

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Trade Marks Act 1994 (Isle of Man) Order 1996, which modifies the Trade Marks Act 1994 (“the Act”) in its application to the Isle of Man, by making further modifications corresponding to the amendments of the Act (as it applies in the United Kingdom) made by the Trade Marks (Proof of Use, etc.) Regulations 2004 ([SI 2004/946](#)).

In addition, this Order makes a consequential amendment to the original modification to section 10(3) of the Act to take account of Council Regulation (EC) No.1383/2003 of 22nd July 2003 (“the Regulation”). The Regulation, which concerns customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights, takes effect on 1st July 2004 and replaces Council Regulation (EC) [No. 3294/1994](#) (OJ No L 341, 30.12.94, p7).