

**SINGAPORE TRADE MARKS ACT 1998
TRADE MARKS RULES**

FORM TM28	Application for Revocation/ Invalidation/ Rectification										
<p><u>Pre-requisites:</u></p> <ul style="list-style-type: none"> • You will need to attach a statement of the grounds for revocation/ invalidity/ rectification. <p><u>Estimated Time:</u></p> <ul style="list-style-type: none"> • This form may take approximately 2-7 minutes to complete. <p><u>General</u></p> <ul style="list-style-type: none"> • Before completing this form, please read <ul style="list-style-type: none"> ○ for revocation, Section 22 of the Trade Marks Act ○ for declaration of invalidity, Section 23 of the Trade Marks Act ○ for rectification, Section 67 of the Trade Marks Act and Rule 57 of the Trade Marks Rules. • For rectification of the register by the trade mark proprietor, please use Form CM2 or Form TM27. • * denotes mandatory field. • The fee is payable on a per class basis. 											
PART 1 Reference											
My Reference	<input style="width: 100%;" type="text"/>										
PART 2 Application No.*											
Application No.*	<input style="width: 100%;" type="text"/>										
International Registration No.	<input style="width: 100%;" type="text"/>										
Class No. this Application relates to*	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> </table>										
Total No. of Classes this Application relates to	<input style="width: 100%;" type="text"/>										
PART 3 Name of Registered Proprietor*											
<i>Note: If there is insufficient space, please use the continuation sheet in CS 4.</i>											
UEN/ Company Code <i>(if applicable)</i>	<input style="width: 100%;" type="text"/>										
Name	<input style="width: 100%; height: 40px;" type="text"/>										
Sole Proprietor or Partners' Name <i>(if sole proprietorship or partnership)</i>	<input style="width: 100%; height: 40px;" type="text"/>										

PART 4 Details of Applicant for Revocation/ Declaration of Invalidity/ Rectification*

Note: If there is insufficient space, please use the continuation sheet in CS 1.

<p>UEN/ Company Code <i>(if applicable)</i></p> <p>Name</p>	<input data-bbox="568 190 948 253" type="text"/> <input data-bbox="568 293 1378 405" type="text"/>
<p>Address</p>	<p>Singapore Address</p> <p><input data-bbox="568 499 624 555" type="checkbox"/> This Singapore address is to be used as the address for service for the purposes of this application. <i>(Note: If this is crossed, it is not necessary to fill up the address for service in Singapore in part 6.)</i></p> <p>Block/ House No. <input data-bbox="775 618 1005 680" type="text"/></p> <p>Street Name <input data-bbox="775 723 1378 786" type="text"/></p> <p>Level - Unit <input data-bbox="775 813 1195 875" type="text"/></p> <p>Building Name <input data-bbox="775 916 1378 978" type="text"/></p> <p>Postal Code <input data-bbox="775 1005 1005 1068" type="text"/></p>
	<p>Foreign Address</p> <p>Line 1 <input data-bbox="775 1167 1378 1229" type="text"/></p> <p>Line 2 <input data-bbox="775 1256 1378 1319" type="text"/></p> <p>Line 3 <input data-bbox="775 1346 1378 1408" type="text"/></p>
<p>Nationality or Country of Incorporation*</p> <p>State of Incorporation <i>(mandatory for USA corporations)</i></p> <p>Country of Residency <i>(mandatory for individuals)</i></p> <p>Sole Proprietor or Partners' Name <i>(if sole proprietorship or partnership)</i></p>	<input data-bbox="568 1464 1142 1527" type="text"/> <input data-bbox="568 1570 1142 1632" type="text"/> <input data-bbox="568 1659 1142 1722" type="text"/> <input data-bbox="568 1762 1372 1874" type="text"/>

PART 5 Purpose of this Application*	
This Application relates to	<input type="checkbox"/> Revocation – Grounds based on Non-Use <input type="checkbox"/> Revocation – Grounds other than Non-Use <input type="checkbox"/> Declaration of invalidity <input type="checkbox"/> Rectification
PART 6A Grounds for Revocation*	
Grounds for Revocation <i>(Please select if this application relates to Revocation – Grounds based on Non-Use)</i>	<input type="checkbox"/> S22(1)(a) – non-use within the 5 years following registration completion date <input type="checkbox"/> S22(1)(b) – use suspended for 5 years <input type="checkbox"/> Others <i>(to input)</i> <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 5px;"></div>
PART 6B Grounds for Revocation*	
Grounds for Revocation <i>(Please select if this application relates to Revocation – Grounds other than Non-Use)</i>	<input type="checkbox"/> S22(1)(c) – mark has become common name <input type="checkbox"/> S22(1)(d) – mark is liable to mislead the public <input type="checkbox"/> Others <i>(to input)</i> <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 5px;"></div>
PART 6C Grounds for Invalidity*	
Grounds for Invalidity <i>(Please select if this application relates to Declaration of invalidity)</i>	S23(1) read with <input type="checkbox"/> S7(1)(a) – mark does not satisfy the definition of a trade mark <input type="checkbox"/> S7(1)(b) – mark is not distinctive <input type="checkbox"/> S7(1)(c) – mark denotes the characteristics of goods or services such as quality, purpose, value, origin etc <input type="checkbox"/> S7(1)(d) – mark has become customary in the current language or in the bona fide and established practices of trade

