Trade Marks Act 1994

CHAPTER 26

TRADE MARKS ACT 1994

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2 In relation to a collective mark the reference in section...

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3 (1) Notwithstanding section 3(1)(c), a collective mark may be registered...
Mark not to be misleading as to character or significance

4 (1) A collective mark shall not be registered if the...

Regulations governing use of collective mark

5 (1) An applicant for registration of a collective mark must...

Approval of regulations by registrar

6 (1) A collective mark shall not be registered unless the...
7 (1) The registrar shall consider whether the requirements mentioned in...
8 The regulations shall be published and notice of opposition may...

Regulations to be open to inspection

9 The regulations governing the use of a registered collective mark...

Amendment of regulations

10 (1) An amendment of the regulations governing the use of...

Infringement: rights of authorised users

11 The following provisions apply in relation to an authorised user...
12 (1) The following provisions (which correspond to the provisions of...

Grounds for revocation of registration

13 Apart from the grounds of revocation provided for in section...

Grounds for invalidity of registration

14 Apart from the grounds of invalidity provided for in section...

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General

1 The provisions of this Act apply to certification marks subject...

Signs of which a certification mark may consist

2 In relation to a certification mark the reference in section...

Indication of geographical origin

3 (1) Notwithstanding section 3(1)(c), a certification mark may be registered...

Nature of proprietor’s business

4 A certification mark shall not be registered if the proprietor...

Mark not to be misleading as to character or significance

5 (1) A certification mark shall not be registered if the...
Regulations governing use of certification mark

6 (1) An applicant for registration of a certification mark must...

Approval of regulations, &c.

7 (1) A certification mark shall not be registered unless—
8 (1) The registrar shall consider whether the requirements mentioned in...
9 The regulations shall be published and notice of opposition may...

Regulations to be open to inspection

10 The regulations governing the use of a registered certification mark...

Amendment of regulations

11 (1) An amendment of the regulations governing the use of...

Consent to assignment of registered certification mark

12 The assignment or other transmission of a registered certification mark...

Infringement: rights of authorised users

13 The following provisions apply in relation to an authorised user...
14 In infringement proceedings brought by the proprietor of a registered...

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15 Apart from the grounds of revocation provided for in section...

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16 Apart from the grounds of invalidity provided for in section...

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1 (1) In this Schedule—“existing registered mark” means a trade...

Existing registered marks

2 (1) Existing registered marks (whether registered in Part A or...
3 (1) A condition entered on the former register in relation...

Effects of registration: infringement

4 (1) Sections 9 to 12 of this Act (effects of...

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5 Section 16 of this Act (order for delivery up of...

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7  The provisions of section 23 of this Act (co-ownership of...

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8  (1) Section 24 of this Act (assignment or other transmission...

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9  (1) Sections 28 and 29(2) of this Act (licensing of...

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11 (1) In the case of a pending application for registration...

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13  Section 35 of this Act (claim to priority of Convention...
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15  (1) Section 42(1) of this Act (duration of original period...

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16  An application under section 35 of the 1938 Act (alteration...

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17  (1) An application under section 26 of the 1938 Act...

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18  (1) An application under section 32 or 34 of the...

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19  (1) Regulations governing the use of an existing registered certification...

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20  (1) For the purposes of this Schedule the Sheffield register...

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21  A certificate given before the commencement of this Act under...
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(1) Rules in force immediately before the commencement of this...

SCHEDULE 4 — Consequential amendments

General adaptation of existing references

(1) References in statutory provisions passed or made before the...

Patents and Designs Act 1907 (c.29)

(1) The Patents and Designs Act 1907 is amended as...

Patents, Designs, Copyright and Trade Marks (Emergency) Act 1939(c.107)

(1) The Patents, Designs, Copyright and Trade Marks (Emergency) Act...

Trade Descriptions Act 1968 (c.29)

In the Trade Descriptions Act 1968, in section 34 (exemption...

Solicitors Act 1974 (c.47)

(1) Section 22 of the Solicitors Act 1974 (preparation of...

House of Commons Disqualification Act 1975 (c.24)

In Part III of Schedule 1 to the House of...

Restrictive Trade Practices Act 1976 (c.34)

In Schedule 3 to the Restrictive Trade Practices Act 1976...

Copyright, Designs and Patents Act 1988 (c.48)

(1) The Copyright, Designs and Patents Act 1988 is amended...

