
STATUTORY INSTRUMENTS

2008 No. 1797

The Trade Marks Rules 2008

Division, merger and series of marks

Division of application; section 41 (Form TM12)

26.—(1) At any time before registration an applicant may send to the registrar a request on Form TM12 [^{F1}to divide the specification] of the application for registration (the original application) into two or more separate applications (divisional applications), indicating for each division the specification of goods or services.

(2) Each divisional application shall be treated as a separate application for registration with the same filing date as the original application.

(3) Where the request to divide an application is sent after publication of the application, any objections in respect of, or opposition to, the original application shall be taken to apply to each divisional application and shall be proceeded with accordingly.

(4) Upon division of an original application in respect of which notice has been given to the registrar of particulars relating to the grant of a licence, or a security interest or any right in or under it, the notice and the particulars shall be deemed to apply in relation to each of the applications into which the original application has been divided.

Textual Amendments

F1 Words in rule 26(1) substituted (1.10.2009) by [The Trade Marks and Trade Marks and Patents \(Fees\) \(Amendment\) Rules 2009 \(S.I. 2009/2089\)](#), rules 2, **10**

Commencement Information

I1 [Rule 26](#) in force at 1.10.2008, see [rule 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Trade Marks Rules 2008, Section 26.