



# Application for an Extension of Time Under Section 224

for filing a Bill of Costs or Application for an Award of Costs, or  
Requesting an Extension to a Cooling Off Period



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- how you may seek access to and correction of the personal information we hold;
- how you may make a complaint about a breach of the Privacy Act and how we will deal with your complaint; and
- IP Australia's Privacy Contact Officer details.

Any personal information you provide will be used for the purposes of processing this form, and any opposition proceedings purposes, as provided under the TM Act. IP Australia may also contact you, using the contact details you have provided, to request your feedback on our products and services.

IP Australia may disclose your personal information to:

holders of relevant international trade marks; and

the World Intellectual Property Organization in Switzerland, in accordance with the requirements of the Madrid Protocol ([www.wipo.int/madrid/en/](http://www.wipo.int/madrid/en/))

Once personal information is disclosed overseas, IP Australia will have no control over its subsequent use and disclosure.

IP Australia will publish your:

- name;
- address;
- address for service;
- address for correspondence (if applicable); and
- Trade Mark details and history

in the Official Journal of Trade Marks, the Register of Trade Marks and Australian Trade Mark Search. Once information is available on the internet, IP Australia has no control over its subsequent use and disclosure. You should be aware that the information (including personal information) held in IP Australia's online IP Rights databases is also available on request, subject to our terms and conditions.

As far as your personal information is concerned:

- you may provide a post office box address if you do not want your residential address to be published; and
- if you do not provide the personal information required on the form, IP Australia may not be able to process this form.

IP Australia will not otherwise use or disclose your personal information without your consent, unless authorised or required by or under law.



Australian Government  
IP Australia

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## Personal Details of Applicant

(\* denotes mandatory fields)

*Name	ACN/ARBN/ABN		
*Address (can be a PO Box)			
	Country (if not Australia)	State	Postcode
2nd Applicant (if required)	ACN/ARBN/ABN		
Address (can be a PO Box)			
	Country (if not Australia)	State	Postcode
<input type="checkbox"/> Additional applicant details attached			

## \*Address for Service (if different from the above address)

Address for Service of documents in Australia or New Zealand (can be a PO Box)

Address			
	Country	State	Postcode

**OR**

**Agent Details** (only complete if you are being represented by an Agent authorised to act on your behalf)

Name			
Address			
	Country (if not Australia)	State	Postcode

## Optional Details:

Telephone	( )	Fax	( )	Mobile Number	
Email Address				Customer Number	

By completing this form you consent to your personal information being handled in accordance with the Privacy Notice on page 1 of this form and the IP Australia Privacy Policy.

IP Australia publishes address details in our online databases and bulk data products. Please provide a post office box if you do not want your residential address to be published.



Australian Government  
IP Australia

# Application for an Extension of Time Under Section 224

for filing a Bill of Costs or Application for an Award of Costs, or  
Requesting an Extension to a Cooling Off Period



**THIS FORM SHOULD BE USED if you are:**

- Applying for an extension of time for filing bill of costs or application for an award of costs
- Applying for an extension of time for filing a request to extend a cooling off period

**A fee applies to the filing of this form** - For details of fees see [www.ipaustralia.gov.au](http://www.ipaustralia.gov.au)

**Note:** This application may be considered as *not filed* if you do not correctly complete this form, or submit a declaration, or if insufficient fees are paid.

## Part 1 Formality Details

Trade Mark Number

In the name of

Fee Paid

## Part 2 Opposition

Opposition by:

## Part 3 Extension Details

Application is made for an extension of time of  months.

The extension is required for

- Filing bill of costs or Application for an award of costs
- Request an extension to a cooling off period
- The facts on which the extension is based are set out in the accompanying declaration



# Declaration



## Application for an Extension of Time Under Section 224

### Part 4 Declaration in support of extension application

(\* denotes mandatory fields)

\*Title

*(of the matter in respect of which the declaration is made)*

\*IP Right Number in relation to which the declaration is made.

\*I,

*(insert name of the person making the declaration)*

\*Of

<input type="text"/>	<input type="text"/>	<input type="text"/>
Country <i>(if not Australia)</i>	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 complete the following.*

#### I am making this declaration in my capacity as

State your position or Office held:

*Address of the place of business*

<input type="text"/>	<input type="text"/>	<input type="text"/>
Country <i>(if not Australia)</i>	State	Postcode



## Part 5 Section 224 of the Trade Marks Act 1995

### TRADE MARKS ACT 1995 - SECT 224 Extension of time

1. The Registrar must extend the time for doing a relevant act that is required by this Act to be done within a certain time if the act is not, or cannot be, done within that time because of an error or omission by:

- a. the Registrar or a Deputy Registrar; or
- b. an employee; or
- c. a person providing, or proposing to provide, services for the benefit of the Trade Marks Office

2. If, because of:

- a. an error or omission by the person concerned or by his or her agent; or
- b. circumstances beyond the control of the person concerned;

a relevant act that is required by this Act to be done within a certain time is not, or cannot be, done within that time, the Registrar may, on application made by the person concerned in accordance with the regulations, extend the time for doing the act.

3. If:

- a. a relevant act that a person is required by this Act to do within a certain time is not, or cannot be, done within that time; and
- b. on application made by that person in accordance with the regulations, the Registrar is of the opinion that special circumstances exist that justify an extension of that time; the Registrar may extend the time for doing the act.

3A. If the Registrar has revoked the registration of a trade mark, he or she may extend the time for doing a relevant act that is required by this Act to be done within a certain time in connection with the application for registration of the trade mark.

4. The time allowed for doing a relevant act may be extended, whether before or after that time has expired.

5. If an application is made under subsection (2) or (3) for an extension of time for more than 3 months, the Registrar must advertise the application in the *Official Journal*.

6. A person may, as prescribed, oppose the granting of the application.

7. An application may be made to the Administrative Appeals Tribunal for the review of a decision of the Registrar not to extend the time for the doing of a relevant act.

8. In this section, relevant act means:

- a. any act (other than a prescribed act) done in relation to a trade mark; or
- b. the filing of any document (other than a prescribed document); or
- c. any proceedings (other than court proceedings).