



OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET  
(TRADE MARKS AND DESIGNS)

Legal Department  
Legislation and International Legal Affairs Service

# GUIDE TO THE CONVERSION PROCEDURE



1 August 2000

## **1. What will the Office examine upon receipt of a request for conversion?**

Upon receipt of a request for conversion the Office examines whether the conversion fee has been paid, whether the request has been filed within the applicable time limit, whether a ground for conversion exists (that is to say, whether the CTM has been refused, withdrawn or is deemed to be withdrawn or the CTM has ceased to have effects) and, finally, whether the request complies with other formal requirements of the Implementing Regulation.

The Office does not examine whether conversion is excluded pursuant to Article 108 (2) CTMR.

For more detailed information on the procedures before the Office reference is made to the Conversion Guidelines (published in OJ OHIM No 1/1999).

## **2. Documents transmitted to the designated national office(s)**

After examination of the request for conversion the following documents and information are transmitted to the designated office(s):

- a copy of the request for conversion, as filed by the applicant,
- a copy of any supporting documents filed together with the request for conversion (i.e. copies of decisions of a CTM court or copies of decisions of an opposition division or a cancellation division of the Office).
- Where conversion is requested in respect of a CTM application: a copy of the application form or of any other document containing the indications mentioned in Rule 44 (1) IR (i.e. the indications making up a CTM application). The application form or other documents will be accompanied by the list of goods and services and information on the filing date and, where applicable, the priority or seniority date.
- Where conversion is requested in respect of a registered CTM: an extract of the Office's data base containing the indications mentioned in Rule 44 (1) IR (i.e. the indications making up the registered CTM). The extract of the Office's database will be accompanied by the list of goods and services and information on the filing date and, where applicable, the priority or seniority date.
- Information on the ground for conversion, if not already contained in the request.

The Office will, once it has transmitted the conversion request and the above mentioned documents to the designated national office(s), inform the CTM applicant/proprietor or his representative, by standard letter, of the date of that transmission and, furthermore, enclose a copy of the request for conversion and the documents which have been transmitted to the national office(s).

### **3. Procedures before the national office(s)**

The request for conversion becomes a national trade mark application under the national law of the designated offices, keeping, however, the original filing and, if any, priority date before the Office and the date of seniority in the Member State concerned.

Each designated office will examine whether conversion is excluded pursuant to Article 108 (2) CTMR (Article 110 (1) CTMR). Conversion is excluded:

- where the rights of the proprietor of a registered CTM have been revoked on the grounds of non-use, unless in the Member State designated in the conversion application the Community trade mark has been put to use which would be considered to be genuine use under the laws of that Member State (Article 108 (2)(a) CTMR), and
- where a CTM application has been refused registration or where a registered CTM has been revoked or declared invalid and the decision of the Office or of a Community Trade Mark Court expressly states that the ground for refusal, revocation or invalidity applies in respect of a particular Member State, thus precluding conversion for that Member State (Article 108 (2)(b) CTMR).

Each designated office will treat and examine the ensuing trade mark application in the same way as a normal national trade mark application, subject to the following:

- The national office may require the payment of the national application fee, an indication of an address for service in the State in question, a translation of the request for conversion (normally the national office will require the translation of the conversion request and its accompanying documents), and a representation of the mark in the required number of copies, within a time limit of at least two months following the receipt of the request for conversion by the national office (Article 110 (3) CTMR);
- The national office may not impose any other formal requirements different from or additional to those provided for in the CTMR and the IR (Article 110 (2) CTMR);
- Certain national laws provide for a system registration under facilitated conditions, where the request for conversion is based on a CTM which has already been examined and registered by the Office.

The following table shows the national requirements for requests for conversion.

The requirements which the applicant has to observe before the national office (including the Benelux Office) following transmittal of the request for conversion have also been indicated where the national law does not contain particular provisions on conversion of CTMs, because it is only natural that these requirements are automatically applicable to national trade mark applications ensuing from a request for conversion, to the extent that they are not precluded by Article 110 (2), (3) CTMR. However, information concerning the scope of examination of the ensuing national trade mark application has been included only if the national law contains express provisions to this extent. Where there are no such special provisions, Article 108 (2) CTMR applies directly, and the ensuing national trade mark application will be subject to examination on formalities, absolute grounds and, as the case may be, relative grounds for refusal as a normal national trade mark application.

