

Hong Kong Trademark Opposition

Q: Who may file an Opposition to a trademark application?

Section 44 of the Trade Marks Ordinance (Cap. 559) provides that “any” person may give notice to the Registrar of opposition to the registration of a trade mark as an **Opponent**.

The only qualification to this broad statement is that the notice must be given in writing within the prescribed period, in the prescribed manner, and shall contain a statement of the grounds of opposition.

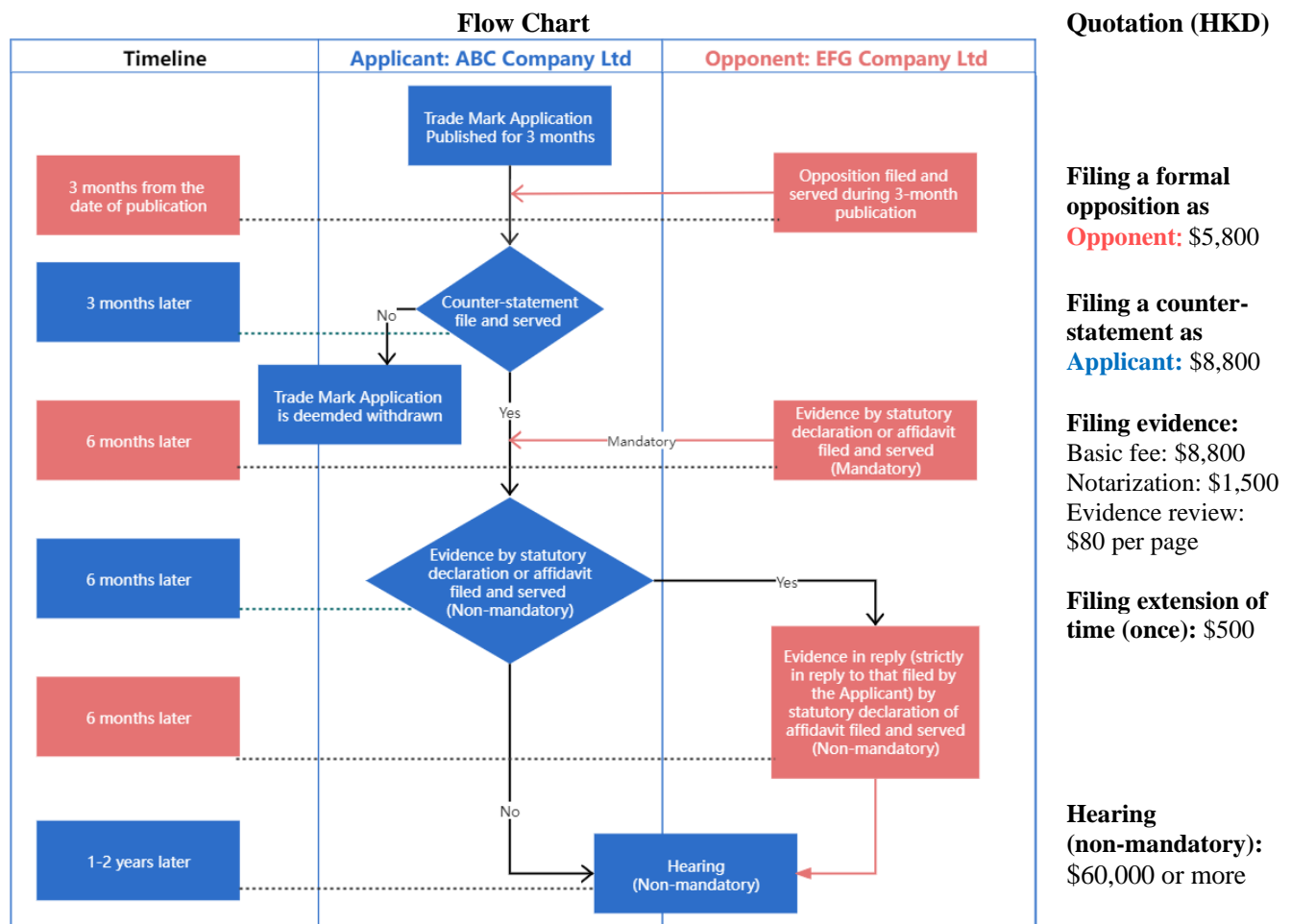
Q: Is it compulsory to defend my application when being opposed by others?

As a trademark **Applicant**, it is compulsory to defend your application by filing a counter-statement to avoid abandonment. You can also provide evidence in the form of a statutory declaration or affidavit to support your argument.

NOTE: The foregoing estimates are approximate only. For opposition cases, settlement of the matter can occur relatively early in the proceedings or at any point thereafter (in case both parties reach a deal).

Q: How long is the process time and What is the procedure?

The main steps to be taken by **Applicant** and **Opponent** are set out below:-



Disclaimer: The information presented herein does not and is not intended to constitute legal advice. All information provided is for general informational purposes only.

For more information, please contact our trade mark consultant.