



Australian Government

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Official Notice

TRADE MARKS OFFICE MANUAL OF PRACTICE AND PROCEDURE

Revision of Parts 22 and 28

The amendments (July 2007) listed below reflect revised office practice in relation to the application of Section 41 and the provisions relating to honest concurrent use, prior use or other circumstances.

Part 22 Section 41 – Capable of Distinguishing

Revised to clarify current office practice in relation to:

- (i) one and two letter trade marks;
- (ii) composite trade marks containing letters;
- (iii) trade marks consisting of combinations of letters and numerals; and
- (iv) trade marks consisting of titles of books, novels, stories, films, stage shows, songs and musical works.

Part 28 Honest Concurrent Use, Prior Use or Other Circumstances

Amended to clarify current office practice in relation to honest concurrent use, prior use and other circumstances. The evidence information sheet for applicants at Annex A1 has been revised to include details regarding confidentiality, opposition information and unsupported statements regarding use of the trade mark.

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