

**FORM TM-64**

**THE TRADE MARKS ACT, 1999**

**Agent's Code No:** .....

**Proprietor's Code No:** .....

**Fee: Rs.** .....

**Application under section 63(1) to register a collective mark for a specification of goods or services included in a class from a convention country under section 154(2) Rule 128(1)**

**(to be filed in triplicate accompanied by three copies of the draft regulation with Form TM-49)**

One representation is to be fixed within this space and five others is to be sent separately.

Representation of a larger size may be folded but must then be mounted upon linen or other suitable material and affixed hereto. See rule 28).

Application is hereby made for registration in the Register of Trade Mark of the accompanying collective mark in class ..... in respect of ..... in the name of ..... whose address is .....

The application in a country to register the trade mark has been made in ..... on .....

A certified copy certified by an official of the convention country in which the application was filed is enclosed (along with its translation in English)

I (we request that the trade mark may be registered with priority date based on the above mentioned application in a convention country under the provisions of Section 154 of the Act.

All communications relating to this application may be sent to the following address in India:-

Dated this .... Day of ..... 20.....

.....  
SIGNATURE  
NAME OF SIGNATORY IN LETTERS

To  
The Registrar of Trade Marks  
The Office of the Trade Marks Registry at <sup>11</sup>

1. The Registrar's direction may be obtained if the class or classes of the goods or services is not known.
2. Specify the goods or services for the class or classes in respect of which application is made. A separate sheet detailing the goods or services may be used. The specification of goods or services should not ordinarily exceed five hundred characters. An excess space fee of Rs.10 per character is payable beyond this limit . See rule 25(16) . The applicant shall state the exact number of excess characters where the specification of goods or services exceeds of five hundred characters at the space provided immediately before the signature.
3. Insert legibly the full name, description (occupation, calling and nationality of the applicant ) . In the case of a body corporate or firm the country of incorporation or the names and descriptions of the partners composing the firm and the nature of registration, if any, as the case may be, should be stated. (See rule 16).
4. The applicant must state the address of his principal place of business in India. if any. ( See rules 3 and 17) If the applicant carries on business in the goods or services for which registration is sought at only one place in India such fact should be stated and the address of the place given. If the applicant carries on business in the goods or services concerned at more places than one in India the applicant should state such fact and give the address of that place of business which he considers to be his principal place of business. If, however, the applicant does not carry on business in the goods or services concerned but carries on business in other goods or services at any one place in India this fact should be stated and the address of that place given; and where the applicant carries on such business at more places than one in India such fact should be stated and the address of the place which he considers to be his principal place of business given. Where the applicant is not carrying on any business in India the fact should be stated and the place of his residence in India, if any, should be stated and the address of that place given. In addition to the principal place of business or of residence in India, as the case may be, an applicant may if he so desires given an address in India to which communications relating to the application may be sent ) . (see rule 19) . Where the applicant has neither a place of business nor of residence in India the fact should be stated and an address for service in India given along with his address in his home country abroad.
5. Strike out if the mark is already in use
6. Strike out the words if not applicable. If user by predecessor( s) in title is claimed the name(s) of such person(s) together with the date of commencement of use by the applicant himself should be stated at 8.
7. If there has been no use of the trade mark in respect of all the goods or services specified at 2, the items of goods in respect of which the mark has actually been used should be stated.
8. For additional matter if required, otherwise to be left blank.
9. If colour combination is claimed, clearly indicate it and state the colours. If the application is in respect of a three dimensional mark, a statement to that effect. (see rule 25 and 29)
10. Signature of the applicant or of his agent (legal practitioner or registered trade marks agent or person in the sole and regular employment of the applicant- See Section 145)
11. State the name of the place of the appropriate office of the Trade Marks Registry (See rule 4)