





# Declaration

For Expedited Examination of Trade Mark Application

I,

*(insert name of person making declaration)*

of

State  Postcode

*(insert the address of person making declaration)*

**do declare as follows:-**

*If you are making the declaration for the purposes of a business or on behalf of another person please complete whichever of the following is applicable*

**1. I am making this declaration in my capacity as**

*(state your position or office held and address of the place of business)*

**or I am making this declaration on behalf of another person**

*(insert name and address of other person)*

**2. I request the expedition of examination of trade mark application**

**because** *(insert trade mark number or description)*

I make this declaration conscientiously believing the statements contained in this declaration to be true in every particular.

/ /

*(Signature of person making declaration)* Date Place

Before me,

*(Signature of person before whom declaration is made) (Title of person before whom declaration is made)*

Name *(Please print)*

Please note: A declaration may be made before a magistrate, a justice of the peace, a commissioner for affidavits, a commissioner for declarations, a notary public, a patent attorney, a diplomatic or consular officer or a person before whom a statutory declaration may be made under *Statutory Declarations Act 1959* or the law of the State, Territory or foreign country where the declaration is made.

## Notes

### Expedition

If the applicant thinks he/she will be seriously disadvantaged because of the time taken between filing the application for registration and examination, a request may be made to have the application examined sooner.

Because of the need to assess requests for expedited examination on their individual merits, it is very difficult to set down definitive detailed criteria. However, the following are examples of reasons which might justify a grant of expedited examination, as well as some reasons which may not be acceptable. It is emphasised that these should be treated as guidelines only and that each request for expedited examination will be treated on its own merits.

Examples of where a request for expedited examination **might be granted** could be where:

- \* some court action is expected or is underway, or
- \* the applicant might be severely or irreparably disadvantaged in the market place (for urgent commercial or other reasons).

Examples of where a request for expedited examination **might not be granted** could be where:

- \* the applicant's request had no supporting reasons
  - \* the reason provided did not show that there was a particular commercial or other reason likely to cause severe disadvantage which might warrant "special" treatment ahead of other earlier applications.
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### General information:

- \* No fee applies to the filing of this form.

The completed form may be sent to IP Australia, PO Box 200, Woden ACT 2606.

IP Australia can be contacted during business hours from 9am to 5pm Monday to Friday (except public holidays).

**If you require more information about expedition of examination, please contact our Customer Service Network on 1300 651 010 (or +61-2 6283 2999 for international callers only).**

**A statutory declaration under the *Statutory Declarations Act 1959* as amended may be made before:**

### **Part 1 - Members of Certain Professions**

Chiropractor          Dentist                  Legal Practitioner          Medical Practitioner  
Nurse                  Pharmacist          Veterinary Surgeon

### **Part 2 - Other Persons**

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public  
Australian Consular Officer, or Australian Diplomatic Officer, (within the meaning of the *Consular Fees Act 1985*)

Bailiff

Bank or Building society officer with 5 or more years continuous service

Chief executive officer of a Commonwealth Court

Civil marriage celebrant

Clerk of a court

Commissioner for Affidavits or for Declarations

Commissioner Credit union officer with 5 or more years continuous service

Holder of a statutory office not specified in another item in this part

Judge of a court

Justice of the Peace

Magistrate

Master of a court

Member of the Australian Defence Force who is:

- (a) an officer; or
- (b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years continuous service; or
- (c) warrant officer within the meaning of that act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of the Institute of Corporate Managers, Secretaries and Administrators

Member of the Institution of Engineers, Australia, other than at the grade of student

Member of:

- (a) the Parliament of the Commonwealth; or
- (b) the Parliament of a State; or
- (c) a Territory Legislature; or
- (d) a local government authority of a State or Territory

Minister of religion registered under Division 1 of Part IV of the *Marriage Act 1961*

Notary Public

Permanent employee of:

- (a) the Commonwealth or of a Commonwealth authority; or
- (b) a State or Territory or of a State or Territory authority; or
- (c) a local government authority;

with 5 or more years continuous service who is not specified in another item in this Part

Permanent employee of the Australian Postal Corporation with 5 or more years continuous service who is employed in an office supplying postal services to the public

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police Officer

Registrar, or Deputy Registrar, of a court

Senior executive service officer of the Commonwealth, or of a State or Territory, or of a Commonwealth, State or territory authority

Sheriff or Sheriff's officer

Teacher employed on a full-time basis at a school or tertiary education institution

**EXTRA SPACE IF REQUIRED**