

# Process to oppose or defend a trade mark application in the UK

## APPLICANT FOR A UK TRADE MARK REGISTRATION

## TIMELINE

## BRAND OWNER WHO WISHES TO OPPOSE

The application is advertised by the UKIPO

**2 months**  
During which opposition may be filed - may be extended to 3 months by request

Letter before action *(optional)*  
Send opposition to UK IPO

Applicant files their defence (counterstatement). Applicant may request proof of use of trade marks over 5 years old

**2 months**  
During which defence must be filed - if both parties agree may extend by seven months and then by nine months.  
UKIPO may issue a nonbinding preliminary indication of the outcome

Brand owner files evidence of fact, and evidence of use, if required  
Legal submissions *(optional)*

Applicant files evidence of fact  
Legal submissions *(optional)*

**2 months**  
Extension may be requested by brand owner if very good reasons

**2 months**  
Extension may be requested by applicant, if very good reasons

Brand owner indicates if reply evidence will be filed

**1 month**

**1 month**

Brand owner files any reply evidence *(optional)*

Option to request hearing *(or decision is made based on the papers)*  
File any legal submissions

**Few weeks**

Option to request hearing *(or decision is made based on the papers)*  
File any legal submissions

Hearing by UKIPO

**Several weeks later**

Hearing by UKIPO

Decision by UKIPO, with possible costs award

**Several months later**

Decision by UKIPO, with possible costs award

Option to appeal to court or appointed person

**28 days**

Option to appeal to court or appointed person