- Column 1 contains the address(es) of the respective national offices.
- Column 2 deals with the requirements mentioned in Article 110 (3) CTMR.
- Column 3 specifies the time limit for the payment of the national application fees and the time limits for taking the other procedural steps listed in column 2.
- Column 4 contains additional information on the appointment of a representative.
- Column 5 contains information on the scope of examination by the national office where the relevant national law contains special provisions on the examination of requests for conversion and/or the ensuing national trade mark applications.

Member State	Procedural steps to be taken	Time limit for taking procedural steps referred to in column 1	Appointment of a local professional representative for the national application resulting from conversion	Examination
<b>Austria</b>	§§ 69b and 69c of the Austrian Trade Mark Protection Law (Federal Law of 1970, as last amended by Laws No 111/1999 and No 191/1999) (hereafter referred to as TML).			
<p>Österreiches Patentamt Kohlmarkt 8-10 Postfach 95 A - 1014 Wien</p> <p>Tel.: (43 1) 5 34 24 0 Fax: (43 1) 53 424 535</p>	<p>(a) Payment of application fee for an individual mark: 950 Schillings</p> <p>Class fee for the first three classes: 220 Schillings</p> <p>Fee for each class exceeding three: 290 Schillings</p> <p>§§ 18, 69b (2), first sentence, TML</p> <p>Payment of application fee for a collective mark: 3800 Schillings</p> <p>§ 63 (2), TML, § 69b (2) no. 1, TML</p> <p>(b) Translation into the German language of the conversion request and its accompanying documents</p> <p>§ 69b (2) no. 3, TML</p> <p>(c) Indication of an address for service in Austria (§ 69b (2), no. 4 TML), except</p> <p>1. where the applicant is from a country outside the European Economic Area, if he is represented by an attorney-at-law, a notary public, or a patent attorney, in accordance with the regulations governing the</p>	<p>(a) Within a time limit of 2 months counted from the invitation by the Austrian Patent Office</p> <p>§ 69b (2), TML</p> <p>(b) Within a time limit of 2 months counted from the invitation by the Austrian Patent Office</p> <p>§ 69b (2), TML</p> <p>(c) Within a time limit of 2 months counted from the invitation by the Austrian Patent Office</p> <p>§ 69b (2), TML</p>	<p>If a representative acts without an authorization or, in the case of an attorney-at-law, a notary public or a patent attorney, without making reference to an authorization granted to him, any procedural acts taken by him shall be valid only if he submits a regular authorization or makes reference to the authorization granted to him, within a reasonable time limit fixed by the Austrian Office.</p> <p>§ 61 (3), TML</p>	<p>1. Examination as to the admissibility of the request for conversion:</p> <ul style="list-style-type: none"> <li>- Whether the rights of the proprietor of the CTM have been revoked for non-use, unless the CTM, according to Austrian law, has been put into genuine use in Austria</li> <li>- Whether in accordance with a decision of the OHIM or of a national court, grounds for refusal of registration or grounds for revocation or invalidity apply in Austria, to the CTM application or the CTM.</li> </ul> <p>Where the Austrian Patent Office finds that these conditions are not met, it will notify the applicant. Eventually, the request for conversion will be refused.</p> <p>§ 69b (1), TML</p> <p>2. Examination of the ensuing application in the same way as any other national trade mark application.</p> <p>§ 69c (1), TML</p> <p>Exception: If, however, the conversion request relates to a registered CTM, the ensuing application will not be</p>

Member State	Procedural steps to be taken	Time limit for taking procedural steps referred to in column 1	Appointment of a local professional representative for the national application resulting from conversion	Examination
	<p>respective profession,</p> <p>2. where the applicant has his place of residence within the European Economic Area, if he has appointed a person for the purposes of receiving notifications who is resident in Austria.</p> <p>(d) Where the mark does not consist exclusively of figures, letters or words having no special pictorial form or claim to particular characters, 20 representations of the mark must be submitted. In case of a sound mark, in addition to 20 representations of the mark by means of a sheet of music or a sonogram, a reproduction of the sound mark on any media used for the purposes of recording sound must be submitted.</p> <p>§ 69b (2) no. 2 TML § 10, Order concerning the Patent Office</p>	<p>(d) Within a time limit of 2 months counted from the invitation by the Austrian Patent Office.</p> <p>§ 69b (2), first sentence, TML</p> <p>The time limits referred to under (a) – (d) may be extended.</p>		<p>examined as to absolute grounds for refusal.</p> <p>§ 69c (2), TML</p>

