



Trade Marks Act 1994

1994 CHAPTER 26

PART III

ADMINISTRATIVE AND OTHER SUPPLEMENTARY PROVISIONS

Trade mark agents

88 Power of registrar to refuse to deal with certain agents.

- (1) The Secretary of State may make rules authorising the registrar to refuse to recognise as agent in respect of any business under this Act—
- (a) a person who has been convicted of an offence under section 84 (unregistered persons describing themselves as registered trade mark agents);
 - (b) an individual whose name has been erased from and not restored to, or who is suspended from, the register of trade mark [^{F1}attorneys] on the ground of misconduct;
 - (c) a person who is found by the Secretary of State to have been guilty of such conduct as would, in the case of an individual registered in the register of trade mark [^{F2}attorneys], render him liable to have his name erased from the register on the ground of misconduct;
 - (d) a partnership or body corporate of which one of the partners or directors is a person whom the registrar could refuse to recognise under paragraph (a), (b) or (c) above.
- (2) The rules may contain such incidental and supplementary provisions as appear to the Secretary of State to be appropriate and may, in particular, prescribe circumstances in which a person is or is not to be taken to have been guilty of misconduct.

Textual Amendments

- F1** Word in s. 88(b) substituted (1.1.2010) by [Legal Services Act 2007 \(c. 29\), s. 211\(2\), Sch. 21 para. 114\(a\)](#) (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(h)

Status: Point in time view as at 01/10/2012.

Changes to legislation: Trade Marks Act 1994, Section 88 is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F2 Word in s. 88(c) substituted (1.1.2010) by Legal Services Act 2007 (c. 29), s. 211(2), **Sch. 21 para. 114(b)** (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(h)

Commencement Information

I1 S. 88 wholly in force at 31.10.1994; s. 88 not in force at Royal Assent see s. 109; s. 88 in force for certain purposes at 29.9.1994 and at 31.10.1994 insofar as not already in force by S.I. 1994/2550, arts. 2, 3(1), **Sch.**

Status:

Point in time view as at 01/10/2012.

Changes to legislation:

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