

Application for registration in the Register of Trade Mark Agents

**Application is hereby made for registration in the Register of Trade**

**Mark Agents under Section 86 (1) of the Trade Marks Act, 1996 and the Trade Mark Rules, 1996**

### NOTE:

* Sections 1 and 3 are to be completed in the case of an INDIVIDUAL **or** a MEMBER OF A PARTNERSHIP wishing to be registered in the Register of Trade Mark Agents
* Sections 2 and 3 are to be completed in the case of a PARTNERSHIP or COMPANY wishing to be registered in the Register of Trade Mark Agents.
* Per Rule 53 (b) the Trade Mark Rules, 1996 the Register of Trade Mark Agents shall include the date of registration and, in the case of a partnership, body corporate or unincorporated body, the business name and address thereof and the full name and home address of each director, manager, partner or employee registered as a trade mark agent in the State and in the case of an individual, the full name, the business name (if any), nationality and home and business address of the applicant together with such particulars of the applicant’s qualifications for entry, and such other particulars as the Controller may require.

### SECTION 1

### 1.1. Application by an Individual or Member of a Partnership or Company

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| --- | --- |
| Name: |  |
| Private Address: |  |
|  |
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|  |
| Nationality: |  |
| Telephone: |  |
| Email: |  |
| Date of Birth: |  |

|  |  |
| --- | --- |
| Name in which it is proposed to carry on business as a Trade Mark Agent |  |
| Address at which it is proposed to carry on business as a Trade Mark Agent |  |

*The address at which it is proposed to carry on business must be* ***an establishment where there is real and effective professional trade mark agent activity exercised through stable arrangements.*** *Addresses which are accommodation addresses, brass plate entities, shell companies or service addresses where there is no physical presence and no effective engagement or business activity is carried out, are not acceptable.*

**1.2. If applicant is a person, who is a member of a partnership or company, state the full name and the address of the partnership or company.**

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| --- | --- |
| Name: |  |
| Address: |  |
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| Email: |  |

**1.3. Educational and Professional Qualifications**

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| --- | --- |
| Please insert particulars of your educational and professional qualificationsas per Rule 51(4) of the Trade Marks Rules,1996. |  |
| *This application must be accompanied by copies of the relevant certificates, diplomas, etc. evidencing the achievement of the qualifications indicated.* | |
| ***Additional pages may be enclosed if required*** | |

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| **Rule 51(7) of the Trade Marks Rules states:**  *The Board may, however, waive or vary any of the requirements specified in subparagraphs (a) or (b) of paragraph (4) of Rule 51, if it is otherwise satisfied in the light of the educational and professional qualifications which the applicant possesses, that the applicant is fit to perform the professional duties of a trade mark agent.*  If you have not successfully completed the Irish Law & Practice of Trade Marks examination and want your application to be based on this waiver, please indicate by ticking the box and supply all evidence of knowledge and experience of Irish Trade Mark Law & Practice with this form. |

### SECTION 2

### 2.1. Application by a Partnership or Company

**Insert the full business name or style and address under which the partnership or company proposes to carry on business as a Trade Mark Agent**

|  |  |
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| Name: |  |
| Address: |  |
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|  |
| Email: |  |

*The address at which the partnership or company proposes to carry on business must be* ***an establishment where there is real and effective professional trade mark activity exercised through stable arrangements.*** *Addresses which are accommodation addresses, brass plate entities, shell companies or service addresses where there is no physical presence and no effective engagement or business activity is carried out, are not acceptable.*

**2.2. Please provide details of each director, manager, partner and employee of the Partnership or Company who is registered as a Trade Mark Agent in the State.**

|  |  |
| --- | --- |
| Name: |  |
| Private Address: |  |
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| Nationality: |  |
| Date of Birth: |  |
| Date of entry in the Register |  |

|  |  |
| --- | --- |
| Name: |  |
| Private Address: |  |
|  |
|  |
| Nationality: |  |
| Date of Birth: |  |
| Date of entry in the Register |  |

|  |  |
| --- | --- |
| Name: |  |
| Private Address: |  |
|  |
|  |
| Nationality: |  |
| Date of Birth: |  |
| Date of entry in the Register |  |

1. **This application must be accompanied by a copy of a certificate of incorporation, an entry in a relevant register or other proof of legal personality.**
2. **This application must be accompanied by the full particulars of the education and professional qualifications of each director, manager, partner and employee who is registered as a trade mark agent in the State.**

**SECTION 3**

**This section must be completed by an individual applicant or where the application is by a partnership, incorporated or unincorporated company. Any matters disclosed will be handled with the utmost sensitivity and in confidence and will be treated in accordance with the Data Protection Acts 1988, 2003 and 2018.**

3.1. Have you (individual, partnership or company) ever been disqualified from the practice of a profession or required to practice subject to specified limitations/conditions/warnings following fitness to practise proceedings by a regulatory or licensing body in the EEA, the United Kingdom or any other country?

NO

YES

If yes, please provide details.

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3.2. Are you currently the subject of any investigation or fitness to practise proceeding by any licensing or regulatory body in the EEA, the United Kingdom or any other country?

NO

YES

If yes, please provide details.