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<b>Benelux</b>	Articles 44-47 of the Uniform Benelux Law on Marks (amended by the Protocol of 2 December 1992, amending the Uniform Benelux Law on Marks, and the Protocol of 7 August 1996) (hereafter referred to as TML), Article 34 of the Executive Rules under the Uniform Benelux Law on Marks (hereafter referred to as RE) and Article 2 of the Administrative Regulations under the Uniform Benelux Law on Marks (hereafter referred to as RA).			
<p>Bureau Benelux des Marques Benelux-Merkenbureau Bordewijklaan 15 NL – 2591 XR Den Haag</p> <p>Tel.: (31 70) 349 11 11 Fax: (31 70) 347 57 08</p>	<p>(a) For an individual mark: Filing fee, basic amount: BEF 4,247 or f 232</p> <p>Supplementary amount for each class of goods and services exceeding the third class of the International Classification in which the goods and services are listed: BEF 751 or f 41</p> <p>For a collective mark: Filing fee, basic amount: BEF 7,725 or f 422</p> <p>Supplementary amount for each class of goods and services exceeding the third class of the International Classification in which the goods and services are listed: BEF 751 or f 41</p> <p>Articles 25 (1)(a), 34 (1)(a), RE</p> <p>Where colour has been claimed as a distinctive element of the mark; publication, on request, of a maximum of 50 words describing the coloured elements of the</p>	<p>(a) Within a time limit of 3 months from the notice sent to the applicant or his representative by the Benelux Trade Mark Office.</p> <p>This time limit may be extended, upon request or <i>ex officio</i>, to a period not exceeding six months counted from the date of the first notice.</p> <p>Article 34 (1)(a), (2), BX-RE</p>	<p>For persons having neither seat nor residence in the Benelux territory; obligation to indicate an address for service in the Benelux territory</p> <p>Article 16 (3), RE</p> <p>Where a representative is appointed he must have his place of residence or seat on Benelux territory and must submit a power of attorney.</p> <p>Article 16 (1), RE</p>	<p>Examination on formalities and absolute grounds as a normal Benelux trade mark application</p> <p>(cf. Articles 44-47, TML)</p>

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	<p>(a) Fee (b) Translation requirement (c) Address for service or representative (d) Requirements concerning the number of representations of the mark</p> <hr/> <p>mark, fee: BEF 1007 or <i>f</i> 55</p> <p>Articles 1 (6), 25 (1)(h), 34 (1)(a), RE</p> <p>Where colour has been claimed as a distinctive element of the mark; publication, on request, of the mark in colour, fee: BEF 4,229 or <i>f</i> 231</p> <p>Articles 1 (6), 25 (1)(i), 34 (1)(a), RE</p> <p>Publication, on request, of a description – maximum 50 words – of the distinctive elements of the mark, fee: BEF 1,007 or <i>f</i> 55</p> <p>Articles 1 (7), 25 (1)(j), 34 (1)(a), RE</p> <p>(b) All documents submitted to the Benelux Office shall be drawn up in Dutch or French</p> <p>Articles 15, 34 (1)(b), RE</p> <p>(c) Persons who have neither headquarters nor a place of residence on the Benelux territory and who have not appointed a</p>	<p>(b) Within a time limit of 3 months from the notice sent to the applicant or his representative by the Benelux Trade Mark Office. This time limit may be extended, upon request or <i>ex officio</i>, to a period not exceeding six months counted from the date of the first notice.</p> <p>Article 34 (1)(b), (2), RE</p> <p>(c) Within a time limit of 3 months from the notice sent to the applicant or his representative by the Benelux Trade Mark</p>		



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	<p>(a) Fee (b) Translation requirement (c) Address for service or representative (d) Requirements concerning the number of representations of the mark</p>	<p>Office. This time limit may be extended, upon request or <i>ex officio</i>, to a period not exceeding six months counted from the date of the first notice.</p> <p>Article 34 (1)(c), (2), RE</p> <p>(d) In case of a word mark: one reproduction of the mark. In case of all other marks (marks in special typographic letters or in a special writing, figurative marks, marks in colour, and three-dimensional marks): three reproductions of the mark.</p> <p>Article 34 (1)(d), RE, Article 2, RA</p>		
<b>Denmark</b>	<p>§ 20 of Danish Order on Application and Registration etc. of Trade Marks and Collective Marks (The Patent Office Order No 376 of 19 June 1998), (hereafter referred to as RE) and § 7 (2) of Danish Order on Fees (The Patent Office Order No 440 of 23 June 1998), (hereafter referred to as FEE).</p>			
<p>Patent- og Varemærkestyrelsen Danish Patent and Trade Mark Office Helgeshøj Allé 81 DK – 2630 Taastrup</p> <p>Tel.: (45 43) 50 80 00 Fax: (45 43) 50 80 01</p>	<p>(a) Payment of the basic application fee for the registration of a trade mark or a collective mark: 2,350 DKK</p> <p>§ 20 (1) no. 1, RE, § 7 (1), (2), FEE</p> <p>Fee for each class exceeding three: 600 DKK</p> <p>§ 20 (1) no. 1, RE, § 7 (1), (2), FEE</p>	<p>(a) Within two months from the Patent Office's reception of the request for conversion</p> <p>§ 20 (1), RE</p>		