- S7(3)(a) – mark consists of a shape which results from nature of goods
- S7(3)(b) – mark consists of a shape which is necessary to obtain a technical result
- S7(3)(c) – mark consists of a shape which gives substantial value to goods
- S7(4)(a) – mark is contrary to public policy or morality
- S7(4)(b) – mark is deceptive
- S7(5) – use of the mark is prohibited by written law or rule of law
- S7(6) – application of the mark is made in bad faith
- S7(7) – mark contains or consists of a GI in respect of a wine or spirit
- S7(11) – mark contains or consists of a flag or emblem etc. of a Convention country or an international organisation of which one or more Convention countries are members, protected under the Paris Convention or the TRIPS Agreement and contravenes Section 56 and/or Section 57
- S7(13) – mark contains or consists of the Singapore Crest, Presidential Coat of Arms, Royal Arms, etc. and contravenes Rule 12 and/or mark consists of a name, initials etc. of body corporate etc. and contravenes Rule 13
- Others *(to input)*

S23(3) read with

- S8(1) – mark is identical to an earlier mark and is for identical goods or services
- S8(2)(a) – mark is identical to an earlier mark and is for similar goods or services
- S8(2)(b) – mark is similar to an earlier mark and is for identical or similar goods or services
- S8(3) – mark, applied before 1 July 2004, is identical with or similar to an earlier mark that is well known and for dissimilar goods or services
- S8(4)(b)(i) – mark, applied after 1st July 2004, is identical with or similar to an earlier mark that is well known in Singapore

	<input type="checkbox"/> S8(4)(b)(ii) – mark, applied after 1st July 2004, is identical with or similar to an earlier mark that is well known to the public at large in Singapore <input type="checkbox"/> S8(7)(a) – mark is prevented from use by virtue of any rule of law protecting an unregistered trade mark, in particular, the law of passing off <input type="checkbox"/> S8(7)(b) – mark is prevented from use by virtue of an earlier right, in particular, by virtue of the law of copyright or law protecting designs <input type="checkbox"/> Others (to input) <div style="border: 1px solid black; height: 100px; width: 100%;"></div>
	<input type="checkbox"/> S23(4) - fraud in the registration or the registration was obtained by misrepresentation

PART 7 Contact Details*

Note:

- Where an agent with UEN is appointed, the fields for "Agent UEN/ Company Code", "Agent Name" and "Address for Service in Singapore" should be completed. Where an individual or an agent without UEN is appointed, the sub-field "Representative or C/O Name" and "Address for Service in Singapore" should be completed instead.
- The address for service in Singapore need not be filled up if the person's address in Part 4 is to be used as an address for service in Singapore.
- For the purpose of this proceeding, official correspondences will be sent to the address for service in Singapore as indicated in this box.

Agent UEN/ Company Code	<input type="text"/>
Agent Name	<input type="text"/>
Representative or C/O Name	<input type="text"/>
Address for Service in Singapore	
Block/ House No.	<input type="text"/>
Street Name	<input type="text"/>
Level - Unit	<input type="text"/>
Building Name	<input type="text"/>
Postal Code	<input type="text"/>

Contact Person <i>(if applicable)</i>	<input type="text"/>
Direct Telephone No. <i>(if applicable)</i>	<input type="text"/>
Email Address <i>(if applicable)</i>	<input type="text"/>

PART 8 Attachments

Attach a statement of grounds on which the application for revocation/ declaration of invalidity/ rectification is made.

PART 9 Declaration*

Declaration	<p><u>By Person Filing the Form</u></p> <p>I, the undersigned, do hereby declare that the information furnished above is true to the best of my knowledge. I understand that I may be liable for criminal prosecution for providing any false information in this application.</p> <p><u>By Agent</u></p> <p>I, the undersigned, do hereby declare that:</p> <ul style="list-style-type: none"> i. I have been duly authorised to act as an agent on behalf of the person(s) filing this form. ii. The information furnished above on behalf of the person(s) filing this form is true to the best of the person(s)' knowledge. I understand that I may be liable for criminal prosecution for providing any false information in this application.
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	<p><input type="checkbox"/> A copy of this form and its attachments, if any will be served on the counter-party at the same time.</p> <p><input type="checkbox"/> I declare that there is no action concerning the mark in question pending in the court.</p>
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Name	<input type="text"/>
Signature	<input type="text"/>
Date <i>(DD/MM/YYYY)</i>	<input type="text"/>

GST	GST INFORMATION
Tax Invoice*	
<p><i>Note:</i> Tax invoice will be issued to the entity/individual as indicated. Goods and Services Tax (GST)-registered businesses may claim input tax with Inland Revenue Authority of Singapore (IRAS), subject to meeting the requirements under the GST Act.</p>	
<p>Name (Tax invoice to be issued to)</p>	<p>The name of the Applicant for Revocation/ Declaration of Invalidity/ Rectification (as in Part 4 of this form) should be inserted in this field.</p> <div data-bbox="560 551 1374 667" style="border: 1px solid black; height: 50px; width: 100%;"></div>