
STATUTORY INSTRUMENTS

1994 No. 2583

The Trade Marks Rules 1994

Disclaimers, limitations and alteration or surrender of registered trade mark

Surrender of registered trade mark; s. 45 (Forms TM22 & TM23)

26.—(1) Subject to paragraph (2) below, the proprietor may surrender a registered trade mark, by sending notice to the registrar—

- (a) on Form TM22 in respect of all the goods or services for which it is registered; or
- (b) on Form TM23, in respect only of those goods or services specified by him in the notice.

(2) A notice under paragraph (1) above shall be of no effect unless the proprietor in that notice—

- (a) gives the name and address of any person having a registered interest in the mark, and
- (b) certifies that any such person—
 - (i) has been sent not less than three months' notice of the proprietor's intention to surrender the mark, or
 - (ii) is not affected or if affected consents thereto.

(3) The registrar shall, upon the surrender taking effect, make the appropriate entry in the register and publish the same.