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	(a) Fee (b) Translation requirement (c) Address for service or representative (d) Requirements concerning the number of representations of the mark			
	(b) Translation of the conversion request and its annexes into Danish  § 20 (1), RE  (c) Indication of an address for service in Denmark  § 20 (1) no. 3, RE  (d) A reproduction of the mark  § 20 (1) no. 4, RE	(b) Within two months from the Patent Office's reception of the request for conversion  § 20 (1), RE  (c) Within two months from the Patent Office's reception of the request for conversion  § 20 (1), RE  (d) Within two months from the Patent Office's reception of the request for conversion  § 20 (1), RE		
<b>Finland</b>	§ 57a of the Finnish Trade Marks Act (No 7 of 10 January 1964, as last amended by Act No 56 of 21 January 2000) (hereafter referred to as TML); §§ 7, 9 of the Trade Marks Decree No 296 of 29.5.1964 as amended by Decree No 188 of 22.3.1996 (hereafter referred to as DECREE)			
Patentti- ja rekisterihallitus Patent- och registerstyrelsen National Board of Patents and Registration of Finland Arkadiankatu 6A FIN – 00100 Helsinki  Tel.: (358 9) 6939 500 Fax: (358 9) 6939 5204	(a) Payment of fee - for individual marks: 1,000 FM plus 400 FM for each class of goods and services exceeding three - for collective marks: 1,400 FM plus 400 FM for each class of goods and services exceeding three  (b) Certified translation of an accompanying document in a foreign language constituting part of the application into Finnish or Swedish shall be submitted to the registering authority, if the authority so demands.  § 7, DECREE	(a) The filing fee has to be paid within a given time limit.  § 57a (1), TML		

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	(a) Fee (b) Translation requirement (c) Address for service or representative (d) Requirements concerning the number of representations of the mark			
	(c) Requirement of appointing a representative resident in Finland where the applicant or proprietor is not domiciled in Finland. A Finnish corporate body may also act as a representative.  § 31, TML  (d) Requirement of submitting 10 copies of reproducible representations of the mark, if it concerns the registration of a figurative mark.  § 9, DECREE			
<b>France</b>	The legislation presently in force in France does not contain particular provisions on conversion. Such provisions are contained in a Draft Bill to amend the Intellectual Property Code (draft Articles L. 718-5 and R. 718-1a ) (hereafter referred to as DRAFT)			
Institut national de la propriété industrielle (INPI) 26bis, rue de Saint-Petersbourg F – 75800 Paris Cedex 08  Tel.: (33 1) 53 04 53 04 Fax: (33 1) 42 94 02 09	(a) Payment of fee 1,250 F plus 250 F for each class of goods and services exceeding three (Annex to Art. 1, Arrêté of 12.1.1996)  (b) Translation into French of the CTM application or the CTM registration.  (c) Where the applicant has neither a domicile nor a seat in France, he must appoint a representative in France and communicate the name and address of the	The requirements described in point (a) and (b) must be fulfilled within a time limit of two months counted from the publication of the request for conversion, which is effected in the French "Bulletin officiel de la propriété industrielle" six weeks after the receipt of the request for conversion by the French industrial property office.  Article L.718-5, 2nd paragraph, DRAFT  Article R.718-1, 2nd - 4th paragraph, DRAFT		A request for conversion into a French national mark is subject to a new substantive examination, including formalities, absolute grounds and opposition procedure. Where conversion has been requested in respect of a CTM for which seniority of an earlier mark registered in France was claimed, there will be no new substantive examination, and no opposition may be lodged.  Article L. 718-5, 3rd paragraph, DRAFT

