



Benefits

Amongst other benefits, registering your trade mark:-

- Secures a **statutory monopoly**. It will give you the exclusive right to use your mark for the goods and/or services that it covers in the EU.
- **Deters others** from using your trade mark. A trade mark registration can be used to prevent the registration or use of an identical or similar mark by another individual or company.
- Makes it your property which means you can **sell it or license the use** of it to others in exchange for payment.
- Can add quantifiable **goodwill** and **value** to a business on sale.

Countries covered by a CTM

Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, The Netherlands and the UK (27).

Costs

We can take care of the registration process from start to finish.

Stage 1 – Filing

1. To file a CTM application in up to 3 classes we charge a fixed fee of **£200** (UK sterling).

The official filing fee payable to OHIM (the body responsible for examining and registering CTMs) for an application in up to 3 classes is **€900** (euros).

2. For each additional class, we charge a fixed fee of £50 (UK sterling). The official filing fee for each additional class is €150 (euros).

Stage 2 – Prosecution

After filing your application, we charge on a time and materials basis for the work we undertake through to the registration of the mark.

Our charges will depend upon how straightforward the application is and whether it receives any objections from OHIM and/or any opposition from third parties. This is not something we can predict with absolute certainty, although we do aim to warn you if your application is likely to be problematic.

There are a wide variety of objections that can be raised by an OHIM examiner including that your

trade mark is descriptive and not distinctive e.g. the trade mark SHOES for a "shoe store". In the event of an objection, we would need to respond to the examiner.

Responding to objections may include presenting evidence of use, engaging in correspondence and/or conducting a telephone hearing with the examiner.

A third party may oppose your trade mark application on a number of grounds including that it is identical or similar to their mark and that there exists a 'likelihood of confusion' between your proposed trade mark and their registered trade mark.

In the event of an opposition, we will advise you of our additional legal charges and expenses before proceeding on your behalf.

Note that most but not all trade mark applications are straightforward and go through without significant objection or opposition.

For straightforward applications, you should budget an estimated **£200** (UK sterling) for this stage.

Total Cost

You are looking at an estimated total cost of **£1,200** (UK sterling) if the application proves straightforward and is registered in up to 3 classes only.

This works out at just **£120 per year** for the first 10 years, as trade mark registrations are valid for an initial period of 10 years and can thereafter be renewed every 10 years (for an additional renewal fee).

Note that the above costs exclude VAT (chargeable in addition if we are instructed from within the UK) and bank transfer charges and may vary in accordance with exchange rates current from time to time.

We think this is outstanding value for money given the benefits of a trade mark registration and the fact that a CTM covers 27 countries.

Intellectual Property Unit
Humphreys & Co. Solicitors
Email: lawyers@humphreys.co.uk
Tel: 0117 929 2662
www.humphreys.co.uk
www.rightguard.net