details		
	Name		
	Address		
Agent's own reference			
Signature		Date	
_____		_____ 19	
		Day	Month Year
Name (BLOCK LETTERS) _____			
Official capacity of signatory _____			

See rules 96 and 102

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to rule 69

If you do not have enough space use a separate sheet of paper

An office copy of the certificate of validity will have to be supplied to the Trade Marks Registry

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 39	
		Fee No. 32	
Request to the Registrar by the Registered Proprietor for Entry on the Register and Advertisement of a Note of a Certificate of Validity by the Court under Section 75			FOR OFFICIAL USE
1.	Registration Nos. and Class Nos. of the marks which are to have a note of a certificate of validity entered on the register		
	Registration No.	Class No.	
	_____ _____	_____ _____	
2.	Full name of the registered proprietor		
3.	Details of court proceedings		
	Give, on a separate sheet of paper, full details of the nature of the proceedings where the Court certified the validity of the registration, with the names of the parties to them, in which the certificate was given		
4.	Agent's details		
	Name		
	Address		
Agent's own reference			

See rules 96 and 102

Signature _____	Date _____
	<div style="display: flex; justify-content: flex-end; align-items: center;"> <div style="border-bottom: 1px solid black; width: 50px; margin-right: 5px;"></div> <div style="margin-right: 5px;">19</div> <div style="display: flex; gap: 10px;"> <div style="border-bottom: 1px solid black; width: 50px;"></div> <div style="border-bottom: 1px solid black; width: 50px;"></div> <div style="border-bottom: 1px solid black; width: 50px;"></div> </div> </div> <div style="display: flex; justify-content: space-around; font-size: small;"> Day Month Year </div>
Name (BLOCK LETTERS) _____	
Official capacity of signatory _____	

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

See Schedule 1 to the Trade Marks Rules for details of fees
Attention is drawn to section 51 and rule 70

If you do not have enough space use a separate sheet of paper

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"

6 copies of the mark as it will appear when altered must be submitted with this form

See rules 96 and 102

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 40
		Fee No. 33 or 33a
Application by the Registered Proprietor for an Addition to or Alteration of a Registered Trade Mark		FOR OFFICIAL USE
1. Registration No. and Class No. of the marks which are to be added to or altered		
Registration No.	Trade Mark	Class No.
2. Full name of registered proprietor		
3. Give details of the addition or alteration to be made to the marks shown in Part 1		
4. Agent's details		
Name _____		
Address _____		
Signature _____		Date _____
		<div style="display: flex; justify-content: flex-end; align-items: center;"> <div style="border-bottom: 1px solid black; width: 50px; margin-right: 5px;"></div> <div style="margin-right: 5px;">19</div> <div style="display: flex; gap: 10px;"> <div style="border-bottom: 1px solid black; width: 50px;"></div> <div style="border-bottom: 1px solid black; width: 50px;"></div> <div style="border-bottom: 1px solid black; width: 50px;"></div> </div> </div> <div style="display: flex; justify-content: space-around; font-size: small;"> Day Month Year </div>
Name (BLOCK LETTERS) _____		
Official capacity of signatory _____		

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to section 51(2) and rule 71(2)

This form must be filed in duplicate

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 41
		Fee No. 34
Notice of Opposition to Application under Section 51(2) for Addition to or Alteration of a Registered TradeMark		FOR OFFICIAL USE
1. Registration No. and Class No. of the trade mark		
Registration No.	Trade Mark	Class No.
_____	_____	_____
2. Details of the Gazette advertisement of the addition or alteration to the above numbered trade mark		
Date		

Gazette No. _____ Page _____		
Day Month Year		
3. Full name of registered proprietor		
4. Details of person(s) opposing the application		
Name		
Address		
5. Grounds for opposition		
A statement in duplicate setting out fully the grounds of opposition must be submitted with this notice		
6. Agent's details		
Name		
Address		
Agent's own reference		
7. Address for service		

An opponent who is resident outside Hong Kong must give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent

See rules 96 and 102

		19	
	Day	Month	Year
Name (BLOCK LETTERS) _____			
Official capacity of signatory _____			

(23 of 1998 s. 2)

See Schedule 1 to the
Trade Marks Rules for
details of fees
Attention is drawn to
section 54 and rule
75(1)

