

Legislation / Hearings

Legislation


In New Zealand, the [Trade Marks Act 2002](#) governs the administration of rights to trade marks. The Trade Marks Act 2002 is accompanied by the [Trade Marks Regulations 2003](#).


This legislation provides for:

- the administration of trade marks, including the powers and functions of the Commissioner of Patents, Trade Marks and Designs
- establishing and maintaining the trade marks register
- making and processing applications for the registration of trade marks
- charging fees
- prescribing the means to take infringement proceedings to enforce rights in a trade mark.

Hearings

The Hearings Office is the arena in which the majority of the quasi-judicial responsibilities of the Commissioner are exercised. IPONZ become involved in proceedings when an [opposition](#) to the grant of an IP right is filed, when a revocation or invalidity application is made, or when a hearing is requested. A panel of Assistant Commissioners (Hearings Officers) give decisions on matters referred to the Commissioner for hearing.

- [Trade mark decisions of the Commissioner](#)
-  [Index of trade mark decisions of the Commissioner from 1953 \[195 kB PDF\]](#)
- [Index of current trade mark oppositions filed](#)

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[Trade mark opposition](#)

When an application for registration of a trade mark is accepted, the application is advertised in the Journal. Any person who wishes to oppose the registration of the trade mark can do so within three months from the date of advertisement in the Journal.

[Costs awards in proceedings before the Commissioner](#)

These are guidelines about the issue of costs in proceedings relating to Patents, Trade Marks and Designs. These Guidelines do not constrain the judgement and discretion of the Commissioner of Patents, Trade Marks and Designs and each costs issue will be considered on its own merits.

[Trade mark oppositions filed](#)

A list of trade marks oppositions.

[Trade mark oppositions filed in 2008 and 2009](#)

Details of oppositions filed in 2008 and 2009.

[Time for filing a notice of opposition](#)

The following practice note describes the timeframes for dealing with a notice of opposition.