

# Coronavirus important update on IPO services

The majority of our services remain unaffected. Rights holders and IP professionals should continue to file using our online services where possible. Please allow additional time for the information you file with us to be dealt with.

We recognise the current challenges faced by many. So, in order to support businesses, rights holders and IP professionals, the following service changes are in place.

## **London Office**

Following the introduction of new restrictions, as part of the national lockdown in England, the IPO's London office has been closed to all but critical workers with immediate effect.

This means that customers are unable to gain access to file in person. It also means that the London post room is not operating so no paperwork will be processed after Thursday 7 January 2021.

If customers need to submit papers by post then Concept House, our Newport office, remains open.

The London office will remain closed at least until 18 February 2021 when current restrictions will be reviewed.

## **Interrupted days**

The period of interrupted days that we declared on 24 March, ended on 29 July. An 'interrupted day' is a day in which the normal course of business at the IPO is not possible.

This meant that most deadlines for

- patents,
- supplementary protection certificates,
- trade marks,
- designs,

and applications for these rights, which fell on an interrupted day were extended.

## **Temporary fee changes**

We know many businesses are in a challenging situation and will look to the IPO for flexibility and support, to maintain their IP and progress their pending applications. Deadlines will once again need to be met and fees paid.

To support those businesses, [temporary fee changes](#) were in place from 30 July 2020 to 31 March 2021 in relation to patents, supplementary protection certificates (SPCs), trade marks and registered designs:

The deadlines for completing actions, requesting extensions of time and paying fees were not affected by these fee changes and must still be complied with.

## Renewals

The period of interruption for patents extended all time periods mentioned in the Patents Act and Rules. This wasn't the case for all registered designs and trade marks. This [renewals deadlines table](#) (RTF, 69.7KB) should answer any queries you have regarding your renewal deadline.

We will continue delivering patent correspondence by email until we can provide an enhanced digital solution. We will only send paper documents where we are unable to deliver them by email or where we cannot identify a suitable email address

## Filing with us

Customers should use online services and communicate with us digitally. We will continue sending and receiving documents and notifications by email wherever possible.

Forms or correspondence may still be filed with us by post or hand delivered to our Newport office. However, they will take longer than usual to process while access to our offices remains limited. The London office is closed from 7 January 2021 and unable to process forms or correspondence sent by post or hand delivered.

Our fax service has been turned off and we can no longer receive documents through this channel.

Please use our [forms@ipo.gov.uk](mailto:forms@ipo.gov.uk) inbox to file any forms that can't be filed online. The only exception is that patent applications made subject to directions under section 22 ("national security") must still be filed by post.

To avoid processing delays

- in the subject line of your email, enter the form number, the IP rights number and (optionally) your own reference. Provide these in the format: FORM NUMBER-IP RIGHTS NUMBER-YOUR REFERENCE for example: TM16-UK00002345678-T1234GBAW
- if you are attaching a document other than a form, for instance a response to an examiner, enter 'OTHER' instead of the form number in the subject line
- attach all files as PDF and attach any supporting documents required to the same email as your form. Include the IP right number in all attachments

- if you have more than one form to file, use a separate email for each form
- do not send copies of your email to any other IPO mailboxes as this will cause duplicate processing, delays and could mean multiple payments being taken
- do not use the [forms@ipo.gov.uk](mailto:forms@ipo.gov.uk) inbox for anything other than filing forms and documents. Email other enquiries to [information@ipo.gov.uk](mailto:information@ipo.gov.uk)

We are currently unable to accept payment by cheque.

Do not send copies of your email to any other IPO mailboxes; this causes duplicate processing, may result in you paying fees twice and will result in delays.

Patent related correspondence both before and after publication of the patent application continues to be emailed. The only exception is to patent applications made subject to directions under section 22 ('national security') and to applications where we don't have an email address.

It also covers correspondence relating to supplementary protection certificates and certified office copies of documents. We will use the email address provided on the forms submitted with the particular application or otherwise communicated to the IPO. Any queries on this should be sent to [information@ipo.gov.uk](mailto:information@ipo.gov.uk)

We will accept electronic signatures on forms and other documents.

