



# TRADE MARK FORMALITIES

## **Introduction**

We are pleased to take instructions to assist with maintenance and management of your trade marks. Our staff can remove the burden of trade mark registration post grant to ensure you receive important reminders about renewal, applications which may affect your mark and also to provide monitoring services. In addition we can attend to Notarisation and Legalisation of your trade mark for overseas use.

## **Maintenance.**

On grant of your trade mark you will have an official address for service of documents by the trade mark registry. It is important to ensure that the address of record is capable of receiving communications from official registries so that notices affecting your mark are served and acted upon to protect your registration. If you move or your business identity changes you will need to inform the registry to ensure that these notices are not lost.

We can act as your address for official service and contact you as and when any important notices are received from the registry. We can also maintain a complete file of your registered mark so that all important documents, including certificates of registration are accessible and up to date. If your business identity changes we can assign your trade mark to the new business. We can also advise you as to whether or not your mark is being properly maintained, in a trade mark sense, by correct usage.

## **Searches**

As part of our formalities work we can conduct a variety of searches of the trade mark registries. These range from clearance searches prior to registration to monitoring of your trade mark and any marks or applications which may conflict with your trade mark. These services ensure that third party rights do not arise which could infringe or impede your registered trade mark.

## **Assignments & Licensing**

If you sell your business or wish to dispose of your trade mark to a third party, we can assist with assignment. We can take your instructions to “transfer” the trade mark to third parties. This is referred to as “assignment”. Assignment of a registered trade mark involves changing the details of the registered proprietor of the trade mark at the registry. Without formal assignment of the trade mark ownership is not effectively acquired by the new owner. Registration of the change of ownership completes this process because third parties are able to inspect the registry.

Licensing of your trade mark may be advantageous to you. If you are the registered proprietor of a trade mark you have the right to grant exclusive and non-exclusive licences to others to use your trade mark for such durations and on such terms as you and the third parties are able to agree. We can prepare licences for you and ensure these are filed at the relevant registry. We can also monitor licence holders for potential infringement, organise regular renewals and advise you about the most suitable form of licence for a particular situation.

## **Enquiries**

To make an enquiry about any of these services, please contact our office in Manchester in the first instance and we will then discuss the proposal with you in detail. We will need to see a sample of any proposed mark in order to give you the fullest advice. You can send this to us (where convenient) by email to [client@mtmlegal.co.uk](mailto:client@mtmlegal.co.uk) . If possible, please include a contact telephone number so that we can revert to you to for a preliminary discussion about the proposed trade mark.

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