



Application for an Extension of Time Under Section 224 for Acceptance



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- how you may make a complaint about a breach of the Privacy Act and how we will deal with your complaint; and
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IP Australia will publish your:

- name;
- address for service;
- address for correspondence; and
- Trade Mark details and history

in the Official Journal of Trade Marks, the Register of Trade Marks and on 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.

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- 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.



Application for an Extension of Time Under Section 224 for Acceptance



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

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 provided on page 1 of this form.

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.



Application for an Extension of Time Under Section 224 for Acceptance



THIS FORM SHOULD BE USED:

- To pay to extend the due date for Acceptance beyond 21 months after the date of the Examiner's 1st report to allow further time for submissions
- For late payments received after the current acceptance due date between 15 and 21 months after the date of the Examiner's 1st report
- To pay to revive and extend the acceptance due date of a lapsed/not protected application

A fee applies to the filing of this form - For details of fees see 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.

**** Only use this form if more than 21 months has passed since the date of the first report OR if the application has lapsed without being accepted. If less than 21 months has passed and the application has not lapsed, use form TM/00/0011(a)**

Part 1 Formality Details

Trade Mark Number	In the name of	Extension of Time Fee Paid
<input type="text"/>	<input type="text"/>	<input type="text"/>

Part 2 Extension Details

Application is made for an extension of time of months to extend the due date for acceptance.

The extension is required because of:

- | | |
|--|---|
| <input type="checkbox"/> an error or omission by an employee of the Trade Marks Office | <input type="checkbox"/> circumstances beyond the control of the person concerned |
| <input type="checkbox"/> an error or omission by the person concerned or by his or her agent | <input type="checkbox"/> special circumstances |

Detailed reasons must be provided in accompanying declaration. Note: If the application is late, you must also explain why it is late.

IMPORTANT: EXTENSIONS OF TIME OF MORE THAN 3 MONTHS FOR ACCEPTANCE OF A TRADE MARK

In relation to S224(5) of the Trade Marks Act 1995, if an application is made for an extension of time of more than 3 months, the Registrar must advertise the application in the official Journal.

Therefore if the request is due to Error/Omission or Special Circumstances an additional 2 months extension fees are payable to cover the advertisement period. This is because the acceptance due date must be extended at least until a time when the Registrar is able to examine the application under s31 and make a decision and therefore this date must be after the end of the advertisement period.



Declaration



Application for an Extension of Time Under Section 224

Part 3 Declaration in support of extension application

(* denotes mandatory fields)

*I,

(insert name of the person making the declaration)

*Of

Country (if not Australia)	State	Postcode
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(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

Country (if not Australia)	State	Postcode
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Declaration: (Each paragraph must be numbered consecutively and as far as practical, be confined to one subject.)

If you require more space please attach as many A4 sheets of paper as required. All exhibits must be referred to within the body of the declaration and the last page of the declaration must be dated and signed by the declarant.

I make this declaration conscientiously believing the statements contained in this declaration to be true and correct.

*(Signature of person making declaration)

*Date

(DD/MM/YYYY)

*Place where declaration is made

Part 4 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).