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Trademarkify Search Report

Proposed trademark

Your proposed trademark application is for ".

Reviewing the above trademarks

Are the above marks the same or or deceptively similar?

Firstly, consider whether the above trademarks are the same or deceptively similar to your proposed trademark application. If not, your application may be accepted.

Are the goods and services provided in the same trade channels?

If you believe that one or more of the above trademarks are the same or deceptively similar, consider whether these trademarks are in respect of goods and services offered in the same trade channels as yours.

Generally, the same or similar trademarks can exist in respects of goods and services sold in differing trade channels.

Other circumstances?

Note that even if there is a same or similar trademark having the same or similar goods and services, you may still be able to gain registration of your mark under certain circumstances, such as by being able to:

- show your use of the trademark prior to the filing date of the earlier trademark,

- having the earlier mark removed for non use in the last 3 years if it has been registered for more than 5 years,
- if the earlier trademark has not been registered for more than 5 years: having the earlier trademark removed on the basis that the owner didn't have the intention to use the trademark on the day it was filed (note that this is quite a hard ground to establish),
- obtaining a letter of consent from the owner, or
- other circumstances, such as honest concurrent use and the like.

If you have any questions or require a professional review, please contact us at support@trademarkify.com.au.

Yours sincerely

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