Mark the appropriate
box with an X

Insert the appropriate
Class Nos. and
specification

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 42
		Fee No. 35
Application by a Registered Proprietor for the Conversion of the Specification from Schedule 3 to Schedule 4		FOR OFFICIAL USE
1. Registration No.	Class	
2. Full name of registered proprietor		
3. Are there any registered users associated with the mark Yes No		
4. Proposed specification(s) on conversion to Schedule 4		
Class		
Class		
Class		
Class		
Class		
Class		
5. Agent's details		
Name		
Address		
Agent's own reference		

Signature _____	Date _____
Name (BLOCK LETTERS) _____	_____ 19____ Day Month Year
Official capacity of signatory _____	

See rules 96 and 102

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to section 54(3) and rule 76(2)

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"

This form must be filed in duplicate together with a statement, in duplicate, showing how the proposed conversion would be contrary to section 54(2)

If you do not have enough space use a separate sheet of paper

TRADE MARKS ORDINANCE		Form TM-No. 43
(CHAPTER 43)		Fee No. 36
Notice of Opposition to Proposal for Conversion of Specification		FOR OFFICIAL
1. Registration No.	Trade Mark	Class
2. Details of the Gazette advertisement of the proposal for conversion of specification		
Date _____		
Gazette No. _____ Page _____		
Day Mont Year		
3. Full name of registered proprietor		
4. Opponent's details		
Name _____		
Address _____		
5. Grounds of opposition		

See rules 96 and 102

Signature _____	Date _____
	<div style="display: flex; justify-content: space-between;"> _____ _____ _____ </div> <div style="display: flex; justify-content: space-between; font-size: small;"> Day Month 19 _____ Year </div>
Name (BLOCK LETTERS) _____	
Official capacity of signatory _____	

(23 of 1998 s. 2)

See Schedule 1 to the
Trade Marks Rules for
details of fees

Attention is drawn to
sections 55 and 55A
and rule 78(1)

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 44 Fee No. 37	
Application for Registration of a Trade Mark as a Defensive Trade Mark			
01	Part of the register in which the application is made		FOR OFFICIAL USE
02	Class of goods or services in which the application is made		Appl. No.:
03	Application made under section 26(1) for a series of marks		Reg. No.:
04 Applicant's details			
Name _____			
Address _____			
Kind of incorporation _____			Code
Country of incorporation _____			
State of incorporation (if appropriate) _____			
05 Application to be considered under International Convention/Priority			
Country _____ Date claimed _____ -			
Day Month Year			
06	Representation of mark (s) applied for	FOR OFFICIAL USE	
		Type of Mark	
		Device Mark Classification	
		Major	Heading
			Sub Heading

must be visually perceptible and capable of being represented graphically if it is not a word or a picture. This means you may need to give a clear description of the mark in this space

06A If the mark is not a word or a picture, please indicate here (for example, 3-dimensional)

07 Specification of goods or services for which registration is sought	FOR OFFICIAL USE

08 A statement of case setting out full particulars of the facts on which the applicant relies in support of his application must be attached to this application	FOR OFFICIAL USE
09 Agent's details Name Address	Agent Code
Agent's own reference	
010 Address for service Name Address	
011 Signature _____ Applicant/Agent for applicant Name (BLOCK LETTERS) _____ Official capacity of signatory _____ Date ____ 19____ Day Month Year	

See rules 96 and 102

(L.N. 299 of 1996)

See Schedule 1 to the Trade Marks Rules for details of fees

TRADE MARKS ORDINANCE
(CHAPTER 43)

Form TM-No. 45

Fee No. 38 or 38a

Attention is drawn to section 58 and rule 79

Before this application can be dealt with the applicant(s) must provide a statutory declaration made by the proprietor or some other person authorized to act on his behalf and approved by the Registrar, giving particulars as required by section 58(3)

If you do not have enough space use a separate sheet of paper

Application for Registration of Registered User		FOR OFFICIAL USE	
1. Registration Nos./Application Nos. and Class Nos. of the marks for which this application for a registered user is made			
For registered marks			
Registration No.		Class No.	
_____		_____	
_____		_____	
For pending applications			
Application No.		Class No.	
_____		_____	
_____		_____	
2. Registered proprietor of or applicant for the marks shown above			
3. Proposed registered user's details			
Name			
Address			
4. Goods and services for which the proposed registered user is to be registered as a separate user (in respect of marks shown at Part 1)			
5. Conditions or restrictions which the registration in each case will be subject to			

Mark the appropriate box with an X

6. Is the proposed permitted use without limit of period		Yes	No
If no, date on which the permitted use is due to end		Date	
		_____ 19 _____	
		Day	Month Year
7. Is the application made under section 18(1)(b)		Yes	No
8. Name of agent for proprietor			

