**FORM TM-45**

**THE TRADE MARKS ACT, 1999**

**AgentsCodeNo:**

**ProprietorsCodeNo:**

**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)**

Onerepresentationtobefixedwithinthisspaceandfiveotherstobesentseparately.Representationofthelargersizemaybefoldedbutmustthenbemounteduponlinenorothersuitable material affixed thereto. (See rule 28).

Application is hereby made for registration in the register of the accompanyingtrade mark in class 1 .................................. in respect of 2 ........................in the name(s) of

3...................whoseaddressis4.......................whoclaim(s)tobetheproprietor(s)thereof[andbywhomthesaidmarkisproposedtobeused5or(andbywhomandhis(their)predecessor(s)intitle6thesaidmarkhasbeencontinuouslyusedsince..........]inrespectofthesaid goods or services.7

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

Acertifiedcopycertifiedbyanofficialoftheconventioncountryinwhichtheapplicationwasfiledisenclosed (along with its translation in English).

I/Werequestthatthetrademarkmayberegisteredwithprioritydatebasedontheabovementioned 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 this ................day of ...........20............

10..SIGNATURENAME 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.Specifythegoodsorservicesfortheclassinrespectofwhichapplicationismade.Aseparatesheetdetailingthegoodsorservicesmaybeused.Thespecificationofgoodsorservicesshouldnotordinarilyexceedfivehundredcharacters.AnexcessspacefeeofRs.10percharacterispayablebeyond this limit. [See rule 25(16)]. The applicant must state the exact number of excess characters

wherethespecificationofgoodsorservicesexceedsoffivehundredcharactersatthespaceprovided immediately before the signature.

3.Insertlegiblythefullname,description(occupationandcallingandnationalityoftheapplicant).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 and17).IftheapplicantcarriesonbusinessinthegoodsorservicesforwhichregistrationissoughtatonlyoneplaceinIndiasuchfactshouldbestatedandtheaddressoftheplacegiven.Iftheapplicant carries on business in the goods or services concerned at more places than one in India the applicantshouldstatesuchfactandgivetheaddressofthatplaceofbusinesswhichheconsiderstobehisprincipal placeofbusiness.If,however,theapplicantdoesnotcarryonbusinessinthegoodsorservicesconcernedbutcarriesonbusinessinothergoodsorservicesatanyoneplaceinIndiathisfactshouldbestatedandtheaddressofthatplacegiven;andwheretheapplicantcarriesonsuchbusinessatmoreplacesthanoneinIndiasuchfactshouldbestatedandtheaddressoftheplacewhichheconsiderstobehisprincipalplaceofbusinessgiven.WheretheapplicantisnotcarryingonanybusinessinIndiathefactshouldbestatedandtheplaceofhisresidenceinIndia,ifany,shouldbestatedandtheaddressofthatplacegiven.InadditiontotheprincipalplaceofbusinessorofresidenceinIndia,asthecasemaybe,anapplicantmayifhesodesiresgivenanaddressinIndiatowhichcommunicationsrelatingtotheapplicationmaybesent).(seerule19).WheretheapplicanthasneitheraplaceofbusinessnorofresidenceinIndiathefactshouldbestated 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.Strikeoutthewordsifnotapplicable.Ifuserbypredecessor(s)intitleisclaimedthename(s)ofsuchperson(s)togetherwiththedateofcommencementofusebytheapplicanthimselfshouldbestated at 8.

7.Iftherehasbeennouseofthetrademarkinrespectofallthegoodsorservicesspecifiedat2,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.Ifcolourcombinationisclaimed,clearlyindicateitandstatethecolours..Iftheapplicationisinrespect of a three dimensional mark, a statement to that effect (see rule 25 and 29).

10.Signatureoftheapplicantorofhisagent(legalpractitionerorregisteredtrademarksagentorperson in the sole and regular employment of the applicant-( See Section 145)

9. Statethenameof**theplaceof**theappropriateofficeoftheTradeMarksRegistry.(seerule4)