



Trade Marks Act 1994

CHAPTER 26

TRADE MARKS ACT 1994

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Status: Point in time view as at 03/04/2006.

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

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- 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...

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Amendment of regulations

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

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...

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Consent to assignment of registered certification mark

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

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...

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

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

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- 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...

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- 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...

Pending applications for registration

- 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...

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...

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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...

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

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

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Sheffield marks

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

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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...

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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...

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Solicitors Act 1974 (c.47)

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

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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