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	(a) Fee (b) Translation requirement (c) Address for service or representative (d) Requirements concerning the number of representations of the mark	Where above mentioned requirements are not fulfilled within the time limited prescribed, the request is rejected and the fee paid is reimbursed  Article R.718-2, DRAFT		
<b>Germany</b>	§ 125d of German Law on the Protection of Trade Marks and other signs (Trade Mark Law of 25.10.1994, as amended by the Laws of 19.7.1996, 28.10.1996, 22.6.1998 and 16.7.1998) (her e- after referred to as TML), §§ 8-12, 77(4) of Regulation on the Implementation of the Trade Mark Law (Regulation of 30.11.1994, as amended by the Regulations of 3.12.1996 and 1.7.1998) (her e- after referred to as RE) and Law of the Fees of the Patent Office and the Patent Court (Law of 18.8.1976, as last amended by the Laws of 19.7.1996, 16.7.1998 and 22.12.1999) (hereafter r e- referred to as FEE).			
Deutsches Patent- und Markenamt Zweibrückenstr. 12 D – 80331 München  Postal address:  Deutsches Patent- und Markenamt D – 80297 München  Tel.: (49 89) 21 95 0 Fax: (49 89) 21 95 22 21	(a) Payment of application fee: - 575 DM for an individual mark - 1,725 DM for a collective mark Payment of fee for each class exceeding three: - 175 DM for an individual mark - 290 DM for a collective mark Surcharge for late payment: - 115 DM § 125d (1) TML in conjunction with No 135100 to 135300 of the schedule of fees, annex to Article 1, FEE  (b) Applications must be filed in the German language; no specific	(a) The applicant shall pay the specified fees within a period of two months from the receipt of the request for conversion by the Patent and Trade Mark Office. If the fee has not been paid in time, the request for conversion shall be deemed not to have been filed.  § 125d (1), TML	In principle, failure to appoint a domestic representative, as required under § 96 TML, will entail refusal of the application.  There are no specific provisions on this as far as conversion is concerned.  Filing of a written authorization will not be required by the German Patent and Trade Mark Office.  § 77 (4), RE	1. Examination as to the admissibility of the request for conversion:  - Whether the rights of the proprietor of the CTM have been revoked for non-use, unless the CTM, according to German law, has been put into genuine use in Germany,  - Whether in accordance with a decision of the OHIM or of a national court, grounds for refusal of registration or grounds for revocation or invalidity apply in Germany to the CTM application or the CTM.  2. Where conversion of a CTM application is requested: New substantive examination  Where conversion of a registered CTM is requested:

Member State	Procedural steps to be taken	Time limit for taking procedural steps referred to in column 1	Appointment of a local professional representative for the national application resulting from conversion	Examination	
	<p>(a) Fee (b) Translation requirement (c) Address for service or representative (d) Requirements concerning the number of representations of the mark</p>			<p>rules on languages of requests for conversion.</p> <p>§ 93, TML</p> <p>(c) The proprietor of a filed or registered trade mark having neither a domicile nor a seat nor an establishment in Germany may take part in proceedings before the Patent and Trade Mark Office only if he has appointed a patent attorney or an attorney-at-law in Germany as his representative.</p> <p>§ 96 (1), § 125d (1), (5), TML</p> <p>(d) Four two-dimensional, identical copies of the representation of the mark, except in the case of a word mark.</p> <p>§§ 8-12 RE</p>	<p>Direct recordal of the trade mark in the German Trade Mark Register. No new substantive examination; no opposition can be filed against the registration</p> <p>§ 125d (2)-(4), TML</p> <p>§ 125d (3), (4), TML expressly provides that the ensuing national application and trade mark maintain the filing date before the OHIM and, if any, the priority or seniority date (cf. Article 108 (3) CTMR)</p>
<p><b>Greece</b></p>	<p>Article 2 of Presidential Decree No 353/98 of 16 October 1998 (hereafter referred to as DECREE) and Greek Trade Mark Law (No 2239 of 16 September 1994) (hereafter referred to as TML)</p>				
<p>Οδῖοῦ Ἰωνῶν 81 Αἰ. Ὑποπόλιον,      Αἰ. Ἰωνῶν 81, Ἀθήνησιν      Ἀἰ. Ἰωνῶν 81, Ἀθήνησιν      + Ἀἰ. Ἰωνῶν 81, Ἀθήνησιν      Δ. Ἰωνῶν 81, Ἀθήνησιν      GR - 101 81      Αἰ. Ἰωνῶν 81</p> <p>Ministère du Développement      Secrétariat Général du Commerce      Direction de la Propriété Commerciale et Industrielle      Place de Kanning      GR - 10181 Athènes</p>	<p>(a) Fee for the registration of the first class: 20,000 dr.          Fee for every additional class: 5,000 dr.</p> <p>Article 2 (1) (a), DECREE,          Article 35 (1), TML</p>	<p>(a) Within a time limit of two months counted from the receipt of a notice sent to the applicant by the "Direction de la propriété Commerciale et Industrielle"</p> <p>Article 2 (2), DECREE</p>	<p>A legal practitioner must be appointed for the representation of the applicant, and a power of attorney bearing the signature of the applicant must be filed. The legalisation of the applicant's signature is not required.</p> <p>Article 2 (1) (c), DECREE,          Article 6 (3) (d), TML</p>	<p>Examination, including on absolute and relative grounds for refusal, as in any Greek trade mark application</p> <p>Article 2 (4), DECREE</p>	

