

Application acceptance

Advertisement

When an application for registration of a trade mark is accepted a notice of acceptance is sent to the applicant. The application is also advertised in the [Office Journal](#).

However, acceptance does not mean completion of the trade mark registration process. The registration is not complete until the period for opposition has expired without opposition, or you are able to overcome any objections. The process is complete only when you receive a final Certificate of Registration.

Opposition

A person who wishes to oppose the registration of the trade mark has three months from the date of advertisement in the Journal to do so. If no opposition is raised then the mark will be registered not less than six months from the date of filing.

The Intellectual Property Office of New Zealand recommends that a potential opponent communicates any concerns directly to the trade mark applicant before formally filing a Notice of Opposition. If the parties are unable to settle the matter between them, the opponent may file a Notice of Opposition. Parties may withdraw from the proceedings at any time, but if a party withdraws without making any prior arrangements regarding costs, costs may be awarded against them.

If neither party withdraws from the proceedings then the matter will go to a Hearing in front of the Assistant Commissioner, who will make a decision based on written or oral submissions by the parties. The Assistant Commissioner's decision may be appealed to the New Zealand High Court.

For more information about Opposition please see [Opposing registration of a trade mark](#).