

**APPLICATION FOR A DECLARATION OF INVALIDITY
 OF A EUROPEAN UNION TRADE MARK**

Number of pages (including this one)	Applicant/representative reference (not more than 20 characters)		Mod.011
Applicant	ID number	multiple applicants	
Name of legal entity or first name and surname Legal form of the entity Tel, fax, email Address Street and number City and postal code Country Postal address (if different) Nationality			
Representative	ID number	multiple representatives	
Name Tel, fax, email Address Street and number City and postal code Country Postal address (if different) Type of representative legal practitioner professional representative association of representatives employee			
Challenged European Union trade mark		Date of registration (DD/MM/YYYY)	/ /
EUTM No	IR No		
Name and address of EUTM proprietor		Language of the cancellation proceedings <input type="checkbox"/> ES <input type="checkbox"/> DE <input type="checkbox"/> EN <input type="checkbox"/> FR <input type="checkbox"/> IT	
Extent of the application			
against all the goods and services in the challenged registration against part of the goods and services in the challenged registration, namely:			
continuation sheet(s)			
Declaration		<i>I declare that a cancellation request relating to the same subject matter and cause of action, and involving the same parties, has not been adjudicated on by a court in a Member State and has acquired the authority of a final decision. I further declare that I have not previously applied for a cancellation based on another earlier right.</i>	
Invalidity fee	Total	€ 630	Signature
Current account with EUIPO Account No Do not use my current account with EUIPO Transfer to EUIPO account Banco Bilbao Vizcaya Argentaria La Caixa Date of transfer (DD/MM/YYYY)			Name Signature
/ /			

#TM011EN

GROUND(S)

Absolute grounds for invalidity

Article 52(1)(a) EUTMR - European Union trade mark registered in breach of Article 7 EUTMR

Article 7(1)(a) EUTMR

Article 7(1)(b) EUTMR

Article 7(1)(c) EUTMR

Article 7(1)(d) EUTMR

Article 7(1)(e) EUTMR

Article 7(1)(f) EUTMR

Article 7(1)(g) EUTMR

Article 7(1)(h) EUTMR

Article 7(1)(i) EUTMR

Article 7(1)(j) EUTMR

Article 7(1)(k) EUTMR

Article 7(1)(l) EUTMR

Article 7(1)(m) EUTMR

Article 52(1)(b) EUTMR - Applicant was acting in bad faith when filing the application

Article 74 EUTMR - European Union collective mark registered in breach of Article 68 EUTMR

Reasoned statement

continuation sheet(s)

Relative grounds for invalidity

Article 53(1) EUTMR - European Union trade mark registered contrary to Article 8 EUTMR

Article 53(2) EUTMR - European Union trade mark registered contrary to any other earlier rights

For relative grounds, fill out the details of the appropriate right(s) on the next pages

TRADE MARK REGISTRATION/APPLICATION - Article 8(1) and (5) EUTMR

Identification of the earlier mark	Trade mark registration	Trade mark application
EU trade mark National trade mark International registration with effect in one or more Member State(s)		
Territory / Member State(s)		
<input type="checkbox"/> EM <input type="checkbox"/> BG <input type="checkbox"/> BX <input type="checkbox"/> CZ <input type="checkbox"/> DK <input type="checkbox"/> DE <input type="checkbox"/> EE <input type="checkbox"/> IE <input type="checkbox"/> EL <input type="checkbox"/> ES <input type="checkbox"/> FR <input type="checkbox"/> HR <input type="checkbox"/> IT <input type="checkbox"/> CY <input type="checkbox"/> LV <input type="checkbox"/> LT <input type="checkbox"/> HU <input type="checkbox"/> MT <input type="checkbox"/> AT <input type="checkbox"/> PL <input type="checkbox"/> PT <input type="checkbox"/> RO <input type="checkbox"/> SI <input type="checkbox"/> SK <input type="checkbox"/> FI <input type="checkbox"/> SE <input type="checkbox"/> UK		
Filing date (DD/MM/YYYY)	/ /	Registration date (DD/MM/YYYY)
Filing number		Registration number
Word mark Representation of the mark <i>(in colour if applicable)</i> <div style="border: 1px solid black; width: 100%; height: 150px; display: flex; align-items: center; justify-content: center;"> attached </div>	Goods and services on which the application is based: all the goods and services covered by the registration/application part of the goods and services covered by the registration/ application, namely: <div style="border: 1px solid black; width: 100%; height: 100px; display: flex; align-items: center; justify-content: center;"> continuation sheet(s) </div>	
Entitlement of applicant		
Owner	Copy of registration/application	attached
Authorised licensee	Translation	attached
Grounds for application		
Article 53(1)(a) EUTMR	- The EUTM is identical to the earlier mark and covers identical goods and/or services	
Article 53(1)(a) EUTMR	- There is a likelihood of confusion on the part of the public	
Article 53(1)(a) EUTMR	- The use without due cause of the contested mark would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier trade mark	
Territory/Member State(s) where the earlier mark has a reputation:		
<input type="checkbox"/> EM <input type="checkbox"/> BG <input type="checkbox"/> BX <input type="checkbox"/> CZ <input type="checkbox"/> DK <input type="checkbox"/> DE <input type="checkbox"/> EE <input type="checkbox"/> IE <input type="checkbox"/> EL <input type="checkbox"/> ES <input type="checkbox"/> FR <input type="checkbox"/> HR <input type="checkbox"/> IT <input type="checkbox"/> CY <input type="checkbox"/> LV <input type="checkbox"/> LT <input type="checkbox"/> HU <input type="checkbox"/> MT <input type="checkbox"/> AT <input type="checkbox"/> PL <input type="checkbox"/> PT <input type="checkbox"/> RO <input type="checkbox"/> SI <input type="checkbox"/> SK <input type="checkbox"/> FI <input type="checkbox"/> SE <input type="checkbox"/> UK		
Goods and services for which the trade mark has a reputation		
all the goods and services covered by the registration/application		
part of the goods and services covered by the registration/application, namely:		
<div style="border: 1px solid black; width: 100%; height: 40px; display: flex; align-items: center; justify-content: center;"> continuation sheet(s) </div>		
Evidence of reputation	attached	translation
		attached