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Tel.: (30 1) 38 43 171 Fax: (30 1) 38 21 717	<p>(a) Fee (b) Translation requirement (c) Address for service or representative (d) Requirements concerning the number of representations of the mark</p> <p>(b) Translation into Greek of the conversion application and its accompanying documents.</p> <p>(c) Power of attorney appointing a lawyer authorised to represent in Greece. Article 2(1)(c), DECREE</p> <p>(d) 10 representations of the mark; in case of colour marks, 10 representations in colour. Article 2(1)(d), DECREE</p>	<p>(b) Within a time limit of two months counted from the receipt of a notice sent to the applicant by the "Direction de la propriété Commerciale et Industrielle" Article 2 (2), DECREE</p> <p>(c) Within a time limit of two months counted from the receipt of a notice sent to the applicant by the "Direction de la propriété Commerciale et Industrielle" Article 2 (2), DECREE</p> <p>(d) Within a time limit of two months counted from the receipt of a notice sent to the applicant by the "Direction de la propriété Commerciale et Industrielle" Article 2 (2), DECREE</p>		
<b>Ireland</b>				S.I. No. 229 of 2000 Trade Marks Act, 1996 (Community Trade Mark) Regulations, 2000 ("Regulations") S.I. No. 433 of 1997 Patents, Trade Marks, Copyright and Designs (Fees) Rules, 1997 ("Rules")
Patents Office Government Buildings Hebron Road Kilkenny  Tel.: (353 56) 20 111 Fax: (353 56) 20 100	<p>(a) Application for the registration of a trade mark: IR£ 60</p> <p>Class fees for each class over one: IR£ 60</p> <p>Section 8 (2), Regulations, Schedule III, RULES</p> <p>(b) A translation in the English language of the request and of the documentation</p>	<p>(a) – (d) Within a period of 3 months of the giving of the notification by the Controller (Irish Patent Office).</p> <p>Section 8 (4), Regulations</p>		<p>1. Examination as to the admissibility of the request for conversion (the "preliminary decision"):</p> <p>- Whether the rights of the proprietor of the CTM have been revoked for non-use, unless the CTM, according to Irish law, has been put into genuine use in Ireland.</p> <p>- Whether in accordance with a decision</p>

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	<p>(a) Fee</p> <p>(b) Translation requirement</p> <p>(c) Address for service or representative</p> <p>(d) Requirements concerning the number of representations of the mark</p>			<p>of the OHIM or of a national court, grounds for refusal of registration or grounds for revocation or invalidity apply in Ireland, to the CTM application or the CTM.</p> <p>Section 8 (1), Regulations</p> <p>2. Where the preliminary decision is taken that the request is admissible: examination of the ensuing application (whether relating to a request for conversion of a CTM application or a registered CTM into a national mark) in the same way as any other national trade mark application.</p> <p>Section 8 (1), Regulations</p>
<b>Italy</b>	Italian Ministerial Order No. 404 of 26.02.1999.			
<p>Ufficio Italiano Brevetti e Marchi Via Molise, 19 I – 00187 Roma</p> <p>Tel.: (390 6) 48 27 188 Fax: (390 6) 47 05 3017</p>	<p>(a) Payment of application fee</p> <p>- individual marks: L.150,000 plus L.50,000 for each class of goods and services exceeding one.</p> <p>- collective marks: L.500,000, irrespective of the number of classes of goods and services.</p> <p>(b) Translation into Italian of the CTM application and its accompanying documents.</p>	<p>(a) Payment of fee must be made to postal account No. 82618000.</p> <p>(a)-(d) The Italian Office will request the applicant for conversion to present the documentation.</p> <p>Where a representative has been appointed and deposited a power of attorney, the Italian office will forward the request for documentation directly to the representative. The documentation must be submitted within a time limit of</p>	<p>Where a representative has been appointed he must deposit a power of attorney.</p>	

