



Intellectual Property Office

Serving the Bailiwick of Guernsey

Intellectual Property Office

Market Building, PO Box 451,
Fountain Street, St. Peter Port,
Guernsey, GY1 3GX

Notice of Opposition and Statement of Grounds

For more information, please see the guidance notes available on the IPO website - www.guernseyregistry.com/ipo

Tel: +44 (0) 1481 743800

Email: ipo@guernseyregistry.com

Mark details:

1. Trade mark number:

2. Detail the classes — commencing with the lowest number

3. Full name of the applicant or registered proprietor

4. Full name and address (including email) of the opponent

5. Full name and address of the agent (if any)

6. Are there any related proceedings currently with the Registry, the court or other Trade Mark Office ?

If yes, please provide the application, registration or opposition number below:

7. Under what Section(s) of the Trade Marks (Bailiwick of Guernsey) Ordinance 2006 are you opposing this application ?

Section 3

Please complete question 8 below

Section 5(1) or (2)

Please complete question 9 below

Section 5 (3)

Please complete question 10 below

Section 5 (4)

Please complete question 11 below

8. Section 3 Opposition

3 (1) (a) Signs which do not satisfy the requirements of section 1 (1) because :

3 (1) (b) Trade marks which are devoid of any distinctive character because :

3 (1) (c) Trade marks which consist exclusively of signs or indications which may serve, in trade, to designate the kind, quality, intended purpose, value, geographical origin, the time of production of goods or of rendering of services, or other characteristics of goods and services because:

3 (1) (d) Trade marks which consist exclusively of signs or indications which have become customary in the current language or in the bona fide and established practices of the trade because:

3 (2) Trade marks which consist exclusively of the shape which results from the nature of the goods themselves, the shape of the goods which is necessary to obtain a technical result or the shape which gives substantial value to the goods because :

3 (3) Trade marks which are contrary to public policy or to accepted principles of morality or of such a nature as to deceive the public because :

3 (6) Trade marks which shall not be registered if, or to the extent that, the application is made in bad faith because :

Other State which other part of section 3 you are relying on and give your grounds :

9. Section 5(1) or 5 (2) Opposition

N.B. You MUST use a separate sheet for each earlier mark. Copy this page as many times as is necessary

Please tick which section of the law you are relying on and give details of the earlier mark

- | | | |
|-----------------|--------------------------|---|
| 5(1) | <input type="checkbox"/> | Identical with an earlier mark and for identical goods or services as the earlier mark |
| 5(2) (a) | <input type="checkbox"/> | Identical with an earlier mark and for similar goods or services as the earlier mark |
| 5(2) (b) | <input type="checkbox"/> | Similar to an earlier mark and for identical or similar goods or services as the earlier mark |

Details of earlier trade mark/application:

Number:

Is it a Bailiwick of Guernsey, UK, Community or International mark ?

Representation of the mark:

What goods or services (including their classes) are covered by this mark ?

State which goods or services in the application you say are identical or similar to those covered by the earlier mark ?

Statement of use: if the earlier mark has been registered for 5 years or more before the publication of the mark you are opposing, state which goods or services the earlier mark has been used on in that time, or state why the mark has not been used in that time.

10. Section 5 (3) Opposition

N.B. You MUST use a separate sheet for each earlier mark. Copy this page as many times as is necessary

Section 5 (3) - Identical with or similar to an earlier mark with a reputation

Details of earlier trade mark:

Number:

Is it a Bailiwick of Guernsey, UK, Community or International mark ?

Representation of the mark:

What goods or services (including their classes) are covered by this mark ?

State which goods or services in the application you say would take unfair advantage of or be detrimental to the distinctive character or reputation of the earlier mark ? ?

Please detail your reasons for stating goods or services in the question above:

Statement of use: if the earlier mark has been registered for 5 years or more before the publication of the mark you are opposing, state which goods or services the earlier mark has been used on in that time, or state why the mark has not been used in that time.

11. Section 5 (4) Opposition

N.B. You MUST use a separate sheet for each earlier mark. Copy this page as many times as is necessary

Section 5 (4)(a) - By virtue of any rule of law (in particular the law of passing off) protecting an unregistered trade mark or other sign used in the course of trade

Section 5(4)(b) By virtue of an earlier right other than those referred to in other subsections of section 5, in particular by virtue of the law of copyright, unregistered design right or registered designs, and state what type of right is involved.

Details of earlier right:

Number:

Is it a Bailiwick of Guernsey, UK, Community or International mark ?

Representation of the mark, sign or right:

How and where has the earlier right been used, and on what goods or services ?

When was the earlier right first used on the goods and services you have listed ?

State which goods or services in the application you object to:

12. Other Opposition

Please tick which section of the law you are relying on and give details to support the opposition.

Section 56

Protection of well-known trade marks.

Section 60

Acts of agent or representative

Application amended after publication

Regulations for collective or certification marks

Amendment of regulations for collective or certification marks

Amendment of registered mark

Removal of matter from the register

Reclassification of specification

Other grounds. Please specify the section of the Trade Mark Ordinance

Give details to support your opposition

Declaration :

I/We declare that the facts stated in this notice and in the attached statement of grounds are true.

Signature:

Your name in BLOCK capitals:

Date:

Number of sheets attached to this form:

Presenter details:

13. Name:

14. Address:

15. Telephone no:

16. Your reference:

17. Your signature:

Completion checklist:

Before returning the completed application form to the Intellectual Property Office, please:

- Make sure you have read and complied with the declarations above;
- Make sure you have completed all questions;
- Enclose payment. See the fee schedule available on the website: www.guernseyregistry.com/ipo;
- Include any additional documents as may be required;
- Ensure the form is signed and dated by an authorised signatory;
- Send it to the address shown on the front page.

I have completed all of the above: