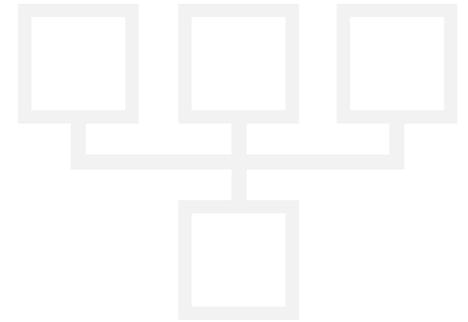




# UKRAINIAN TRADE MARK APPLICATION: OPPOSITION PROCEDURE

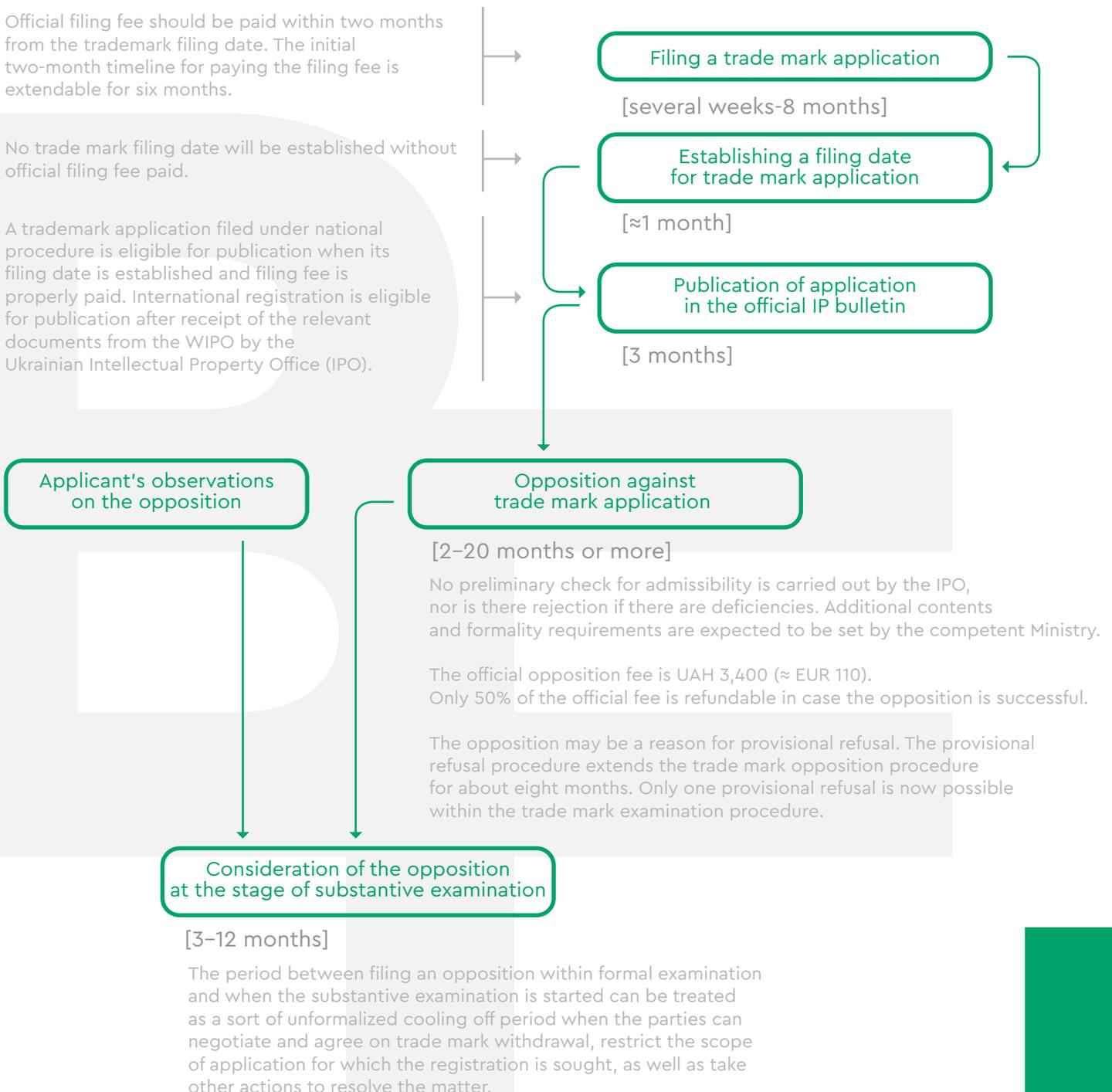


## Notes:

Official filing fee should be paid within two months from the trademark filing date. The initial two-month timeline for paying the filing fee is extendable for six months.

No trade mark filing date will be established without official filing fee paid.

A trademark application filed under national procedure is eligible for publication when its filing date is established and filing fee is properly paid. International registration is eligible for publication after receipt of the relevant documents from the WIPO by the Ukrainian Intellectual Property Office (IPO).





IPO's decision and suspension of examination for the parties to the opposition proceedings to appeal

[2-3 months]

Applicant's observations on the appeal

**Notes:**

An applicant of the trade mark application under national procedure is entitled to lodge an appeal within two-month period. Two-month term to appeal is also set for the opponent. As for the applicant of international registration, the appeal can be lodged within three-month period. Statutory periods for lodging the appeal are not extendable.

Opponent's or applicant's appeal to the Appeal Board

[3-5 months]

It is not fully clear whether the opponent will be eligible to take part in the appeal proceedings in case the appeal is filed by the applicant.

The Appeal Board should consider the opposition within three months. This initial term can be extended for two months upon request and subject to payment of the relevant official fee.

Final decision in the opposition proceedings

[2 months]

No second appeal to the Appeal Board for the applicant is possible in case the appeal is filed by the opponent and the applicant disagrees with final decision in the opposition proceedings.

Challenging final decision to the court

[2 months]

Trade mark applicant and opponent have the right to challenge the final decision to the court.

**FOR FURTHER INFORMATION ON THIS SUBJECT, PLEASE CONTACT:**

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