Tribunals and Inquiries Act 1992 (c.53)

In Part I of Schedule 1 to the Tribunals and...
Changes to legislation:
Trade Marks Act 1994 is up to date with all changes known to be in force on or before 12 May 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

Changes and effects yet to be applied to:
- s. 3(4) words omitted by S.I. 2019/269 Sch. 3 para. 2(2)
- s. 3(4A)(a) word inserted by S.I. 2019/269 Sch. 3 para. 2(3)(a)
- s. 3(4A)(b) and word omitted by S.I. 2019/269 Sch. 3 para. 2(3)(b)
- s. 3(4A)(c) words omitted by S.I. 2019/269 Sch. 3 para. 2(3)(c)
- s. 3(4B) omitted by S.I. 2019/269 Sch. 3 para. 2(4)
- s. 3(4D)(a) word inserted by S.I. 2019/269 Sch. 3 para. 2(5)(a)
- s. 3(4D)(b) and word omitted by S.I. 2019/269 Sch. 3 para. 2(5)(b)
- s. 3(4D)(c) words omitted by S.I. 2019/269 Sch. 3 para. 2(5)(c)
- s. 5(3) words omitted by S.I. 2019/269 Sch. 3 para. 3(2)
- s. 5(4)(aa) words omitted by S.I. 2019/269 Sch. 3 para. 3(3)
- s. 6(1)(a) comma omitted by S.I. 2019/269 Sch. 3 para. 4(2)(a)
- s. 6(1)(a) word inserted by S.I. 2019/269 Sch. 3 para. 4(2)(a)
- s. 6(1)(a) words omitted by S.I. 2019/269 Sch. 3 para. 4(2)(b)
- s. 6(1)(b) omitted by S.I. 2019/269 Sch. 3 para. 4(4)
- s. 6(1)(ba)(i) words inserted by S.I. 2019/269 Sch. 3 para. 4(5)(a)
- s. 6(1)(ba)(i) words substituted by S.I. 2019/269 Sch. 3 para. 4(5)(b)
- s. 6(2) words inserted by S.I. 2019/638 Sch. 8 para. 17(3)
- s. 6(2) words omitted by S.I. 2019/269 Sch. 3 para. 4(7)
- s. 6A(1)(b) word substituted by S.I. 2019/269 Sch. 3 para. 5(2)
- s. 6A(5) omitted by S.I. 2019/269 Sch. 3 para. 5(3)
- s. 6A(5A) omitted by S.I. 2019/269 Sch. 3 para. 5(3)
- s. 10A(1)(a) word substituted by S.I. 2019/269 Sch. 3 para. 6(2)
- s. 10A(5) words inserted by S.I. 2019/269 Sch. 3 para. 6(3)
- s. 11(1A) omitted by S.I. 2019/269 Sch. 3 para. 7(2)
- s. 11(1B) words omitted by S.I. 2019/269 Sch. 3 para. 7(3)
- s. 12(1) words inserted by S.I. 2019/265 reg. 5(2)
- s. 17(3) words substituted by S.I. 2019/265 reg. 5(3)
- s. 47(2D) omitted by S.I. 2019/269 Sch. 3 para. 9
- s. 47(2DA) omitted by S.I. 2019/269 Sch. 3 para. 9
- s. 51 words inserted by S.I. 2019/269 Sch. 3 para. 10
- s. 52 omitted by S.I. 2019/269 Sch. 3 para. 11
- s. 53 words omitted by S.I. 2019/638 Sch. 8 para. 18
- s. 87(3)(c) word inserted by S.I. 2019/269 Sch. 3 para. 12(2)
- s. 103(3) omitted by S.I. 2019/269 Sch. 3 para. 13
- s. 104 words inserted by S.I. 2019/269 Sch. 3 para. 14(2)
- s. 104 words inserted by S.I. 2019/269 Sch. 3 para. 14(3)
- s. 104 words inserted by S.I. 2019/269 Sch. 3 para. 14(4)
- s. 104 words inserted by S.I. 2019/269 Sch. 3 para. 14(5)
- s. 104 words inserted by S.I. 2019/638 Sch. 8 para. 19(2)
- s. 104 words inserted by S.I. 2019/638 Sch. 8 para. 19(3)
- s. 104 words inserted by S.I. 2019/638 Sch. 8 para. 19(4)
- s. 104 words inserted by S.I. 2019/638 Sch. 8 para. 19(5)
- s. 104 words omitted by S.I. 2019/638 Sch. 8 para. 19(6)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):
- s. 6(1)(aa) inserted by S.I. 2019/269 Sch. 3 para. 4(3)
- s. 6(1)(ab) inserted by S.I. 2019/638 Sch. 8 para. 17(2)
- s. 6(1A) inserted by S.I. 2019/269 Sch. 3 para. 4(6)
- s. 6(2A) inserted by S.I. 2019/269 Sch. 3 para. 4(8)
- s. 6(2B)(2C) inserted by S.I. 2019/638 Sch. 8 para. 17(4)
- s. 19(6)(a) words omitted by S.I. 2019/269 Sch. 3 para. 8
- s. 52A inserted by S.I. 2019/269 Sch. 1 para. 2
- s. 54A inserted by S.I. 2019/638 Sch. 4 para. 2
- s. 87(3)(d) inserted by S.I. 2019/269 Sch. 3 para. 12(3)
- s. 87(4) inserted by S.I. 2019/269 Sch. 3 para. 12(4)
- Sch. 2A inserted by S.I. 2019/269 Sch. 1 para. 3
- Sch. 2B inserted by S.I. 2019/638 Sch. 4 para. 3