Mark the appropriate box with an X

See rules 96 and 102

See rules 96 and 102

A registered user who is resident outside Hong Kong must give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent

Signature _____	Date _____ Day Month 19 Year
Name (BLOCK LETTERS) _____	
Official capacity of signatory _____	
9. Name of agent for registered user _____	
Signature _____	Date _____ Day Month 19 Year
Name (BLOCK LETTERS) _____	
Official capacity of signatory _____	
10. Address for service _____ _____ _____	

(23 of 1998 s. 2)

See Schedule 1 to the Trade Marks Rules for details of fees

Attention is drawn to section 60(1)(a) and rule 81

This application must be filed together with a statement of the grounds for the application and the written consent (if given) of the registered user

If you do not have enough space use a separate sheet of paper

TRADE MARKS ORDINANCE (CHAPTER 43)	Form TM-No. 46 Fee No. 39 or 39a
Application by the Registered Proprietor of a Trade Mark for Variation of the Registration of a Registered User thereof with regard to the Goods, Services, Conditions or Restrictions	FOR OFFICIAL USE <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
1. Registration Nos. and Class Nos. of the marks for which application to vary the registration of the registered user is made	
Registration No. _____ _____ _____ _____	Class No. _____ _____ _____ _____
2. Full name of registered proprietor of the marks shown above _____ _____	
3. Full name of registered user whose registration as a user of the marks shown in Part 1 is to be varied _____ _____	

5. Agent's details	
Name _____	
Address _____	
Agent's own reference _____	
Signature _____	Date _____
	_____ 19 _____ Day Month Year
Name (BLOCK LETTERS) _____	
Official capacity of signatory _____	

See rules 96 and 102

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

See Schedule 1 to the
Trade Marks Rules for
details of fees
Attention is drawn to
section 60(1)(b) and (c)
and rules 82 and 83

If you do not have enough
space use a separate sheet
of paper

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 47
		Fee No. 40, 40a, 41 or 41a
Application for Cancellation of Entry of a Registered User	FOR OFFICIAL USE	
1. Registration Nos. and Class Nos. of the marks, for which application to cancel the entry of a registered user is made		
Registration No.	Class No.	
_____	_____	
_____	_____	
_____	_____	
2. Full name of registered proprietor of the marks shown above		
3. Full name of the registered user whose registration as a user of the mark(s) shown in Part 1 is to be cancelled		

Mark the appropriate box with an X. Only one box should be completed

If you do not have enough space use a separate sheet of paper

An applicant for cancellation who is resident outside Hong Kong must give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent

See rules 96 and 102

4. Brief details of the cancellation which is applied for

5. Status of the applicant for cancellation

Is the applicant:
the registered proprietor of the marks
shown at Part 1?

a registered user of the marks
shown at Part 1?

other?

If other give details

6. Details of person applying for cancellation

Name

Address

7. Statement of grounds

A statement setting out fully the grounds for this application must be attached to this form

8. Agent's details

Name

Address

Agent's own reference

9. Address for service

Signature

Date

_____ 19

Day Month Year

Name (BLOCK LETTERS)

Official capacity of signatory

(23 of 1998 s. 2)

See Schedule 1 to the Trade Marks Rules for details of fees

TRADE MARKS ORDINANCE
(CHAPTER 43)

Form TM-No. 49

Fee No. 42

Attention is drawn to section 61 and rule 84(2)

	Notice of Intention to intervene in Proceedings for the Variation or Cancellation of an Entry of a Registered User of a Trade Mark		FOR OFFICIAL USE		
	1. Registration No.	Class No.			
	2. Full name of registered proprietor				
	3. Full name of registered user whose registration as a user of the mark shown in Part I is to be varied or cancelled				
	4. Date of Registrar's notification				
	<div style="text-align: right;">Date</div> <div style="text-align: right;"> <div style="display: inline-block; width: 100px; border-bottom: 1px solid black;"></div> <div style="display: inline-block; width: 100px; border-bottom: 1px solid black;"></div> <div style="display: inline-block; width: 100px; border-bottom: 1px solid black; text-align: center;">19</div> </div> <div style="display: flex; justify-content: space-between; width: 100%;"> Day Month Year </div>				
Set out the grounds for intervention	5. Details of person intending to intervene				
	Name				
	Address				
	6. Statement of grounds of intervention				
	7. Agent's details				
	Name Address				
An intervenor who is resident outside Hong Kong <u>must</u> give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent	Agent's own reference				
	8. Address for service				
	<div style="display: flex; justify-content: space-between;"> <div>Signature</div> <div>Date</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 40%; border-bottom: 1px solid black;"></div> <div style="width: 20%; border-bottom: 1px solid black; text-align: center;">19</div> <div style="width: 40%; border-bottom: 1px solid black; text-align: center;"> <div style="display: flex; justify-content: space-between;"> Day Month Year </div> </div> </div>				
See rules 96 and 102	Name (BLOCK LETTERS)				
	Official capacity of signatory				