### **Certified Office Copies (COCs)**

We are now issuing paper COCs by post. The e-mailing of COCs was temporary to ensure customers were able to receive these documents when access to workplaces was limited by the pandemic.

If you still cannot access documents delivered by post, we can provide your COCs digitally if you request it. Please be aware that some IP Offices are no longer accepting priority documents in this format. If you need your COCs to be issued digitally please tell us in the covering letter accompanying your request form.

We will not be issuing duplicated copies (in both paper and digital formats) as a matter of course. For patent COCs we encourage customers to use WIPO's online Priority Document Access Service (PDAS) where possible. This can be selected when filing an application online or by emailing [forms@ipo.gov.uk](mailto:forms@ipo.gov.uk)

Uncertified copies of documents are still available for delivery by email as they do not require an official seal and signature. We will still issue paper copies by post when appropriate. You can request an uncertified copy of a document from the Sales Team by emailing [sales@ipo.gov.uk](mailto:sales@ipo.gov.uk) and giving your consent to receive it digitally. There is a flat fee of £5 per copy.

We will continue to update this page with any changes to services, as well as providing more details as they develop.

Further information on alterations to services for specific rights:

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## [IPO interrupted days](#)



This power is set out in rule 110 of the Patents Rules 2007, rule 75 of the Trade Marks Rules 2008, and rule 40 of the Designs Rules 2006. The notice of interruption will be published in our Journals and displayed at our sites.

The declaration of interrupted days means that most deadlines for:

- patents
- supplementary protection certificates
- trade marks,
- designs, and
- applications for these rights

which fall on an interrupted day will be extended to the next non-interrupted day. To help rights holders, businesses and IP professionals plan ahead, we will provide a minimum of 2 weeks' notice before ending the interrupted days period.

This applies to all time periods set out in the various relevant UK Acts and Rules, and to all non-statutory periods that have been specified by staff.

It does not apply to time periods set out under the various international IP treaties e.g. the Patent Cooperation Treaty, European Patent Convention, or the Madrid system, where the Office may be acting as a Receiving Office. Remedies are available under the various international systems.

This period of interruption does not affect filing dates of IP applications which are filed at the Office and do not claim priority from a previous application. These will be assigned a filing date under the usual rules.

We are taking this action in view of the disruption to applicants' businesses and ability to receive and send post by the current coronavirus pandemic. It is consistent with action taken by other intellectual property offices such as the European Patent Office and the European Union Intellectual Property

Office.

Following a review, we have decided to bring the interrupted days period to an end on 29 July. This will mean that the first normal day of operation when all interrupted days deadlines expire will be Thursday 30 July.

This action relaxes the requirements on applicants or rights-holders to act by certain deadlines. To keep work moving and avoid a surge of work once the interruption period ends, please aim to meet original deadlines where possible.

We remain operational and able to conduct all forms of business but there are impacts on certain processes. We are extending the ways in which we can communicate with our customers electronically and advise our customers to use alternatives to post.

Published 27 March 2020

Last updated 22 June 2020 [+ show all updates](#)

1. 22 June 2020

An update to inform customers of the end of interrupted days

2. 29 May 2020

Update to the period of interruption and the next date for review

3. 7 May 2020

We reviewed interrupted days on 7 May and have decided to continue with the period of interruption. We will review again on 28 May. We will give customers advance notice (at least 2 weeks) to plan prior to the end of interrupted days.

4. 22 April 2020

We have confirmed the continuation of our interrupted days period.

5. 27 March 2020

First published.

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**[Alterations to our services –  
tribunals and hearings](#)**

## Tribunals

When contacting us for Tribunals services, please use the [forms@ipo.gov.uk](mailto:forms@ipo.gov.uk) email address to file all forms for which there is no online process. Please use the [tribunalsection@ipo.gov.uk](mailto:tribunalsection@ipo.gov.uk) email address to file all evidence.

