



Trade Marks Act 1994

1994 CHAPTER 26

PART III

ADMINISTRATIVE AND OTHER SUPPLEMENTARY PROVISIONS

Legal proceedings and appeals

76 Appeals from the registrar.

- (1) An appeal lies from any decision of the registrar under this Act, except as otherwise expressly provided by rules.

For this purpose “decision” includes any act of the registrar in exercise of a discretion vested in him by or under this Act.

- (2) Any such appeal may be brought either to an appointed person or to the court.
- (3) Where an appeal is made to an appointed person, he may refer the appeal to the court if—
- (a) it appears to him that a point of general legal importance is involved,
 - (b) the registrar requests that it be so referred, or
 - (c) such a request is made by any party to the proceedings before the registrar in which the decision appealed against was made.

Before doing so the appointed person shall give the appellant and any other party to the appeal an opportunity to make representations as to whether the appeal should be referred to the court.

- (4) Where an appeal is made to an appointed person and he does not refer it to the court, he shall hear and determine the appeal and his decision shall be final.
- (5) The provisions of sections 68 and 69 (costs and security for costs; evidence) apply in relation to proceedings before an appointed person as in relation to proceedings before the registrar.

Status: Point in time view as at 29/09/1994. This version of this provision has been superseded.

*Changes to legislation: There are currently no known outstanding effects
for the Trade Marks Act 1994, Section 76. (See end of Document for details)*

Modifications etc. (not altering text)

C1 [S. 76](#) applied (with modifications) (14.8.1996) by [S.I. 1996/1908](#), **reg. 3(3)**

Commencement Information

I1 [S. 76](#) wholly in force at 31.10.1994; [s. 76](#) not in force at Royal Assent see [s. 109](#); [s. 76\(1\)](#) in force for certain purposes at 29.9.1994 and at 31.10.1994 insofar as [s. 76](#) not already in force by [S.I. 1994/2550](#), [arts. 2, 3\(1\)](#), **Sch.**

Status:

Point in time view as at 29/09/1994. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Trade Marks Act 1994, Section 76.