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 50
No Fee		FOR OFFICIAL USE
Attention is drawn to rule 102(4) of the Trade Marks Rules	Authorization of Agent where an agent is appointed during the course of proceedings before the Registrar or where one agent is substituted for another	
	1. Registration or Application No. and Class No. of the mark for which authorization in Part 4 is given Registration or Application No. _____ Class No. _____	
Enter the name of each applicant or proprietor. Names of individuals should be given in full. The names of partners in a firm should be given in full. Bodies corporate should be designated by their corporate name. This must be an address in Hong Kong	2. Details of applicant, proprietor or person who is authorizing agent Name _____ Address _____	
	3. Agent's details Name _____ Address _____	
Mark the appropriate box with an X	Agent's own reference	
	4. The agent is authorized to act in the following Application and registration All post registration matters Registered user procedures Opposition to the application shown at Part 1 Application for rectification of the register in respect of the mark shown at Part 1 by a person who is not the registered proprietor of the mark I/We request that all notices and communications be sent to my/our authorized agent given in Part 3 Signature _____ Date _____ _____ 19 _____ Day Month Year Name (BLOCK LETTERS) _____ Official capacity of signatory _____	
See rules 96 and 102		

See Schedule 1 to the Trade Marks Rules for details of fees Attention is drawn to rules 103 to 105	TRADE MARKS ORDINANCE (CHAPTER 43)	Form TM-No. 51
	Fee No. 43	FOR OFFICIAL USE
	Request for General Certificate of the Registrar including Certificate of Registration of a Trade Mark (other than a Certificate under Section 17(3))	
	1. Registration Nos. and Class Nos. for which a certificate is required	

Insert written particulars of the trade mark. If the trade mark includes a device refer only to "a device"	Registration No. <hr/> <hr/> <hr/> <hr/>	Trade Mark <hr/> <hr/> <hr/> <hr/>	Class No. <hr/> <hr/> <hr/> <hr/>								
* Delete as appropriate	2. Details of *applicant/agent making the request for a general certificate and to which the certificate is to be sent Name Address										
Mark the appropriate box(es) with an X	3. Certificate requirements If a certificate of registration is required, mark this box with an X otherwise set out below the particulars which the Registrar is requested to certify: <hr/> Indicate whether it is: For use in legal proceedings For use in obtaining registration outside Hong Kong For use other than in legal proceedings or in obtaining registration outside Hong Kong										
See rules 96 and 102	<table style="width: 100%; border: none;"> <tr> <td style="border: none; width: 50%;">Signature</td> <td style="border: none; width: 50%;">Date</td> </tr> <tr> <td style="border: none;"> <hr/> </td> <td style="border: none;"> <hr/> <div style="text-align: right;">19</div> <div style="text-align: right;">Day Month Year</div> </td> </tr> <tr> <td style="border: none;">Name (BLOCK LETTERS)</td> <td style="border: none;"> <hr/> </td> </tr> <tr> <td style="border: none;">Official capacity of signatory</td> <td style="border: none;"> <hr/> </td> </tr> </table>			Signature	Date	<hr/>	<hr/> <div style="text-align: right;">19</div> <div style="text-align: right;">Day Month Year</div>	Name (BLOCK LETTERS)	<hr/>	Official capacity of signatory	<hr/>
Signature	Date										
<hr/>	<hr/> <div style="text-align: right;">19</div> <div style="text-align: right;">Day Month Year</div>										
Name (BLOCK LETTERS)	<hr/>										
Official capacity of signatory	<hr/>										

(23 of 1998 s. 2)

See Schedule 1 to the Trade Marks Rules for details of fees
Attention is drawn to rule 111

