



Australian Government

IP Australia



TM HEADSTART

Get online not inline

A simple and fast service to assess the registrability of your proposed trade mark

www.ipaustralia.gov.au

Trade Mark *TM Headstart*

If you are thinking about trade mark protection, then it is worthwhile considering IP Australia's TM Headstart Service. The Service provides an assessment which can help you determine the suitability of your proposed trade mark for registration.

The Service is simple and fast and offers you the opportunity to speak with IP Australia about the registrability of your proposed trade mark with minimum delay. Using the Service may help you to overcome difficulties associated with meeting the requirements for registration of your trade mark.

Benefits

The Service can provide you with an early assessment of the registrability of your trade mark. On submitting a request form and paying a fee, you will be contacted within five working days to discuss the results of the assessment and be assisted through the remainder of the process.

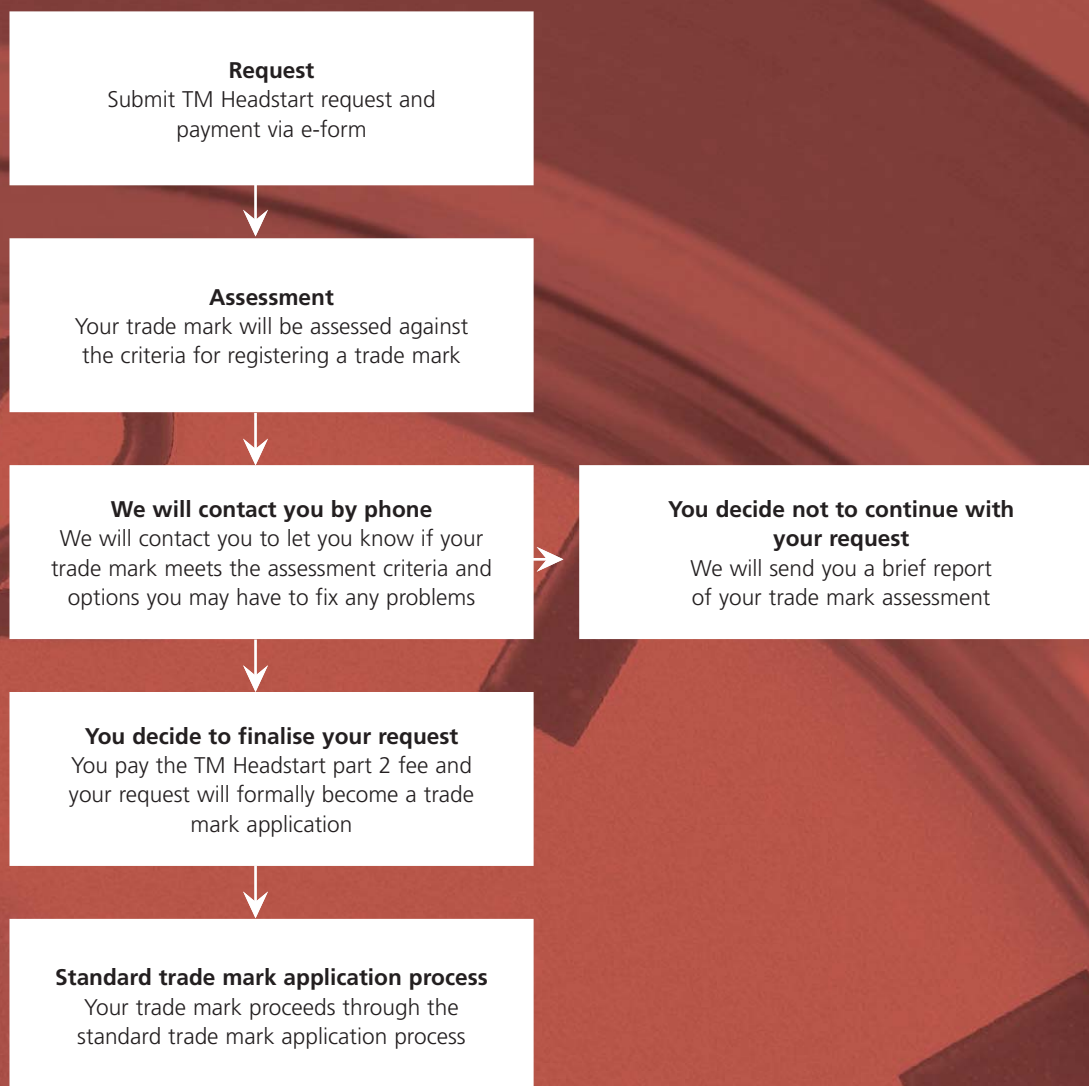
The Service will assist you to identify more quickly any barriers that could prevent you from registering your proposed trade mark. However, there is no guarantee that using the Service will result in your trade mark being accepted for registration.

