

**Transitional arrangements**  
**Opposition to old law and new law trade mark applications**

(See section 10(2),(3), Schedule 5 to Cap. 559; rules 23-27, Cap. 43 sub.leg.; rules 16-20 & 121, Cap. 559 sub.leg).

	Notice of Opposition			Counter-statement			Evidence		
	<i>Deadline for filing</i>	<i>Forms</i>	<i>Sending of copy to other side</i>	<i>Deadline for filing</i>	<i>Forms</i>	<i>Sending of copy to other side</i>	<i>Period for filing</i>	<i>Forms</i>	<i>Sending of copy to other side</i>
<b>Applications for registration filed under Cap. 43, and advertised before 4 April 2003</b>	within 2 months from date of advertisement in Gazette (rule 23, Cap.43 sub.leg.)  extendible under rule 91 (Cap. 43, sub. leg.)	Form TM-No.6 (Cap. 43) in duplicate  Form S.75 (Cap. 43)	By Registrar	within 2 months from date of receipt of duplicate notice of opposition (rule 24, Cap.43 sub.leg.)  extendible under rule 91 (Cap. 43, sub.leg.)	Form TM-No.7 (Cap. 43) in duplicate  Form S.75 (Cap. 43)	By Registrar	6 months (rules 25-27, Cap.43 sub.leg.)  extendible under rule 91 (Cap. 43, sub.leg.)	-  Form S.75 (Cap. 43)	By party
<b>Applications for registration filed under Cap. 43 and advertised on or after 4 April 2003</b>	Within the 3-month period beginning on the date of advertisement in Gazette <b>(See important note below)</b>  extendible for 1 period of 2 months, but only if extension request filed within above period  (rule 121, Cap. 559 sub. leg.)	Form TM-No. 6 (Cap.43) In duplicate  Form T13 (Cap. 559)	By Registrar	within 3 months after date of receipt of copy notice of opposition <b>(See important note below)</b>  extendible for 1 period of 2 months, but only if extension request filed within above period  (rule 121, Cap. 559, sub. leg.)	Form TM-No.7 (Cap. 43) in duplicate  Form T13 (Cap. 559)	By Registrar	6 months (rules 25-27, Cap.43 sub.leg.)  extendible under rule 91 (Cap. 43, sub.leg.)	-  Form S.75 (Cap. 43)	By party

	Notice of Opposition			Counter-statement			Evidence		
	<i>Deadline for filing</i>	<i>Forms</i>	<i>Sending of copy to other side</i>	<i>Deadline for filing</i>	<i>Forms</i>	<i>Sending of copy to other side</i>	<i>Period for filing</i>	<i>Forms</i>	<i>Sending of copy to other side</i>
<b>For both: (a) Applications for registration filed under Cap. 559 and (b) converted old law applications</b>	Within the 3-month period beginning on the date of publication in the electronic Hong Kong Intellectual Property Journal	Form T6 (Cap. 559)	By party	within 3 months after date of receipt of copy notice of opposition	Form T7 (Cap. 559)	By party	6 months (rules 18-20, Cap. 559 sub.leg.)	-	By party
	(See important note below) extendible for 1 period of 2 months, but only if extension request filed within above period (rule 16, Cap. 559 sub. leg.)	Form T13 (Cap. 559)		(See important note below) extendible for 1 period of 2 months, but only if extension request filed within above period (rule 17, Cap. 559 sub. leg.)	Form T13 (Cap. 559)		Extendible under rule 94(1) (Cap. 559, sub. leg.)	Form T13 (Cap. 559)	

**Important note:**

- The time period for filing notice of opposition under rule 16(1) and 121(1)(a) is the 3-month period beginning on the date of publication.

Example:

Date of publication: 4 April 2003

Last day of the 3-month period: 3 July 2003

The 3-month period may be extended by 2 months, but only if the extension request is filed within the 3-month period, i.e. on or before 3 July 2003 in the above

example (rules 16(4), 121((2)).

2. The time period for filing counter-statement under rule 17(1) and 121(1)(b) is within 3 months after the date of receipt by the applicant of the copy of the notice of opposition.

Example:

Date of receipt of copy notice of opposition: 4 April 2003

Last day of the 3-month period: 4 July 2003