Member State	Procedural steps to be taken	Time limit for taking procedural steps referred to in column 1	Appointment of a local professional representative for the national application resulting from conversion	Examination
	(a) Fee (b) Translation requirement (c) Address for service or representative (d) Requirements concerning the number of representations of the mark			
	(c) Address for service in Italy or appointment of a representative inscribed before the Italian Institute of Industrial Property Agents or of a lawyer inscribed at the Bar.  (d) Eight reproductions of the mark.	90 days from the date of the request made by the Italian office.		
<b>Portugal</b>	Portuguese Industrial Property Code (hereafter referred to as CPI)			
Instituto Nacional da Propriedade Industrial (INPI) Campo das Cebolas P – 1100 Lisboa  Tel.: (351 21) 8 88 11 01 Fax: (351 21) 8 87 53 08	(a) Fee  Individual marks: - Presentation fee, 800 Escudos - Each class of goods and services, 9,300 Escudos - Examination fee, 3,300 Escudos  Collective marks: - Presentation fee, 800 Escudos - Each class of goods and services, 10,900 Escudos - Examination fee, 3,300 Escudos  (Portaria of 21.7.1998, Diário da República n.º 166/98, p. 3492)  (b) Translation into Portuguese of the conversion request and its accompanying documents  (c) Designate a representative to act before the Portuguese Industrial Property Office.	(a) Within a time limit of two months from the notification sent to the applicant or his representative by the Portuguese Industrial Property Office.           (b) Within a time limit of two months from the notification sent to the applicant or his representative by the Portuguese Industrial Property Office           (c) Within a time limit of two months from the notification sent to the applicant or his representative by the Portuguese Industrial Property Office	Persons not resident in Portugal must either be represented by a lawyer or an official industrial property agent or indicate an address for service in Portugal.	Where the Portuguese Industrial Property Office has decided that the request for conversion is admissible in accordance with Article 108 (2) CTMR, it will be treated as a normal application for a national mark.



Member State	Procedural steps to be taken	Time limit for taking procedural steps referred to in column 1	Appointment of a local professional representative for the national application resulting from conversion	Examination
<b>Spain</b>	Article 87 of the Spanish Trade Mark Law (Law No 32/1988 of 10 November 1988, as amended by Decree-Law No 8/1998 of 31 July 1998.) (hereafter referred to as TML)			
<p>Oficina Española de Patentes y Marcas Panamá, 1 E – 28071 Madrid</p> <p>Tel.: (34) 91 3 49 53 00 Fax: (34) 91 3 49 55 97</p>	<p>(a) Application fee: 7,405 pesetas for each class of goods and services contained in the CTM application or registration. (Applications resulting from conversion of a CTM application or registrations are treated as single applications. For the purposes of calculating the fees, however, they are treated as if they were a number of applications corresponding to the number of classes of goods or services claimed. In the event of registration, the fee pursuant to Article 29 (2) TML must be paid in respect of each class of goods or services.)</p> <p>Article 87 (4) TML Article 87 (2) (a) TML, Article 16 (2) TML</p> <p>(b) Translation into Spanish of the request for conversion and any other document accompanying the request, where the request and other documents are not already submitted in this language.</p> <p>Article 87 (2)(b) TML</p> <p>(c) Indication of an address for service in Spain.</p> <p>Article 87 (2)(c) TML</p>	<p>(a) – (d): within a time limit of two months from the point in time when the Oficina Española de Patentes y Marcas receives the request for conversion, transmitted by the OHIM.</p> <p>Article 87 (1),(2) TML</p>		<p>Requests for conversion (of a CTM application or a registered CTM) are submitted to a multi-class system instead of the single class system applicable to national applications.</p> <p>Where conversion of a CTM application is requested: The application is treated as a normal application for a national mark.</p> <p>Where conversion of a registered CTM is requested: The mark is registered without any further examination. This does not, however, apply where the ground for conversion of the CTMR was the surrender or failure to renew it and this occurred during the pendency of a proceeding involving a ground for declaration of invalidity or revocation, provided that the latter was of such a kind that it could affect the protection of the mark in Spain.</p> <p>Article 87 (4) TML</p>