## Oppositions

The filing of a TM7A only extends the period for filing an opposition to 3 months from the publication date of the mark you are considering opposing.

This means that in some cases, despite filing the TM7A, the TM7 will also be due on the first day that is not interrupted. For applications published on or before 24 April 2020 the TM7A will have no effect and the Form TM7 must be filed.

For more specific guidance please see check your publication date against the effect of the TM7A as follows (these take into account weekends and a bank holiday):

<b>Publication date</b>	<b>Opposition deadline</b>	<b>Extendible by filing TM7A?</b>
24 April 2020 or before	24 June 2020	No. TM7 needs to be filed on or before 30 July. Yes. NB: TM7A must be filed no later than 30 July. Extends opposition deadline (TM7) to 1 August.
1 May 2020	1 July 2020	Yes. NB: Must be filed no later than 30 July. Extends opposition deadline (TM7) to 8 August.
8 May 2020	8 July 2020	Yes. NB: Must be filed no later than 30 July. Extends opposition deadline (TM7) to 15 August.
15 May 2020	15 July 2020	Yes. NB: Must be filed no later than 30 July. Extends opposition deadline (TM7) to 22 August.
22 May 2020	22 July 2020	Yes. NB: Must be filed no later than 30 July. Extends opposition deadline (TM7) to 29 August 2020.

## **Defences (Form TM8)**

The TM8 deadline cannot be extended (unless parties mutually agree to enter a cooling-off period and file Form TM9c, which must be filed by 30 July). We strongly recommend that parties meet the existing deadline.

## **Deadlines and Extensions of time**

We are now working to our usual deadlines. For parties who are currently involved in proceedings with the tribunal, they should adhere to the timetable advised. Further correspondence will be issued when they get to the next evidential round.

Extensions of time should be filed in the normal manner (Form TM9 and accompanying reasons). We can consider appeals to the Appointed Person and appeals to the Court must be made directly to the Court.

## **Hearings service**

Whilst we have limited access to our sites, we are not able to hold hearings in person. This will be kept under review. In the meantime, we will continue to operate hearings via telephone, Skype or other virtual methods.

We have contacted parties if their current hearing arrangements need to change. Some hearings, such as cross-examination, may not be suitable for telephone, Skype or other virtual methods and may need to be postponed.

## **Company Names Tribunal**

When contacting us for the Company Names Tribunal's services, please use the [forms@ipo.gov.uk](mailto:forms@ipo.gov.uk) email address to file all forms. There is no online process. Please use the [cna@ipo.gov.uk](mailto:cna@ipo.gov.uk) email address to file all correspondence and all evidence. This will ensure that we have an electronic record of your filing and that it will be processed as soon as possible.

Please note that the tribunal is located at the Intellectual Property Office and its sites are currently closed. The tribunal is now operational, though parties should expect some delays. Forms will be processed when tribunal staff are able to access normal office processes.

We are able to accept electronic signatures on forms and other documents. Any new deadlines set will be extended; for example, to file a defence, to file evidence, to change a company name and to appeal the decision of the adjudicators. The setting of deadlines will be kept under review during the coming weeks.

We will continue to update this page with any changes to services, as well as providing more details as they develop.

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## [Alterations to services – trade marks and designs](#)



### **Applications for new trade marks and designs**

For new applications you should use our online systems. Since the outbreak of Covid-19 we have received an unprecedented increase in the number of trade mark filings. It is currently taking us longer to examine new applications than normal, with examination reports now being issued between 20-30 working days after filing. This has led to a large increase in calls to our Information Centre. To help us manage waiting times please do not call to chase examination reports unless 30 working days have passed since the application was submitted.

### **Time periods for reply**

We have now reverted to 2 month time periods to respond to examination reports. This will apply to reports issued from 31 July 2020 onwards. We will be flexible when it comes to allowing extensions if Covid-19 has caused you difficulties. There is no [fee](#) for requesting more time.

### **Replying to us**

Customers responding to trade mark and design examination and hearing reports, and filing evidence, should use the reply button in the examination report or email address provided.

