

Status: Point in time view as at 30/03/2006.

Changes to legislation: There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Cross Heading: Infringement: other exceptions. (See end of Document for details)

SCHEDULES

SCHEDULE 4

LONDON OLYMPICS ASSOCIATION RIGHT

Infringement: other exceptions

- 6 The London Olympics association right is not infringed by the use of a trade mark registered under the Trade Marks Act 1994 (c. 26) in relation to goods or services for which it is registered.
- 7 The London Olympics association right is not infringed by—
- (a) the use by a person of his own name or address,
 - (b) the use of indications concerning the kind, quality, quantity, intended purpose, value, geographical origin, time of production of goods or of rendering of services, or other characteristics of goods or services,
 - (c) the use of a representation which is necessary to indicate the intended purpose of a product or service;
- provided, in each case, that the use is in accordance with honest practices in industrial or commercial matters.
- 8 (1) The London Olympics association right is not infringed by the use of a representation—
- (a) in publishing or broadcasting a report of a sporting or other event forming part of the London Olympics,
 - (b) in publishing or broadcasting information about the London Olympics,
 - (c) as an incidental inclusion in a literary work, dramatic work, artistic work, sound recording, film or broadcast, within the meaning of Part I of the Copyright, Designs and Patents Act 1988 (c. 48) (copyright), or
 - (d) as an inclusion in an advertisement for a publication or broadcast of a kind described in paragraph (a) or (b).
- (2) But the exceptions in sub-paragraph (1)(a) and (b) do not apply to advertising material which is published or broadcast at the same time as, or in connection with, a report or information.
- 9 The London Olympics association right is not infringed by the use of a representation in relation to goods if—
- (a) they were put on the market in the European Economic Area in accordance with an authorisation granted by the London Organising Committee,
 - (b) the representation was used in relation to the goods when they were put on the market, and
 - (c) the London Organising Committee does not oppose further dealings in the goods for legitimate reasons (including, in particular, that the condition of the goods has been changed or impaired after they were put on the market).

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