Member State	Procedural steps to be taken	Time limit for taking procedural steps referred to in column 1	Appointment of a local professional representative for the national application resulting from conversion	Examination
	(a) Fee (b) Translation requirement (c) Address for service or representative (d) Requirements concerning the number of representations of the mark			
<b>Sweden</b>	§ 65 of the Swedish Trade Marks Act (1960:644, as last amended by SFS 1996:845) (hereafter referred to as TML) and § 27 of the Swedish Trade Mark Rules (1960:648, as last amended by SFS 1996:136) (hereafter referred to as RE).			
Patent- och Registreringsverket Swedish Patent and Registration Office Valhallavägen 136 P.O. Box 5055 S – 102 42 Stockholm  Tel.: (46 8) 782 25 00 Fax: (46 270) 173 51	(a) For an application for registration transmitted to the Patent and Registration Office in accordance with Articles 109 and 110 CTMR:  1. For protection in one class of a mark other than a collective mark: 1,200 SEK  2. For protection in one class of a collective mark: 1,400 SEK  3. For protection in one class in addition to the first one: 500 SEK  Application for division of an application for registration, for each new divided application: 1,200 SEK  Application for division of a registration, for each new divided registration: 500 SEK	(a) At the time of the filing of the application  § 7, 2nd paragraph, RE		

Member State	Procedural steps to be taken	Time limit for taking procedural steps referred to in column 1	Appointment of a local professional representative for the national application resulting from conversion	Examination
	<p>(a) Fee (b) Translation requirement (c) Address for service or representative (d) Requirements concerning the number of representations of the mark</p> <p>For each application for registration, divided application for registration or divided registration relating to a mark containing a figurative element or where it is requested that it be registered in specifically designed characters, to be added: 200 SEK</p> <p>§ 65, TML § 27, RE</p> <p>(b) The application shall be filed in the Swedish language unless the Registration Authority, in a specific case, admits otherwise.</p> <p>Where an annex to an application is in a language other than Swedish, the applicant shall file also a certified translation of the annex, where the Registration Authority so requests.</p> <p>§ 7, RE</p> <p>(c) The owner of a registered trade mark who does not have his domicile in Sweden shall have an attorney resident in Sweden who is empowered to represent him in all matters relating to the mark.</p> <p>Where no such empowered attorney is recorded in the register, the Registration Authority shall request the owner, under his last available address, to rectify the matter within a determined</p>			

Member State	Procedural steps to be taken	Time limit for taking procedural steps referred to in column 1	Appointment of a local professional representative for the national application resulting from conversion	Examination
	<p>(a) Fee (b) Translation requirement (c) Address for service or representative (d) Requirements concerning the number of representations of the mark</p> <p>period, failing which the mark shall be removed from the Register.</p> <p>§ 31 (1), TML</p> <p>(d) Where a registration concerns the registration of a figurative mark or a design, specific reproductions of the mark in at least ten copies shall be filed with the application.</p> <p>Where the mark is requested to be registered in colour, at least five of the pictures shall be in colour and five in black and white.</p> <p>§ 9, RE</p>			
<b>United Kingdom</b>	Section 10 of "The Community Trade Mark Regulations" (S.I. 1996/1908) (hereafter referred to as TMCR), Rules 10 and 72 of "The Trade Mark Rules 2000" (S.I. 2000/136) (hereafter referred to as RULES) and The Trade Marks (Fees) Rules 2000 (S.I. 2000/137).			
<p>The Patent Office Concept House Cardiff Road Newport NP10 8QQ UK</p> <p>Tel.: (44 1633) 81 40 00 Fax: (44 1633) 81 45 63</p>	<p>(a) Application for registration of a trade mark or a series of trade marks: £200 Class fee for each class over one: £50</p> <p>(b) Translation of the application into English may be required where the application was not filed in English</p> <p>Section 10 (2), TMCR, Rule 72, RULES</p> <p>(c) An address for service in the United Kingdom</p> <p>Section 10 (2), TMCR, Rule 10 (1), RULES</p>	<p>(c) Within a period of two months from the date of notice sent by the Patent Office, inviting the applicant to file an address for service</p>		<p>Where the Registrar decides that a request for a conversion application is admissible pursuant to CTMR 108, it shall be treated as an application for the registration of the trade mark under the Act</p> <p>Section 10 (2), TMCR</p>

Member State	Procedural steps to be taken	Time limit for taking procedural steps referred to in column 1	Appointment of a local professional representative for the national application resulting from conversion	Examination
	<ul style="list-style-type: none"> <li>(a) Fee</li> <li>(b) Translation requirement</li> <li>(c) Address for service or representative</li> <li>(d) Requirements concerning the number of representations of the mark</li> </ul>	Section 10 (2), TMCR, Rule 10 (6), RULES		