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM-No. 53 Fee No. 45
Notice of Order of Court for Alteration or Rectification or Register of Trade Marks		FOR OFFICIAL USE
1. Registration No. of the mark to which the order of Court refers	Class No.	
2. Full name of the registered proprietor		
3. Date of the order of the Court		
<div style="text-align: right;"> <hr/> <div style="text-align: right;">19</div> <div style="text-align: right;">Day Month Year</div> </div>		

An office copy of the order of the Court must be attached to this form

4. Details of the order of the Court			
5. Agent's details Name Address			
Agent's own reference			
Signature _____	Date _____ 19____ Day Month Year		
Name (BLOCK LETTERS) _____			
Official capacity of signatory _____			

See rules 96 and 102

NOTE: An address for service if not already supplied should be filed on Form TM-No. 38.

See Schedule 1 to the Trade Marks Rules for details of fees

Insert written particulars of the mark. If the mark includes a device refer only to "a device"

TRADE MARKS ORDINANCE (CHAPTER 43)		Form TM.-No. 54 Fee No. 50
Notice under Section 92(6): Election to have registrability of a mark determined in accordance with the Trade Marks Ordinance as amended by sections 18 to 25 of the Intellectual Property (World Trade Organization Amendments) Ordinance 1996 (11 of 1996).		
1. Application No.	Trade Mark	Class No.
2. Applicant's details Name Address		
3. Agent's details (if appropriate) Name Address		
Agent's own reference		
4. Address for service Name Address		

An applicant who is resident outside Hong Kong must give a Hong Kong address for service to which all correspondence from the Trade Marks Registry will be sent

Declaration		
<p>I elect to have the registrability of the mark determined in accordance with the Trade Marks Ordinance, as amended by sections 18 to 25 of the Intellectual Property (World Trade Organization Amendments) Ordinance 1996 (11 of 1996).</p> <p>I declare that the application for registration of the trade mark has not been advertised before the commencement of sections 18 to 25 of the Intellectual Property (World Trade Organization Amendments) Ordinance 1996 (11 of 1996).</p> <p>I acknowledge that this notice is irrevocable.</p> <p>Applicant's name _____</p>		
Signature	Date	
_____	_____	19 _____
	Day	Month Year
Name (BLOCK LETTERS) _____		
Official capacity of signatory _____		

See rules 96 and 102

Reminder

The new filing date of your converted application will be the commencement date of sections 18 to 25 of the Intellectual Property (World Trade Organization Amendments) Ordinance 1996 (11 of 1996).

(Enacted 1992. L.N. 299 of 1996; 23 of 1998 s. 2)

Definition:

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Schedule:	3	Heading:	CLASSIFICATION OF GOODS	Version Date:	30/06/1997

[rules 74(1) & 75(1)]

(Note: This was the Classification in the Third Schedule to the Trade Marks Rules under the Trade Marks Ordinance (Chapter 43, Laws of Hong Kong, Revised Edition 1950)).

Class	Goods included in class
1	Chemical substances used in manufactures, photography, or philosophical research, and anti-corrosives.
2	Chemical substances used for agricultural, horticultural, veterinary, and sanitary purposes.
3	Chemical substances prepared for use in medicine and pharmacy.
4	Raw, or partly prepared, vegetable, animal, and mineral substances used in manufactures, not included in other classes.
5	Unwrought and partly wrought metals used in manufacture.
6	Machinery of all kinds, and parts of machinery, except agricultural and horticultural machines and their parts included in class 7.
7	Agricultural and horticultural machinery, and parts of such machinery.
8	Philosophical instruments, scientific instruments, and apparatus for useful purposes; instruments and apparatus for teaching.
9	Musical instruments.
10	Horological instruments.
11	Instruments, apparatus, and contrivances, not medicated, for surgical or curative purposes, or in relation to the health of men or animals.
12	Cutlery and edge tools.
13	Metal goods, not included in other classes.
14	Goods of precious metals and jewellery, and imitations of such goods and jewellery.
15	Glass.
16	Porcelain and earthenware.
17	Manufactures from mineral and other substances for building or decoration.
18	Engineering, architectural, and building contrivances.
19	Arms, ammunition, and stores, not included in class 20.
20	Explosive substances.
21	Naval architectural contrivances and naval equipments not included in other classes.
22	Carriages.
23	(a) Cotton yarn. (b) Sewing cotton.
24	Cotton piece goods.
25	Cotton goods not included in other classes.
26	Linen and hemp yarn and thread.
27	Linen and hemp piece goods.
28	Linen and hemp goods not included in other classes.
29	Jute yarns and tissues, and other articles made of jute, not included in other classes.
30	Silk, spun, thrown or sewing.
31	Silk piece goods.
32	Silk goods not included in other classes.
33	Yarns of wool, worsted or hair.
34	Cloths and stuffs of wool, worsted or hair.