### **Publishing in the trade marks journal**

All accepted trade marks are now being published for opposition purposes. Even those for which we need to notify owners of any UK earlier marks (and international marks with UK designation) by post. We will continue to send notifications by email if we have an email address recorded on our database. Please check junk folders for emails which may end up there.



# International designations and applications

We continue to receive and process International registrations designating the UK. We will continue to communicate by email if we are able to locate an email address for the holder. If we cannot, we will post correspondence.

## Applications for professional representation

Currently we can only receive electronic applications for professional representation before the EUIPO. We are also processing applications on a monthly 'block' basis, rather than individually.

Please email applications for professional representation to [paperformcontingency@ipo.gov.uk](mailto:paperformcontingency@ipo.gov.uk). Please use the subject line 'Professional Representation before EUIPO'.

Further guidance is available on our dedicated pages for protecting your [trade mark](#) or [design abroad](#).

We will continue to update this page with any changes to services, as well as providing more details as they develop.

Published 27 March 2020

Last updated 7 September 2020 [+ show all updates](#)

### 1. 7 September 2020

Deleted information on registration of the backlog by end of August as this is now complete.

### 2. 17 August 2020

Extra information added about the length of time taking to examine TM applications currently

### 3. 30 July 2020

Updated because of the end of interrupted days

### 4. 15 July 2020

Update on the situation with posting and adding in information on process for registering trade marks at the end of interrupted days

### 5. 26 June 2020

Additional paragraph included – Applications for professional representation.

### 6. 4 June 2020

Edited sections on registration, International designations and

publishing in the trade mark journal to reflect the latest position – specifically on the limited ability to print and post.

7. 26 May 2020

We have updated our information on filing relating to interrupted days.

8. 4 May 2020

Updated information on time periods for reply, replying to us, publishing in the trade marks journal, registration and certificates, and international designs and applications.

9. 9 April 2020

Information on alterations to services – trade marks and designs updated.

10. 27 March 2020

First published.

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## [Inaccurate tax returns lands takeaway boss with ban](#)

Zhipeng Cao (49), from Leigh-On-Sea, Essex, was appointed as the sole registered director at the same time Good Food Station Gate Limited was incorporated in January 2014.

The company traded as Good Food – a Chinese takeaway on Station Gate in Laindon, Basildon – but began to experience difficulties and in April 2019, entered into insolvency proceedings.

This brought the company to the attention of the Insolvency Service, who investigated the conduct of Zhipeng Cao and how his actions contributed to the collapse of the company.

Investigators uncovered that between January 2014 and April 2018, Zhipeng Cao caused Good Food Station Gate to submit inaccurate tax returns. The company failed to declare a true reflection of sales and under-declared corporation tax.

On 6 March 2020, the Secretary of State accepted a disqualification undertaking from Zhipeng Cao after he did not dispute that he failed to ensure Good Food Station Gate Limited submitted accurate tax returns, resulting in under declared tax liabilities totalling just over £650,000.

Effective from 27 March 2020, Zhipeng Cao is banned for 6 years from acting as a director or directly or indirectly becoming involved, without the permission of the court, in the promotion, formation or management of a company.

Lawrence Zussman, Deputy Head of Insolvent Investigations for the Insolvency Service, said:

As the registered director, Zhipeng Cao had total responsibility for ensuring Good Food Station Gate paid the right tax but he failed to do so throughout the life of the company.

Zhipeng Cao failed to take his responsibilities as a director seriously and his six-year ban will remove him from the business environment, helping protect his creditors from further losses.

Zhipeng Cao is from Leigh-On-Sea, Essex and his date of birth is December 1970.

Good Food Station Gate Limited (Company Reg no. 08838443).

Disqualification undertakings are the administrative equivalent of a disqualification order but do not involve court proceedings. Persons subject to a disqualification order are bound by a [range of other restrictions](#).

[Further information about the work of the Insolvency Service, and how to complain about financial misconduct, is available.](#)

You can also follow the Insolvency Service on: