



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART V

PATENT AGENTS AND TRADE MARK AGENTS

Trade mark agents

284 Privilege for communications with registered trade mark agents

- (1) This section applies to communications as to any matter relating to the protection of any design, trade mark or service mark, or as to any matter involving passing off.
- (2) Any such communication—
 - (a) between a person and his trade mark agent, or
 - (b) for the purpose of obtaining, or in response to a request for, information which a person is seeking for the purpose of instructing his trade mark agent,is privileged from disclosure in legal proceedings in England, Wales or Northern Ireland in the same way as a communication between a person and his solicitor or, as the case may be, a communication for the purpose of obtaining, or in response to a request for, information which a person seeks for the purpose of instructing his solicitor.
- (3) In subsection (1) “trade mark agent” means—
 - (a) a registered trade mark agent, or
 - (b) a partnership entitled to describe itself as a firm of registered trade mark agents, or
 - (c) a body corporate entitled to describe itself as a registered trade mark agent.
- (4) It is hereby declared that in Scotland the rules of law which confer privilege from disclosure in legal proceedings in respect of communications extend to such communications as are mentioned in subsection (1).