- 35 Woollen and worsted and hair goods, not included in other classes.
- 36 Carpets, floor-cloth, and oil-cloth.
- 37 Leather, skins unwrought and wrought, and articles made of leather not included in other classes.
- 38 Articles of clothing.
- 39 Paper (except paper hangings), stationery, and bookbinding.
- 40 Goods manufactured from india-rubber and gutta-percha not included in other classes.
- 41 Furniture and upholstery.
- 42 Substances used as food or as ingredients in food.
- 43 Fermented liquors and spirits.
- 44 Mineral and aerated waters, natural and artificial, including ginger beer.
- 45 Tobacco, whether manufactured or unmanufactured.
- 46 Seeds for agricultural and horticultural purposes.
- 47 Candles, common soap, detergents; illuminating, heating, or lubricating oils; matches; and starch, blue, and other preparations for laundry purposes.
- 48 Perfumery (including toilet articles, preparations for the teeth and hair and perfumed soap).
- 49 Games of all kinds and sporting articles not included in other classes.
- 50 Miscellaneous-
 - (1) Goods manufactured from ivory, bone or wood, not included in other classes.
 - (2) Goods manufactured from straw or grass, not included in other classes.
 - (3) Goods manufactured from animal and vegetable substances, not included in other classes.
 - (4) Tobacco pipes.
 - (5) Umbrellas, walking sticks, brushes and combs for the hair.
 - (6) Furniture cream, plate powder.
 - (7) Tarpaulins, tents, rick-cloths, rope (jute or hemp), twine.
 - (8) Buttons of all kinds other than of precious metal or imitations thereof.
 - (9) Packing and hose.
 - (10) Other goods not included in the foregoing classes.

(Enacted 1992)

Chapter:	43A	Title:	TRADE MARKS RULES	Gazette Number:	
Schedule:	4	Heading:	CLASSIFICATION OF GOODS AND SERVICES NAMES OF THE CLASSES	Version Date:	30/06/1997

[section 8 and rules 8(2),
9(3), 74, 75 & 108]

PART 1

(Note: Parts of an article or apparatus are, in general, classified with the actual article or apparatus, except where such parts constitute articles included in other classes).

Class	Goods included in class (see rule 10)
1	Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.
2	Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colourants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.
3	Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.
4	Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles, wicks.
5	Pharmaceutical, veterinary and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.
6	Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.
7	Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements; incubators for eggs.
8	Hand tools and implements (hand operated); cutlery; side arms; razors.
9	Scientific, nautical, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus.
10	Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.
11	Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.
12	Vehicles; apparatus for locomotion by land, air or water.
13	Firearms; ammunition and projectiles; explosives; fireworks.
14	Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.
15	Musical instruments.

- 16 Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); playing cards; printers' type; printing blocks.
- 17 Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal.
- 18 Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.
- 19 Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal.
- 20 Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.
- 21 Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steelwool; un-worked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.
- 22 Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.
- 23 Yarns and threads, for textile use.
- 24 Textiles and textile goods, not included in other classes; bed and table covers.
- 25 Clothing, footwear, headgear.
- 26 Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.
- 27 Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).
- 28 Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.
- 29 Meat, fish, poultry and game; meat extract; preserved, dried and cooked fruits and vegetables; jellies, jams, fruit sauces; eggs, milk and milk products; edible oils and fats.
- 30 Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.
- 31 Agricultural, horticultural and forestry products and grains not included in other classes; living animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals, malt.
- 32 Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.
- 33 Alcoholic beverages (except beers).
- 34 Tobacco; smokers' articles; matches.

PART 2

Services included in class (see rule 10)

- 35 Advertising; business management; business administration; office functions.
- 36 Insurance; financial affairs; monetary affairs; real estate affairs.
- 37 Building construction; repair; installation services.

- 38 Telecommunications.
- 39 Transport; packaging and storage of goods; travel arrangement.
- 40 Treatment of materials.
- 41 Education; providing of training; entertainment; sporting and cultural activities.
- 42 Providing of food and drink; temporary accommodation; medical, hygienic and beauty care; veterinary and agricultural services; legal services; scientific and industrial research; computer programming; services that cannot be placed in other classes.

(Enacted 1992)
