
STATUTORY INSTRUMENTS

1994 No. 2583

The Trade Marks Rules 1994

Preliminary

Citation and commencement

1. These Rules may be cited as the Trade Marks Rules 1994 and shall come into force on 31st October 1994.

Interpretation

2.—(1) In these Rules, unless the context otherwise requires—

“the Act” means the Trade Marks Act 1994;

“the Journal” means the Trade Marks Journal published in accordance with rule 65 below;

“the Office” means the Patent Office;

“old law” means the Trade Marks Act 1938(1)(as amended) and any rules made thereunder existing immediately before the commencement of the Act;

“proprietor” means the person registered as the proprietor of the trade mark;

“publish” means publish in the Journal;

“send” includes give;

“specification” means the statement of goods or services in respect of which a trade mark is registered or proposed to be registered;

“United Kingdom” includes the Isle of Man.

(2) In these Rules, except where otherwise indicated, a reference to a section is a reference to that section in the Act, a reference to a rule is a reference to that rule in these Rules, a reference to a Schedule is a reference to that Schedule to these Rules and a reference to a form is a reference to that form as published by the registrar under rule 3 below.

(3) In these Rules references to the filing of any application, notice or other document are to be construed as references to its being sent or delivered to the registrar at the Office.

Forms and directions of the registrar under s. 66

3.—(1) Any forms required by the registrar to be used for the purpose of registration of a trade mark or any other proceedings before him under the Act pursuant to section 66 and any directions with respect to their use shall be published and any amendment or modification of a form or of the directions with respect to its use shall be published(2).

(2) A requirement under this rule to use a form as published is satisfied by the use either of a replica of that form or of a form which is acceptable to the registrar and contains the information required by the form as published and complies with any directions as to the use of such a form.

(1) 1938 c. 22.

(2) The forms required to be used are published in the special edition of the Trade Marks Journal dated 31st October 1994.

Status: This is the original version (as it was originally made).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

Requirement as to fees

4.—(1) The fees to be paid in respect of any application, registration or any other matter under the Act and these Rules shall be those (if any) prescribed in relation to such matter by rules under section 79 (fees)(3).

(2) Any form required to be filed with the registrar in respect of any specified matter shall be subject to the payment of the fee (if any) prescribed in respect of that matter by those rules.

(3) See the Trade Marks (Fees) Rules 1994, S.I.2584/1994.