



Trade Marks Act 1994

1994 CHAPTER 26

PART I

REGISTERED TRADE MARKS

Application for registered trade mark

32 Application for registration

- (1) An application for registration of a trade mark shall be made to the registrar.
- (2) The application shall contain—
 - (a) a request for registration of a trade mark,
 - (b) the name and address of the applicant,
 - (c) a statement of the goods or services in relation to which it is sought to register the trade mark, and
 - (d) a representation of the trade mark.
- (3) The application shall state that the trade mark is being used, by the applicant or with his consent, in relation to those goods or services, or that he has a *bona fide* intention that it should be so used.
- (4) The application shall be subject to the payment of the application fee and such class fees as may be appropriate.

33 Date of filing

- (1) The date of filing of an application for registration of a trade mark is the date on which documents containing everything required by section 32(2) are furnished to the registrar by the applicant.

If the documents are furnished on different days, the date of filing is the last of those days.

Status: This is the original version (as it was originally enacted).

- (2) References in this Act to the date of application for registration are to the date of filing of the application.

34 Classification of trade marks

- (1) Goods and services shall be classified for the purposes of the registration of trade marks according to a prescribed system of classification.
- (2) Any question arising as to the class within which any goods or services fall shall be determined by the registrar, whose decision shall be final.