
STATUTORY INSTRUMENTS

2008 No. 1797

The Trade Marks Rules 2008

Renewal and restoration

Reminder of renewal of registration; section 43

34.—(1) Subject to paragraph (2) below, [^{F1}at least six months] before the expiration of the last registration of a trade mark, the registrar shall ^{F2}... send to the registered proprietor notice of the approaching expiration and inform the proprietor at the same time that the registration may be renewed in the manner described in rule 35.

(2) If it appears to the registrar that a trade mark may be registered under section 40 at any time within six months before or at any time on or after the date on which renewal would be due (by reference to the date of application for registration), the registrar shall be taken to have complied with paragraph (1) if the registrar sends to the applicant notice to that effect within one month following the date of actual registration.

[^{F3}(2A) The registrar is not subject to any liability by reason of any failure to notify the proprietor in accordance with paragraph (1) and no proceedings lie against any officer of the registrar in respect of any such failure.]

Textual Amendments

- F1** Words in rule 34(1) substituted (14.1.2019) by [The Trade Marks Regulations 2018 \(S.I. 2018/825\)](#), regs. 1(1), **40(2)(a)** (with Pt. 5)
- F2** Words in rule 34(1) omitted (14.1.2019) by virtue of [The Trade Marks Regulations 2018 \(S.I. 2018/825\)](#), regs. 1(1), **40(2)(b)** (with Pt. 5)
- F3** Rule 34(2A) inserted (14.1.2019) by [The Trade Marks Regulations 2018 \(S.I. 2018/825\)](#), regs. 1(1), **40(3)** (with Pt. 5)
-

Commencement Information

- I1** [Rule 34](#) in force at 1.10.2008, see [rule 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Trade Marks Rules 2008, Section 34.