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STATUTORY INSTRUMENTS

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**2008 No. 1797**

**The Trade Marks Rules 2008**

*Appeals*

**Appeal to person appointed; section 76**

**71.—(1)** [<sup>F1</sup>Subject to paragraph (1A), notice] of appeal to the person appointed under section 76 shall be filed on Form TM55 which shall include the appellant's grounds of appeal and his case in support of the appeal.

[<sup>F2</sup>(1A) Where the appeal arises in proceedings between two or more parties, notice of appeal to the person appointed under section 76 shall be filed on Form TM55P, which shall include the appellant's grounds of appeal and his case in support of the appeal.]

[<sup>F3</sup>(2) Forms TM55 or TM55P shall be filed [<sup>F4</sup>within the period of 28 days beginning immediately after the date of the registrar's decision which is the subject of the appeal ("the original decision").]

(3) The registrar shall send the notice and the statement to the person appointed.

(4) Where any person other than the appellant was a party to the proceedings before the registrar in which the original decision was made ("the respondent"), the registrar shall send to the respondent a copy of the notice and the statement and the respondent may, within the period of 21 days [<sup>F4</sup>beginning immediately after] the date on which the notice and statement was sent, file a notice responding to the notice of appeal.

(5) The respondent's notice shall specify any grounds on which the respondent considers the original decision should be maintained where these differ from or are additional to the grounds given by the registrar in the original decision.

(6) The registrar shall send a copy of the respondent's notice to the person appointed and a copy to the appellant.

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**Textual Amendments**

- F1** Words in [rule 71\(1\)](#) substituted (1.10.2013) by [The Trade Marks \(Fast Track Opposition\) \(Amendment\) Rules 2013 \(S.I. 2013/2235\)](#), [rules 1, 2\(9\)\(a\)](#)
- F2** [Rule 71\(1A\)](#) inserted (1.10.2013) by [The Trade Marks \(Fast Track Opposition\) \(Amendment\) Rules 2013 \(S.I. 2013/2235\)](#), [rules 1, 2\(9\)\(b\)](#)
- F3** [Rule 71\(2\)](#) substituted (1.10.2013) by [The Trade Marks \(Fast Track Opposition\) \(Amendment\) Rules 2013 \(S.I. 2013/2235\)](#), [rules 1, 2\(9\)\(c\)](#)
- F4** Words in [rule 71\(4\)](#) substituted (31.3.2013) by [The Trade Marks and Registered Designs \(Amendment\) Rules 2013 \(S.I. 2013/444\)](#), [rules 1, 4, Sch. 1](#) (with [rule 8](#))
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**Commencement Information**

- I1** [Rule 71](#) in force at 1.10.2008, see [rule 1](#)

**Status:**

Point in time view as at 01/10/2013.

**Changes to legislation:**

There are currently no known outstanding effects for the The Trade Marks Rules 2008, Section 71.