

Changes to legislation: There are currently no known outstanding effects for the Trade Marks Act 1994, Paragraph 5. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 2A

EUROPEAN UNION TRADE MARKS

Textual Amendments

- F1** Sch. 2A inserted (31.12.2020) by [The Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/269\)](#), reg. 1(1), [Sch. 1 para. 3](#) (as amended by [S.I. 2020/1050](#), regs. 1(2), [9\(b\)\(i\)\(ii\)](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

PART 1

EXISTING EUROPEAN UNION TRADE MARKS

Renewal of a comparable trade mark (EU) which expires within six months after IP completion day

- 5 (1) This paragraph applies to the renewal of the registration of a comparable trade mark (EU) which expires within the period beginning with IP completion day and ending with the end of the relevant period (and accordingly section 43(1) to (3A) does not apply).
- (2) The registration of the comparable trade mark (EU) may be renewed at the request of the proprietor before the expiry of the registration.
- (3) Where the registration of the comparable trade mark (EU) is not renewed in accordance with sub-paragraph (2)—
- (a) on, or as soon as reasonably practicable after, the expiry of the registration, the registrar must notify the proprietor that the registration has expired and of the manner in which the registration may be renewed; and
- (b) a request for renewal must be made within the period of six months beginning with the date of the notice.
- (4) If a request for renewal is made in respect of only some of the goods or services for which the comparable trade mark (EU) is registered, the registration is to be renewed for those goods or services only.
- (5) If the registration is not renewed in accordance with the above provisions, the registrar must remove the comparable trade mark (EU) from the register.
- (6) Section 43(4) and (6) applies to the registration of a comparable trade mark (EU) which is renewed in accordance with the above provisions.
- (7) In paragraph (1), the “relevant period” means the period of six months beginning with the day after that on which IP completion day falls.]

Changes to legislation:

There are currently no known outstanding effects for the Trade Marks Act 1994, Paragraph 5.