
STATUTORY INSTRUMENTS

2000 No. 136

The Trade Marks Rules 2000

Request for information, inspection of documents and confidentiality

Inspection of documents; ss. 67 & 76(1)

50.—(1) Subject to paragraphs (2) and (3) below, the registrar shall permit all documents filed or kept at the Office in relation to a registered mark or, where an application for the registration of a trade mark has been published, in relation to that application, to be inspected.

(2) The registrar shall not be obliged to permit the inspection of any such document as is mentioned in paragraph (1) above until she has completed any procedure, or the stage in the procedure which is relevant to the document in question, which she is required or permitted to carry out under the Act or these Rules.

(3) The right of inspection under paragraph (1) above does not apply to—

- (a) any document until fourteen days after it has been filed at the Office;
- (b) any document prepared in the Office solely for use therein;
- (c) any document sent to the Office, whether at its request or otherwise, for inspection and subsequent return to the sender;
- (d) any request for information under rule 48 above;
- (e) any document issued by the Office which the registrar considers should be treated as confidential;
- (f) any document in respect of which the registrar issues directions under rule 51 below that it be treated as confidential.

(4) Nothing in paragraph (1) shall be construed as imposing on the registrar any duty of making available for public inspection—

- (a) any document or part of a document which in her opinion disparages any person in a way likely to damage him; or
- (b) any document or information filed at or sent to or by the Office before 31st October 1994, or
- (c) any document or information filed at or sent to or by the Office after 31st October 1994 relating to an application for registration of a trade mark under the Trade Marks Act 1938.

(5) No appeal shall lie from a decision of the registrar under paragraph (4) above not to make any document or part of a document available for public inspection.