WELL-KNOWN TRADE MARK (Article 6bis of the Paris Convention) - Article 8(2)(c) EUTMR

Member State/s where the trade mark is well known

BE BG CZ DK DE EE IE EL ES FR HR IT CY LV LT LU HU MT NL AT PL PT RO SI SK FI SE UK

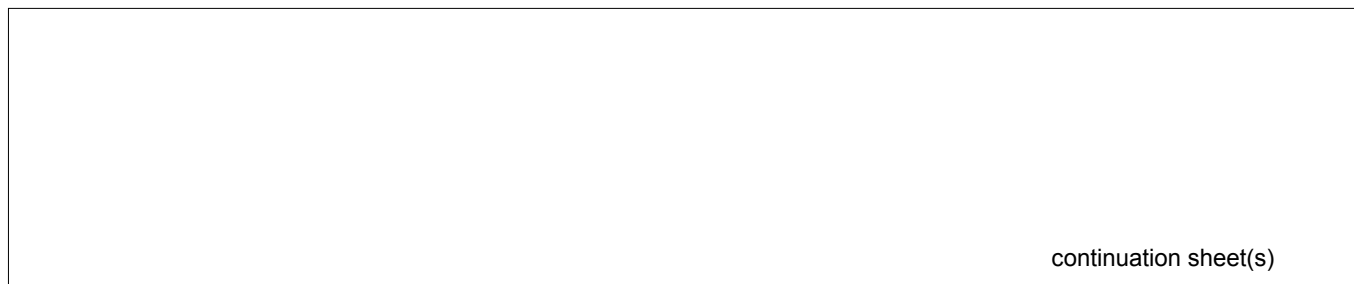
Representation of the mark (in colour if applicable)

Word mark



attached

The application is based on the following goods and services for which the trade mark is well known



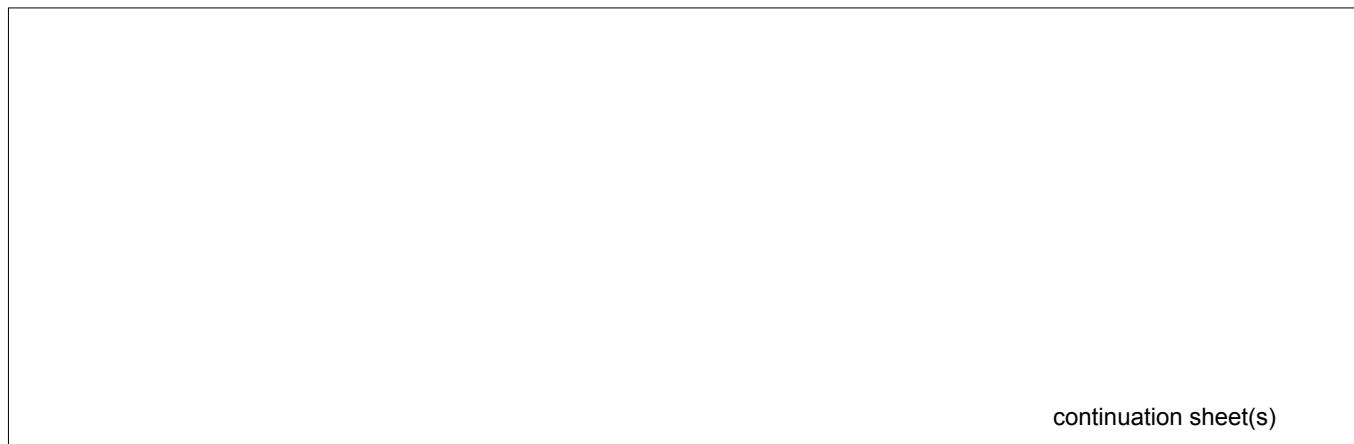
continuation sheet(s)

