



International Trade Mark Registration

Your brand is your most valuable business asset

We advise our clients to protect their brands by registering them. If you don't obtain a registered trade mark it may not be possible to prevent others from trading under the same or a similar brand. There is also the possibility that somebody else might decide to register your brand, or a confusingly similar brand, and then accuse you of infringing their registered trade mark.

If you want to register your brand as a trade mark in several overseas jurisdictions then, depending on the countries involved, often the most cost effective and easiest way to do so is by way of an of an 'International' trade mark application (otherwise known as a 'Madrid Protocol' trade mark application). To make such an application you need to have already filed an application, or obtained a registration, for your mark, for the same goods/services, in a country in which you have a real and effective industrial or commercial establishment, or in which you are domiciled, or of which you are a national, and that country must be a party to the Madrid Protocol (the 'Home Trade Mark').

If you would like further information please contact a member of the Ashfords Trade Mark Team on +44 (0)1392 333947 tm@ashfords.co.uk

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For filing an International trade mark application in up to three classes only we charge a fixed fee of **£400 plus VAT**. For each additional class we charge a further fixed fee of **£100 plus VAT per class**.

This is the cost for drafting the specification and agreeing it with you, preparing the application, filing it and notifying you of the filing date. It does not cover the cost of reporting to you on the progress of the application through each stage (i.e. examination, publication and registration), for which you should budget an estimated **£250 plus VAT per country**. This assumes that the application faces no official objections or third party oppositions.

In addition, official handling and application/registration fees have to be paid to either the UKIPO or OHIM and to WIPO in Geneva. The total amount of these fees will depend on various factors, such as the number of countries in which you seek trade mark protection and the number of classes of goods/services. We can obtain estimates for you upon request.

If official objections are raised, or we have to deal with third party oppositions, we charge on a hourly basis for the time we incur in conducting the work we have to do through to registration of the mark. We would also need to retain overseas trade mark advisers, whose fees you would have to pay.

Our current hourly charge-out rates for those likely to be involved are as follows:

Partner: **£250 - £300 plus VAT per hour**

Solicitor: **£200 plus VAT per hour**

Trade Mark Attorney: **£200 plus VAT per hour**

Trade Marks Paralegal: **£150 plus VAT per hour**

We can supply cost estimates for dealing with any objections/oppositions as and when they arise. At that stage we will have a better idea of what work will need to be done in order to try to overcome the objections/oppositions. If you decide that the cost of proceeding is not worth it (i.e. bearing in mind the merits of your case), you can always cut your losses and abandon the application at that stage.

Ashfords LLP is Authorised and Regulated by the Solicitors Regulation Authority. The information in this note is intended to be general information about English law only and not comprehensive. It is not to be relied on as legal advice nor as an alternative to taking professional advice relating to specific circumstances.

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