



# Trade Marks Act 1994

## 1994 CHAPTER 26

### PART III

#### ADMINISTRATIVE AND OTHER SUPPLEMENTARY PROVISIONS

##### *Trade mark agents*

#### **87 Privilege for communications with registered trade mark agents.**

- (1) This section applies to<sup>F1</sup>—
- (a) communications as to any matter relating to the protection of any design or trade mark, or as to any matter involving passing off<sup>F2</sup>, and
  - (b) documents, material or information relating to any matter mentioned in paragraph (a).]
- <sup>F3</sup>(2) Where a trade mark attorney acts for a client in relation to a matter mentioned in subsection (1), any communication, document, material or information to which this section applies is privileged from disclosure in like manner as if the trade mark attorney had at all material times been acting as the client's solicitor.]
- (3) In subsection (2) “trade mark <sup>F4</sup>attorney” means—
- (a) a registered trade mark <sup>F4</sup>attorney], or
  - (b) a partnership entitled to describe itself as a firm of registered trade mark <sup>F5</sup>attorneys], or
  - (c) <sup>F6</sup>any other unincorporated body or [a body corporate entitled to describe itself as a registered trade mark <sup>F4</sup>attorney].

#### **Textual Amendments**

**F1** Words in s. 87(1) renumbered as s. 87(1)(a) (1.1.2010) by [Legal Services Act 2007 \(c. 29\), s. 211\(2\), Sch. 21 para. 113\(a\)](#) (with [ss. 29, 192, 193](#)); [S.I. 2009/3250, art. 2\(h\)](#)

**F2** S. 87(1)(b) and word inserted (1.1.2010) by [Legal Services Act 2007 \(c. 29\), s. 211\(2\), Sch. 21 para. 113\(b\)](#) (with [ss. 29, 192, 193](#)); [S.I. 2009/3250, art. 2\(h\)](#)

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*Status: Point in time view as at 01/01/2010. This version of this provision has been superseded.*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 87. (See end of Document for details)*

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- F3** S. 87(2) substituted (1.1.2010) by Legal Services Act 2007 (c. 29), s. 211(2), **Sch. 21 para. 113(c)** (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(h)
- F4** Word in s. 87(3) substituted (1.1.2010) by Legal Services Act 2007 (c. 29), s. 211(2), **Sch. 21 para. 113(d)(i)** (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(h)
- F5** Word in s. 87(3) substituted (1.1.2010) by Legal Services Act 2007 (c. 29), s. 211(2), **Sch. 21 para. 113(d)(ii)** (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(h)
- F6** Words in s. 87(3)(c) inserted (1.1.2010) by Legal Services Act 2007 (c. 29), **ss. 184(6), 211(2)** (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(f)(i)

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**Modifications etc. (not altering text)**

- C1** S. 87 applied (with modifications) (14.8.1996) by S.I. 1996/1908, **reg. 5**

**Status:**

Point in time view as at 01/01/2010. 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 87.