

## SCHEDULES

### SCHEDULE 3

#### EXCEPTED AGREEMENTS

##### *Trade marks*

- 4 (1) This Act does not apply to an agreement made in accordance with regulations approved by the Secretary of State under section 37 of the Trade Marks Act 1938 (which makes provision as to certification trade marks) authorising the use of such a trade mark, being an agreement under which no such restrictions as are described in section 6(1) above are accepted or no such information provisions as are described in section 7(1) above are made other than restrictions or information provisions permitted by those regulations.
- (2) This Act does not apply to an agreement—
- (a) between the registered proprietor of a trade mark (other than a certification trade mark) and a person authorised by the agreement to use the mark subject to registration as a registered user under section 28 of the Trade Marks Act 1938 (which makes provision as to registered users); and
  - (b) under which no such restrictions as are described in section 6(1) are accepted or no such information provisions as are described in section 7(1) are made except in respect of—
    - (i) the descriptions of goods bearing the mark which are to be produced or supplied ; or
    - (ii) the processes of manufacture to be applied to such goods or to goods to which the mark is to be applied.