



知識產權署  
Intellectual Property Department

For official use

## Counter-statement

### Trade Mark Form T7

Trade Marks Ordinance (Cap. 559)

Trade Marks Rules (Cap. 559A)

#### Important notes

##### 1. General notes:

- a. This form is used to defend an application or registration against a third party who has filed an opposition (rule 16 of the Trade Marks Rules), Cap. 559A, or an application to revoke (rules 36 and 40 of the Trade Marks Rules), Cap. 559A, invalidate (rule 46 of the Trade Marks Rules), Cap. 559A, vary or rectify (rule 50 of the Trade Marks Rules) a trade mark registration. The Trade Marks Rules, Cap. 559A, can be viewed at [www.ipd.gov.hk](http://www.ipd.gov.hk).
- b. This form must be signed and dated.
- c. Please complete this form in English unless otherwise stated.
- d. If there is not enough space for any part on this form, please continue on an additional sheet. Number each additional sheet and state the number of additional sheet(s).
- e. Please enquire through the following means:
  - E-mail: [enquiry@ipd.gov.hk](mailto:enquiry@ipd.gov.hk)
  - Internet homepage address: [www.ipd.gov.hk](http://www.ipd.gov.hk)

##### 2. Use of personal data:

Personal data collected by the Registrar of Trade Marks ("the Registrar") in the forms filed with the Registrar will be used for the purposes set out in the Personal Information Collection Statement at [https://www.ipd.gov.hk/eng/personal\\_information.htm](https://www.ipd.gov.hk/eng/personal_information.htm).

##### 3. Use of other information:

- a. The Trade Marks Registry will use any information relating to any commercial enterprise or entity provided in this form and any document(s) filed in relation to it for processing your application, request or notice, and for the purposes of collection set out in the Personal Information Collection Statement at [https://www.ipd.gov.hk/eng/personal\\_information.htm](https://www.ipd.gov.hk/eng/personal_information.htm). **They may be made available for public inspection, in full or in part, pursuant to Rules 68 and 69 of the Trade Marks Rules, Cap. 559A. Such information may be accessed through the Internet.**
- b. **DO NOT include any business information of your own or that of third parties which you consider to be confidential or commercially sensitive.** Where such information is included in this form or any document(s) filed in relation to it, the Registrar will treat it an express and voluntary consent given by you and any such third party to disclosure of all such information for the purpose of public inspection.

##### 4. Submission of application/request/notice:

- a. In person or by mail to the Registrar of Trade Marks, 24/F, Wu Chung House, No. 213 Queen's Road East, Wanchai, Hong Kong.
- b. This form can also be submitted electronically. For details, please visit [IPD's e-Filing System](#).

\* Denotes mandatory fields

### 01. \*This counter-statement relates to

**Trade Mark No.**

Separate forms have to be filed if the counter-statement relates to more than one trade mark application or registration.

### 02. \*Name of applicant for registration/owner of registered mark/intervenor filing this form

Please mark the appropriate box

- applicant for registration  
 owner of registered mark  
 intervenor

### 03. \*Name of opponent/applicant for revocation/invalidation/variation/rectification

Please mark the appropriate box

- opponent
- Applicant for  
 revocation    invalidation  
 variation    rectification

### 04. Please provide the following information by attachment

This form **must be** accompanied by details of the grounds for counter-statement to be set out by attachment(s). It must be filed within three months after the date of receipt of the notice of opposition or of the application for revocation on grounds other than non-use or declaration of invalidity, or within six months after the date of receipt of the application for revocation on grounds of non-use, variation or rectification.

The following are the details of the grounds for counter-statement to be set out:

- (a) The grounds on which you rely in support of your application/registration;
- (b) The facts alleged in the notice of opposition/application for revocation/declaration of invalidity/variation/rectification that you
  - (i) admit,
  - (ii) deny, with reasons, (and if you intend to put forward an alternative version of events, that version) and
  - (iii) are unable to admit or deny.

**05. For counter-statement filed under rule 37(2) or 50(4) of the Trade Marks Rules****(a) For counter-statement filed under rule 37(2) of the Trade Marks Rules, the item marked below is attached:**

For application for revocation on grounds of non-use, under rule 37(2) of the Trade Marks Rules, the counter-statement must be accompanied by **either** evidence of the use made of the trade mark **or** a statement giving reasons for non-use. Evidence shall be filed by way of a statutory declaration or affidavit. **However, please note that as the Trade Marks Registry currently does not accept evidence filed electronically, all evidence should be submitted in paper form either by hand or by mail.**

- evidence of the use made of the trade mark; **or**  
 statement giving reasons for non-use

**(b) For counter-statement filed under rule 50(4) of the Trade Marks Rules, the item marked below is attached:**

For application for variation or rectification, under rule 50(4) of the Trade Marks Rules, the counter-statement must be accompanied by **either** evidence in support of the counter-statement **or** a statement of no intention to file evidence. Evidence shall be filed by way of a statutory declaration or affidavit. **However, please note that as the Trade Marks Registry currently does not accept evidence filed electronically, all evidence should be submitted in paper form either by hand or by mail.**

- evidence in support; **or**  
 statement of no intention to file evidence

**06. \*Date of serving a copy of this counter-statement (and evidence or statement, if applicable) on the party named in Part 03 at its address of service**

DD-MM-YYYY
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The applicant for registration/owner of registered mark/intervenor shall, at the same time as he files the counter-statement, serve a copy of it (with copy of evidence/statement, if applicable) at the address for service of the opponent/applicant for revocation, invalidation, variation or rectification.

**07. \*Address for service**

The address for service provided in this part shall be treated as being in substitution for any address for service previously filed.

All correspondence and/or document(s) will be sent to the address below.

**\*(a) Name**

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**\*(b) Address**

You must provide details of an address for service in Hong Kong. Please note that a P.O. Box or "care of" address is not acceptable.

	Flat/Floor/Building
	Street/District

**(c) Telephone no.**

In Hong Kong

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**(d) Fax no.**

In Hong Kong

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**(e) Reference no.**

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**08. Agent's details**

Go to Part 09 if you are not an agent.

If you have been duly authorized to act as an agent, please complete this part. The details provided in this part shall be treated as being in substitution for any agent's details previously filed.

**(a) Name**

**(b) Address**

You must provide details of an address in Hong Kong, where you reside or carry on your business activities. Please note that a P.O. Box or "care of" address is not acceptable.

Flat/Floor/Building

Street/District

  
  

**(c) Telephone no.**

In Hong Kong

**(d) Fax no.**

In Hong Kong

**(e) Reference no.**

**09. \*Signature**

I/We confirm that I/we have read and understood the "Important notes" of this form.

**\*(a) Authorized signature**

**\*(b) Name of signatory**

**\*(c) Official capacity of signatory**

Examples:  
 Authorized person, Director,  
 Partner or Principal Officer of  
 Applicant(s) or  
 Owner(s)/Agent.

**\*(d) Date**

DD-MM-YYYY

**10. Attachment(s)**

Total number of attachment(s)