



Trade Marks Act 1994

1994 CHAPTER 26

PART I

REGISTERED TRADE MARKS

Duration, renewal and alteration of registered trade mark

42 Duration of registration

- (1) A trade mark shall be registered for a period of ten years from the date of registration.
- (2) Registration may be renewed in accordance with section 43 for further periods of ten years.

43 Renewal of registration

- (1) The registration of a trade mark may be renewed at the request of the proprietor, subject to payment of a renewal fee.
- (2) Provision shall be made by rules for the registrar to inform the proprietor of a registered trade mark, before the expiry of the registration, of the date of expiry and the manner in which the registration may be renewed.
- (3) A request for renewal must be made, and the renewal fee paid, before the expiry of the registration.

Failing this, the request may be made and the fee paid within such further period (of not less than six months) as may be prescribed, in which case an additional renewal fee must also be paid within that period.

- (4) Renewal shall take effect from the expiry of the previous registration.
- (5) If the registration is not renewed in accordance with the above provisions, the registrar shall remove the trade mark from the register.

Status: This is the original version (as it was originally enacted).

Provision may be made by rules for the restoration of the registration of a trade mark which has been removed from the register, subject to such conditions (if any) as may be prescribed.

- (6) The renewal or restoration of the registration of a trade mark shall be published in the prescribed manner.

44 Alteration of registered trade mark

- (1) A registered trade mark shall not be altered in the register, during the period of registration or on renewal.
- (2) Nevertheless, the registrar may, at the request of the proprietor, allow the alteration of a registered trade mark where the mark includes the proprietor's name or address and the alteration is limited to alteration of that name or address and does not substantially affect the identity of the mark.
- (3) Provision shall be made by rules for the publication of any such alteration and the making of objections by any person claiming to be affected by it.