

## CHECKLIST: TRADE MARK REGISTRATION

This checklist lists basic information required for registration of a trade mark. It is not necessarily complete, as particular circumstances may require different/extra information. Some of the questions may require our advice for proper interpretation and response. If you would like us to register a trade mark for you, please complete the checklist (so far as you can) and send it to us.

### Trade mark particulars

What is the trade mark?

Please provide a good quality copy of the trade mark.

### Owner's particulars

What is the trade mark owner's full name?

What is the trade mark owner's ACN or ABN?

What is the trade mark owner's (registered) address?

### Prior registrations

Is the trade mark registered?

Yes / No

If the trade mark **is** registered, please provide the following information:

- (a) Please specify **all** jurisdictions that the trade mark is registered in.
- (b) Please provide a copy of **every** certificate of registration of the trade mark.
- (c) When did the owner begin using the trade mark in each of those jurisdictions?
- (d) Has the owner used the trade mark continuously in each jurisdiction since then? If not, please provide further details.

If the trade mark **is not** registered, please provide the following information:

- (a) What goods and services does the trade mark relate to?
- (b) Please specify **all** jurisdictions that the trade mark is used in.
- (c) When did the owner begin using the trade mark in each of those jurisdictions?

(d) Has the owner used the trade mark continuously since then? If not, please provide further details.	
(e) Was there any previous owner of the trade mark? If so, please provide full details of all previous owners and copies of all documents transferring ownership.	
<b>Use(s) &amp; classification(s)</b>	
Please provide details of each use of the trade mark (i.e., the different ways that it is used).	
What classes is the trade mark to be registered in?	
<b>Third party rights/claims</b>	
Has the owner granted any other person the right to use the trade mark? If so, on what terms? Please provide copies of all relevant agreements.	Yes / No
Has any person challenged the owner's ownership or right to use the trade mark? If so, please provide full details of each challenge and its outcome.	Yes / No
<b>Encumbrances</b>	
Is the trade mark the subject of any registered or unregistered charge? If so, please provide the following details: (a) Registered number (if applicable). (b) Chargee's full name. (c) Chargee's (registered) address. (d) Chargee's ACN or ABN. (e) Chargee's contact name. (f) Chargee's telephone no. (g) Chargee's facsimile no.	Yes / No
Does the trade mark owner hold it as trustee? If so, please provide particulars of the trust.	Yes / No
Are there any other encumbrances affecting licensing of the trade mark. If so, please provide full particulars.	Yes / No
<b>Expedited examination</b>	
Is expedited examination of the registration application required?	Yes / No

If so, on what grounds?	
Who will swear the statutory declaration in support of the application for expedited examination?	