



Trade Marks Act 1994

CHAPTER 26

TRADE MARKS ACT 1994

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Status: Point in time view as at 01/07/1995.

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

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General

- 1 The provisions of this Act apply to collective marks subject...

Signs of which a collective mark may consist

- 2 In relation to a collective mark the reference in section...

Indication of geographical origin

- 3 (1) Notwithstanding section 3(1)(c), a collective mark may be registered...

Mark not to be misleading as to character or significance

- 4 (1) A collective mark shall not be registered if the...

Regulations governing use of collective mark

- 5 (1) An applicant for registration of a collective mark must...

Approval of regulations by registrar

- 6 (1) A collective mark shall not be registered unless the...
- 7 (1) The registrar shall consider whether the requirements mentioned in...
- 8 The regulations shall be published and notice of opposition may...

Regulations to be open to inspection

- 9 The regulations governing the use of a registered collective mark...

Amendment of regulations

- 10 (1) An amendment of the regulations governing the use of...

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Infringement: rights of authorised users

- 11 The following provisions apply in relation to an authorised user...
12 (1) The following provisions (which correspond to the provisions of...

Grounds for revocation of registration

- 13 Apart from the grounds of revocation provided for in section...

Grounds for invalidity of registration

- 14 Apart from the grounds of invalidity provided for in section...

SCHEDULE 2 — Certification marks

General

- 1 The provisions of this Act apply to certification marks subject...

Signs of which a certification mark may consist

- 2 In relation to a certification mark the reference in section...

Indication of geographical origin

- 3 (1) Notwithstanding section 3(1)(c), a certification mark may be registered...

Nature of proprietor's business

- 4 A certification mark shall not be registered if the proprietor...

Mark not to be misleading as to character or significance

- 5 (1) A certification mark shall not be registered if the...

Regulations governing use of certification mark

- 6 (1) An applicant for registration of a certification mark must...

Approval of regulations, &c.

- 7 (1) A certification mark shall not be registered unless—
8 (1) The registrar shall consider whether the requirements mentioned in...
9 The regulations shall be published and notice of opposition may...

Regulations to be open to inspection

- 10 The regulations governing the use of a registered certification mark...

Amendment of regulations

- 11 (1) An amendment of the regulations governing the use of...

Consent to assignment of registered certification mark

- 12 The assignment or other transmission of a registered certification mark...

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Infringement: rights of authorised users

- 13 The following provisions apply in relation to an authorised user...
14 In infringement proceedings brought by the proprietor of a registered...

Grounds for revocation of registration

- 15 Apart from the grounds of revocation provided for in section...

Grounds for invalidity of registration

- 16 Apart from the grounds of invalidity provided for in section...

SCHEDULE 3 — Transitional provisions

Introductory

- 1 (1) In this Schedule— “existing registered mark” means a trade...

Existing registered marks

- 2 (1) Existing registered marks (whether registered in Part A or...
3 (1) A condition entered on the former register in relation...

Effects of registration: infringement

- 4 (1) Sections 9 to 12 of this Act (effects of...

Infringing goods, material or articles

- 5 Section 16 of this Act (order for delivery up of...

Rights and remedies of licensee or authorised user

- 6 (1) Section 30 (general provisions as to rights of licensees...

Co-ownership of registered mark

- 7 The provisions of section 23 of this Act (co-ownership of...

Assignment, &c. of registered mark

- 8 (1) Section 24 of this Act (assignment or other transmission...

Licensing of registered mark

- 9 (1) Sections 28 and 29(2) of this Act (licensing of...

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- 10 (1) An application for registration of a mark under the...

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- 11 (1) In the case of a pending application for registration...

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- 12 The registrar may exercise the powers conferred by rules under...

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Claim to priority from overseas application

- 13 Section 35 of this Act (claim to priority of Convention...
14 (1) Where before the commencement of this Act a person...

Duration and renewal of registration

- 15 (1) Section 42(1) of this Act (duration of original period...

Pending application for alteration of registered mark

- 16 An application under section 35 of the 1938 Act (alteration...

Revocation for non-use

- 17 (1) An application under section 26 of the 1938 Act...

Application for rectification, &c.

- 18 (1) An application under section 32 or 34 of the...

Regulations as to use of certification mark

- 19 (1) Regulations governing the use of an existing registered certification...

Sheffield marks

- 20 (1) For the purposes of this Schedule the Sheffield register...

Certificate of validity of contested registration

- 21 A certificate given before the commencement of this Act under...

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- 22 (1) Rules in force immediately before the commencement of this...

SCHEDULE 4 — Consequential amendments

General adaptation of existing references

- 1 (1) References in statutory provisions passed or made before the...

Patents and Designs Act 1907 (c.29)

- 2 (1) The Patents and Designs Act 1907 is amended as...

Patents, Designs, Copyright and Trade Marks (Emergency) Act 1939(c.107)

- 3 (1) The Patents, Designs, Copyright and Trade Marks (Emergency) Act...

Trade Descriptions Act 1968 (c.29)

- 4 In the Trade Descriptions Act 1968, in section 34 (exemption...

Solicitors Act 1974 (c.47)

- 5 (1) Section 22 of the Solicitors Act 1974 (preparation of...

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House of Commons Disqualification Act 1975 (c.24)

6 In Part III of Schedule 1 to the House of...

Restrictive Trade Practices Act 1976 (c.34)

7 In Schedule 3 to the Restrictive Trade Practices Act 1976...

Copyright, Designs and Patents Act 1988 (c.48)

8 (1) The Copyright, Designs and Patents Act 1988 is amended...

Tribunals and Inquiries Act 1992 (c.53)

9 In Part I of Schedule 1 to the Tribunals and...

SCHEDULE 5 — Repeals and revocations

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