

## HOW TO OPPOSE OR DEFEND AN EU TRADE MARK APPLICATION

### APPLICANT FOR AN EU TRADE MARK REGISTRATION

The application is advertised by the EU IPO

Applicant files evidence of fact and submissions

Decision by EU IPO, with possible costs award

Appeal possible to EU IPO Board of Appeal

Option to appeal to Luxembourg courts thereafter

### TIMELINE

#### 3 months

During which opposition may be filed - EU IPO checks admissibility

#### 2 months

Cooling off period. Parties can jointly extend by 22 months and opt out early of extended period

Parties can jointly agree Suspension of opposition for several 12-month periods

#### 2 months

Opponent can extend by 2 months

#### 2 months

Applicant can extend for 2 months

#### 2 months

Opponent can extend for 2 months

#### Several months later

#### 2 months

And statements of grounds within 2 months thereafter

### BRAND OWNER WHO WISHES TO OPPOSE

Letter before action (optional)

Send opposition to EU IPO

Opponent's evidence and legal submissions

Opponent's evidence in reply

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