Difference between TM Headstart and the standard trade mark application process

The main difference between the Service and the standard trade mark application process is that the Service provides you with an up-front assessment of the suitability of your trade mark for registration *prior* to you filing your application.

The Service allows you to make some modifications to your trade mark and the goods/services covered by your request before filing your trade mark application.

TM Headstart *Process*



TM Headstart Fees

The Service fees are as follows:

Entry fee: \$90 per class

Part 2 fee: \$90 per class

Note: all IP Australia statutory fees are GST exempt

The entry fee is payable when you submit your TM Headstart request. The part 2 fee is payable only if you decide to complete the filing process. Once you have paid the part 2 fee, subsequent standard trade mark fees apply.

See www.ipaustralia.gov.au for a full list of trade mark related fees.

Limitations of *TM Headstart*

The Service is for those customers who already have a trade mark in mind and have gathered enough information to submit a request. The Service will not help you to choose or develop a trade mark and cannot provide legal or business advice in relation to:

- ▶ Strategies for protecting the trade mark and enforcing protection;
- ▶ Whether you will be infringing another trader's common law rights. You should conduct searches of your own before deciding on your trade mark;
- ▶ How your business can make the best strategic use of a trade mark; or
- ▶ Whether the goods and/or services for which you seek protection give you optimum coverage for your business.

For more information on the matters above, you may need to seek the advice of a registered trade mark attorney or legal advisor.

Important note: your date of protection

Should your trade mark proceed to registration, the protection given by registration is taken from the date you completed the filing process, not the date you submitted your request. The filing process is complete when you have paid the part 2 fee.

- ▶ **If obtaining the earliest possible protection is important to you then you should consider filing an application as soon as possible through the standard trade mark application process.**

How to submit a *TM Headstart Request*

You must submit your request using the electronic form located on our website **www.ipaustralia.gov.au**. This is currently the only way to access the Service.

A special feature of the form is the goods and services pick-list which allows you to select those classes relevant to your trade mark. The pick-list will help you to nominate goods and services in their correct classes, and will also calculate the correct fees for your request.

At the time of submitting your request, you will be required to pay the \$90 per class entry fee via Mastercard or Visa. These are the only payment options available for the Service.

Checklist before using TM Headstart

- ▶ Have you decided on a trade mark?
- ▶ Do you know the goods and/or services you want to use your trade mark on?
- ▶ Can we easily contact you (by phone, fax or e-mail) during business hours?
- ▶ Are you prepared to pay the \$90 per class entry fee, understanding that you will need to pay an additional \$90 per class when/if you decide to complete the filing process for your trade mark?
- ▶ Can you pay your fees on-line using Mastercard or Visa?
- ▶ Are you aware that your filing date will not be determined until after completion of the TM Headstart process?

Further Information on the TM Headstart Service

Phone: 1300 651 010

Email: assist@ipaaustralia.gov.au

Web: www.ipaustralia.gov.au

Mail: PO Box 200, WODEN ACT 2606, Australia



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