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**SECTION 4**

**4.1. Fee payable under Item TM33 of the Patents and Trade Marks (Fees) Rules 2001 (as amended)**

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| On application for registration in the Register of Trade Mark Agents Rule 51(1) | €50.00 |

**Method of Payment Tick only one box**

Credit Card (please ring Office directly

to make payment)

Electronic Funds Transfer

**If you want to pay by Electronic Funds Transfer, our bank account details are as follows:**

|  |  |
| --- | --- |
| A/C Number: | 80012459 |
|  |  |
| Sort Code: | 951990 |
|  |  |
| IBAN: | IE94DABA95199080012459 |
|  |  |
| BIC: | DABAIE2D |

**4.2. Signature**

By signing this application form, I certify that the information I have provided is true and correct to the best of my knowledge and belief.

I understand that if the Board is of the opinion that any information I have provided is incorrect or considers that my educational and or professional qualifications are insufficient, the Board will not be in a position to allow my name be entered on the Register.

|  |  |
| --- | --- |
| \*Signature of Applicant: |  |
| Name in Block Capitals: |  |
| Capacity: |  |
| Date: |  |

\**If signed for or on behalf of a partnership or body corporate state name in block capitals of person signing. The capacity of the signatory must also be stated*.

# Appendix 1: Applicant Privacy Statement

**Purpose of Processing**

The Intellectual Property Office of Ireland (IPOI) in conjunction with the Patent and Trade Mark Agent Registration Boards is responsible for maintaining the Registers of Patent and Trade Mark agents who are eligible to be registered in the respective registers. When applying for registration, applicants are asked to submit a range of documents, e.g., application form, evidence of educational and professional qualifications, etc. This Applicant Privacy Statement had been produced for applicants applying for registration in the Register of Patent Agents and the Register of Trade Mark Agents.

The [IPOI’s Privacy Statement](https://www.ipoi.gov.ie/en/cookie-privacy-policy/) provides more general information about privacy rights and sets out how the Office collects, uses and processes personal data relating to interactions with it.

**Legal Basis:**

There is a legal basis for processing this data and the data is also only shared when necessary, see below.

[Patents Act 1992 Sections 105-109](http://www.irishstatutebook.ie/eli/1992/act/1/section/105/enacted/en/html#partx)

European Communities (Patent Agents) Regulations 2015 - [S.I. No. 579 of 2015](http://www.irishstatutebook.ie/eli/2015/si/579/made/en/print)

[Register of Patent Agent Rules 2015.](http://www.irishstatutebook.ie/eli/2015/si/580/made/en/print)

[Trade Mark Act 1996 Sections 83 - 91](http://www.irishstatutebook.ie/eli/1996/act/6/section/83/enacted/en/html#partv)

[Trade Mark Rules 1996 Section 51 - 59](http://www.irishstatutebook.ie/eli/1996/si/199/made/en/print)

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| --- | --- |
| **Recipient/Shared With** | **Reason** |
| Chairperson and members of the Patent Agents Registration Board | The Board is furnished with information and applicant details so that it can assess the suitability of applicants for registration. |
| Chairperson and members of the Trade Mark Agents Registration Board | The Board is furnished with information and applicant details so that it can assess the suitability of applicants for registration. |
| Minister | The Patent Agent Registration Board provides a report to the Minister which includes names and details of persons considered suitable to be entered in the register. The Minister is requested to approve same. |
| Secretary to the Boards | The Secretary is responsible for gathering, processing and storing applications, acknowledging responses and corresponding with applicants.  The Secretary is also responsible for compiling and maintaining the Registers. |

The IPOI is fully aware of GDPR requirements and all related data is managed in compliance with the relevant regulations. Applicant data will be retained while applications are pending consideration by the Boards and for the duration of their registration and for not more than 12 months after an agent ceases to be registered. For applicants whose applications are unsuccessful, application forms and correspondence shall be retained for 12 months. Application forms and correspondence may also be retained where examinations are unavoidably deferred or where an applicant so requests, for example, to afford applicants time to meet certain outstanding requirements. Where any data is retained, this will be managed by the Secretary to the Boards. Data will only be retained for no longer than is necessary for the purposes for which it was processed. All data will be treated in confidence and all appropriate security measures will be applied.

**Applicants Entitlements**

IPOI recognises that applicants have entitlements and these are outlined below.

|  |  |
| --- | --- |
| **Access** | Applicants can request and receive access to their data at any time and can request and receive a copy of this data, in electronic/transferable format. |
| **Erasure** | Applicants can request the data held be erased. |
| **Rectification** | Applicants can have any incorrect information corrected. |
| **Objection** | Applications can object to the data or information being processed |
| **Complaints** | Applicants can make a complaint to the IPOI Data Protection Officer “DPO” (contact details below) and/or make a complaint to the relevant authority – Data Protection Commission in Ireland |

**IPOI-DETE DPO Contact Details**

Email: [dataprotection@enterprise.gov.ie](mailto:dataprotection@enterprise.gov.ie)

Or

Data Protection Officer

Department of Enterprise, Trade and Employment

23 Kildare Street

Dublin 2

D02 TD30

**For Further information on Data Protection:**

The website of the Data Protection Commissioner – [www.dataprotection.ie](http://www.dataprotection.ie) or

Make contact with the Office of the Data Protection Commissioner by phone on Telephone 1890 252231 or by email on info@dataprotection.ie.