

FORM TM-45

THE TRADE MARKS ACT, 1999

Agent's Code No:

Proprietor's Code No:

Fee: Rs.2500/-

Application to register a textile trade mark consisting exclusively of letter or numerals from a convention country.

section 18(1), 154(2) rule 25(6), 26, 144, and 145

(To be filled in triplicate accompanied by five additional representation of the trade mark)

One representation to be fixed within this space and five others to be sent separately. Representation of the larger size may be folded but must then be mounted upon linen or other suitable material affixed thereto. (See rule 28).

Application is hereby made for registration in the register of the accompanying

trade mark in class ¹ in respect of ²in the name(s) of

³..... whose address is ⁴ who claim (s) to be the proprietor(s) thereof [and by whom the said mark is proposed to be used ⁵ or (and by whom and his (their) predecessor(s) in title ⁶ the said mark has been continuously used since] in respect of the said goods or services.⁷

The application in a convention country to register the trade mark has been made in on

A certified copy certified by an official of the convention country in which the application was filed is enclosed (along with its translation in English).

I/We request that the trade mark may be registered with priority date based on the above mentioned application in a convention country under the provisions of Section 154 of the Act.

8.....⁹.....

All communications relating to this application may be sent to the following address in India:-

Dated thisday of20.....

¹⁰..SIGNATURE NAME OF SIGNATORY IN LETTERS.

To

The Registrar of Trade marks,

The office of the Trade Marks Registry at 11.....

1.The Registrar's direction may be obtained if the class of the goods or services is not known.

2.Specify the goods or services for the class in respect of which application is made. A separate sheet detailing the goods or services may be used. The specification of goods or services should not ordinarily exceed five hundred characters. An excess space fee of Rs.10 per character is payable beyond this limit. [See rule 25(16)]. The applicant must state the exact number of excess characters where the specification of goods or services exceeds of five hundred characters at the space provided immediately before the signature.

3. Insert legibly the full name, description (occupation and calling and nationality of the applicant). In the case of a body corporate or firm the country of incorporation or the names and descriptions of the partners composing the firm and the nature of registration, if any, as the case may be, should be stated. (See rule 16).

4. The applicant shall state the address of his principal place of business in India. if any. (See rules 3 and 17). If the applicant carries on business in the goods or services for which registration is sought at only one place in India such fact should be stated and the address of the place given. If the applicant carries on business in the goods or services concerned at more places than one in India the applicant should state such fact and give the address of that place of business which he considers to be his principal place of business. If, however, the applicant does not carry on business in the goods or services concerned but carries on business in other goods or services at any one place in India this fact should be stated and the address of that place given; and where the applicant carries on such business at more places than one in India such fact should be stated and the address of the place which he considers to be his principal place of business given. Where the applicant is not carrying on any business in India the fact should be stated and the place of his residence in India, if any, should be stated and the address of that place given. In addition to the principal place of business or of residence in India, as the case may be, an applicant may if he so desires given an address in India to which communications relating to the application may be sent).(see rule 19). Where the applicant has neither a place of business nor of residence in India the fact should be stated and an address for service in India given along with his address in his home country abroad.

5. Strike out if the mark is already in use

6. Strike out the words if not applicable. If user by predecessor(s) in title is claimed the name(s) of such person(s) together with the date of commencement of use by the applicant himself should be stated at 8.

7. If there has been no use of the trade mark in respect of all the goods or services specified at 2, the items of goods or services in respect of which the mark has actually been used should be stated.

8.For additional matter if required, otherwise to be left blank.

9.If colour combination is claimed, clearly indicate it and state the colours. . If the application is in respect of a three dimensional mark, a statement to that effect (see rule 25 and 29).

10. Signature of the applicant or of his agent (legal practitioner or registered trade marks agent or person in the sole and regular employment of the applicant-(See Section 145)

9. State the name of **the place of** the appropriate office of the Trade Marks Registry. (see rule 4)