
STATUTORY INSTRUMENTS

1992 No. 2672

**PATENTS
DESIGNS
TRADE MARKS**

**The Patents, Designs and Marks (Chile, Gambia,
Hong Kong, Italy, Japan, Lesotho and Swaziland)
(Convention and Relevant Countries) Order 1992**

Made - - - - *28th October 1992*
Laid before Parliament *9th November 1992*
Coming into force - - *1st December 1992*

At the Court at Buckingham Palace, the 28th day of October 1992

Present,

The Queen's Most Excellent Majesty in Council

Whereas Her Majesty is satisfied that provision has been made under the laws of Chile, Hong Kong, Italy, Japan, Lesotho and Swaziland whereby priority for the protection of service marks in respect of which application for registration under the Trade Marks Act 1938(1) has been made will be given on a basis comparable to that for which provision is made by section 39A of that Act(2) in relation to applications for registration made in a relevant country (as defined in that section):

Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by section 39A(7) of the said Act, section 13(1) of the Registered Designs Act 1949(3) and section 90(1) of the Patents Act 1977(4), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

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- (1) 1938 c. 22; the Act was applied, with modifications, to service marks by the Trade Marks (Amendment) Act 1984 (c. 19), section 1, as amended by the Patents, Designs and Marks Act 1986 (c. 39), section 2(1) and Schedule 3.
- (2) Section 39A was added by the Patents, Designs and Marks Act 1986 (c. 39), Schedule 2, paragraph 5, and is applied to service marks by the Trade Marks (Amendment) Act 1984 (c. 19), section 1(2) and Schedule 1, paragraph 18C, as respectively substituted and inserted by the Patents, Designs and Marks Act 1986, section 2(1)(a) and Schedule 2, paragraph 11.
- (3) 1949 c. 88.
- (4) 1977 c. 37.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

1. This Order may be cited as the Patents, Designs and Marks (Chile, Gambia, Hong Kong, Italy, Japan, Lesotho and Swaziland) (Convention and Relevant Countries) Order 1992 and shall come into force on 1st December 1992.

2. Chile, Gambia, Lesotho and Swaziland are convention countries for the purposes of all the provisions of the Registered Designs Act 1949 and for the purposes of section 5 of the Patents Act 1977.

3. Schedule 1 to the Trade Marks and Service Marks (Relevant Countries) Order 1986(5) shall be amended by the insertion therein, in proper alphabetical order, of the following countries: Chile, Gambia, Lesotho and Swaziland.

4. Schedule 2 to the Trade Marks and Service Marks (Relevant Countries) Order 1986 shall be amended by the insertion therein, in proper alphabetical order, of the following countries: Chile, Hong Kong, Italy, Japan, Lesotho and Swaziland.

G.I de Deney
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

The Governments of Chile, the Gambia, Lesotho and Swaziland have given notice of their respective accessions to the International Convention for the Protection of Industrial Property (as revised at Stockholm in 1967) (Cmnd. 4431). This Order declares each of those countries to be a convention country for the purposes of the Registered Designs Act 1949 and section 5 of the Patents Act 1977 and amends Schedule 1 of the Trade Marks and Service Marks (Relevant Countries) Order 1986 (“the 1986 Order”) to take account of the accessions.

This Order also adds Chile, Hong Kong, Italy, Japan, Lesotho and Swaziland to the list of countries specified in Schedule 2 to the 1986 Order as those in which an application for the registration of a service mark will give priority in respect of an application made in the United Kingdom within the following six months.