Grounds for application

Article 53(1)(a) EUTMR - The EUTM is identical to the earlier mark and covers identical goods and/or services

Article 53(1)(a) EUTMR - There is a likelihood of confusion on the part of the public

Explanation of grounds and other remarks



continuation sheet(s)

Evidence of the mark being well known

attached

translation

attached

CONTESTED APPLICATION FILED BY AN AGENT OF THE APPLICANT - Article 8(3) EUTMR

The applicant is the owner of a

Registered trade mark Registration number

Date of registration (DD/MM/YYYY)

/	/
---	---

Trade mark application Filing number

Date of filing (DD/MM/YYYY)

/	/
---	---

Non-registered trade mark

Registered/applied/protected in the following country/countries

Representation of the mark *(in colour if applicable)*

Word mark

attached

The trade mark/application of the applicant covers the following goods

continuation sheet(s)

Grounds for application

Article 53(1)(b) EUTMR - The applicant is the proprietor of the trade mark on which the application is based and the owner is/was an agent or representative of the applicant and applied for registration thereof in his or her own name without the applicant's consent.

Explanation of grounds and other remarks

continuation sheet(s)

Evidence of entitlement to the trade mark:

attached

Evidence of the owner being an agent or representative for the applicant:

attached

Translation

attached

NON-REGISTERED TRADE MARK OR SIGN USED IN THE COURSE OF TRADE - Article 8(4) EUTMR

Nature of rights

- Non-registered trade mark
- Trade name
- Company name
- Other (specify)

Entitlement

- Owner
- Person authorised under the applicable law

Territory / Member State(s) where the trade mark or sign is used in the course of trade

EM BG BE CZ DK DE EE IE EL ES FR HR IT CY LV LT LU HU MT NL AT PL PT RO SI SK FI SE UK

Representation of the mark or sign *(in colour if applicable)*

Mark or sign in words

attached

Goods, services or activities for which the mark/sign is used

continuation sheet(s)

Grounds for application

Article 53(1)(c) EUTMR The earlier non-registered trade mark/sign is used in the course of trade, is of more than mere local significance and, pursuant to the law governing it, the trade mark/sign confers on its proprietor the right to prohibit the use of a subsequent trade mark.

Explanation of grounds and other remarks

continuation sheet(s)

Evidence of use/protection, including the applicable law attached translation attached

OTHER EARLIER RIGHTS - Article 53(2)EUTMR

Nature of the right

- a right to a name (Article 53(2)(a) EUTMR)
- a right of personal portrayal (Article 53(2)(b) EUTMR)
- a copyright (Article 53(2)(c) EUTMR)
- an industrial property right (Article 53(2)(d) EUTMR)
- any other earlier right (Article 53(2) EUTMR)

Particulars of the right

Registration No *(if applicable)*

Registration date *(if applicable)*

Territory/Member State(s) where the right is protected

EM BE BG CZ DK DE EE IE EL ES FR HR IT CY LV LT LU HU MT NL AT PL PT RO SI SK FI SE UK

Representation of the right *(in colour if applicable)*

attached

Entitlement

Owner

Person authorised under the applicable law

Explanation of grounds and other remarks

continuation sheet(s)

Evidence of use/protection, including the applicable law

attached

translation

attached

Check that the form has been signed on page 1

BASIS OF DECLARATION OF INVALIDITY: PROTECTED DESIGNATION OF ORIGIN OR GEOGRAPHICAL INDICATION

Nature of rights

Protected geographical indication
Protected designation of origin

Entitlement

Person authorised under the applicable law

Territory / Member State(s) where the trade mark or sign is used in the course of trade

EM BG BE CZ DK DE EE IE EL ES FR HR IT CY LV LT LU HU MT NL AT PL PT RO SI SK FI SE UK

PGI/PDO in words

Goods and services for PGI/PDO

continuation sheet(s)

Grounds for application

Article 53(1)(d) EUTMR The earlier right is a protected designation of origin or a geographical indication or an application for a designation of origin or a geographical indication and, pursuant to the law governing it, that designation of origin or geographical indication confers on the person authorised the right to prohibit the use of a subsequent trade mark

Explanation of grounds and other remarks

continuation sheet(s)

Evidence of protection, including the applicable law

attached

translation

attached