



Trade Marks Act 1994

1994 CHAPTER 26

PART II

COMMUNITY TRADE MARKS AND INTERNATIONAL MATTERS

The Paris Convention: supplementary provisions

57 National emblems, &c. of Convention countries: Article 6ter.

- (1) A trade mark which consists of or contains the flag of a Convention country shall not be registered without the authorisation of the competent authorities of that country, unless it appears to the registrar that use of the flag in the manner proposed is permitted without such authorisation.
- (2) A trade mark which consists of or contains the armorial bearings or any other state emblem of a Convention country which is protected under the Paris Convention [^{F1}or the WTO agreement] shall not be registered without the authorisation of the competent authorities of that country.
- (3) A trade mark which consists of or contains an official sign or hallmark adopted by a Convention country and indicating control and warranty shall not, where the sign or hallmark is protected under the Paris Convention [^{F1}or the WTO agreement], be registered in relation to goods or services of the same, or a similar kind, as those in relation to which it indicates control and warranty, without the authorisation of the competent authorities of the country concerned.
- (4) The provisions of this section as to national flags and other state emblems, and official signs or hallmarks, apply equally to anything which from a heraldic point of view imitates any such flag or other emblem, or sign or hallmark.
- (5) Nothing in this section prevents the registration of a trade mark on the application of a national of a country who is authorised to make use of a state emblem, or official sign or hallmark, of that country, notwithstanding that it is similar to that of another country.

Status: Point in time view as at 29/07/1999.

Changes to legislation: There are currently no known outstanding effects for the Trade Marks Act 1994, Section 57. (See end of Document for details)

- (6) Where by virtue of this section the authorisation of the competent authorities of a Convention country is or would be required for the registration of a trade mark, those authorities are entitled to restrain by injunction any use of the mark in the United Kingdom without their authorisation.

Textual Amendments

F1 Words in s. 57(2)(3) inserted (29.7.1999) by S.I. 1999/1899, reg. 13(5)

Status:

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