

Trade Mark Renewals

Registered trade marks need to be renewed every ten (10) years from the date on which they were original filed. The effect of renewing your registered trade mark is that it will remain in force for another ten (10) years.

Ten years is a long time in business, and we find that many trade marks that are coming up for renewal need a good dust off and revisit, so we do not simply seek renewal of a trade mark without first confirming that the registration is still fit for purpose.

Unlike other attorneys, which charge a fee per class, our renewals are a fixed price of \$660.00 (inc GST) plus IP Australia's fees at a rate of \$300.00 per class.

As part of our renewal service we will assess whether the registered trade mark that is coming up for renewal is the same as that which you currently use and that it is being used on the goods and/or services for which it is registered. Often this can reduce the cost of the renewal or alert you to gaps in your trade mark protection, requiring new applications for the trade mark in other classes not covered by the registration being renewed. We will also check to ensure all other details of the trade mark registration are correct.

Where we are not already the attorney responsible for your trade mark registration, we will on your instructions record Marshall Marks as the "Address for Service". We will need to do this to be able to process the renewal on your behalf. The effect of this is that all subsequent correspondence in relation to this trade mark registration will be sent to our office, meaning it will be promptly and efficiently reported out to you with recommendations as to your options, where appropriate. It also means that when the next renewal comes around, we will be able to notify you and process it accordingly.

IProtect

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Marshall Marks Pty Ltd (ABN 91 605 529 002) t/a Marshall Marks. Marshall Marks is an Incorporated Registered Trade Mark Attorney Practice. Regulated by the Professional Standards Board. MARSHALL MARKS and IPROTECT are trade marks of Marshall Legal Services Pty Ltd. Marshall Marks is part of Marshall IP Group.

If your trade mark registration has not been renewed by the expiry date, we may still be able to renew it; however there will be additional costs. A six (6) month grace period after the date on which it expires applies; however, you will not be able to sue for any infringements (or parts thereof) occurring in the period after the expiry date of the trade mark and the date on which the renewal is processed. Additional charges will apply where it is necessary to renew a trade mark registration during the six (6) month grace period.

Contact us today for assistance with your NON-USE ACTION

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