



Trade Marks Act 1994

1994 CHAPTER 26

PART III

ADMINISTRATIVE AND OTHER SUPPLEMENTARY PROVISIONS

Trade mark agents

85 Power to prescribe conditions, &c. for mixed partnerships and bodies corporate

- (1) The Secretary of State may make rules prescribing the conditions to be satisfied for the purposes of section 84 (persons entitled to be described as registered trade mark agents)—
 - (a) in relation to a partnership where not all the partners are qualified persons, or
 - (b) in relation to a body corporate where not all the directors are qualified persons, and imposing requirements to be complied with by such partnerships or bodies corporate.
- (2) The rules may, in particular—
 - (a) prescribe conditions as to the number or proportion of partners or directors who must be qualified persons;
 - (b) impose requirements as to—
 - (i) the identification of qualified and unqualified persons in professional advertisements, circulars or letters issued by or with the consent of the partnership or body corporate and which relate to its business, and
 - (ii) the manner in which a partnership or body corporate is to organise its affairs so as to secure that qualified persons exercise a sufficient degree of control over the activities of unqualified persons.
- (3) Contravention of a requirement imposed by the rules is an offence for which a person is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) In this section “qualified person” means a registered trade mark agent.