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**Changes to legislation:** There are currently no known outstanding effects for the Trade Marks Act 1994, Paragraph 18. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 3

#### TRANSITIONAL PROVISIONS

##### Commencement Information

- II** Sch. 3 wholly in force at 31.10.1994; Sch. 3 not in force at Royal Assent see s. 109; Sch. 3 paras. 10(2), 11(2), 12, 14(5) in force for certain purposes at 29.9.1994 and at 31.10.1994 insofar as Sch. 3 not already in force by [S.I. 1994/2550](#), arts. 2, 3(1), [Sch.](#)

##### *Application for rectification, &c.*

- 18 (1) An application under section 32 or 34 of the 1938 Act (rectification or correction of the register) which is pending on the commencement of this Act shall be dealt with under the old law and any necessary alteration made to the new register.
- (2) For the purposes of proceedings under section 47 of this Act (grounds for invalidity of registration) as it applies in relation to an existing registered mark, the provisions of this Act shall be deemed to have been in force at all material times.  
Provided that no objection to the validity of the registration of an existing registered mark may be taken on the ground specified in subsection (3) of section 5 of this Act (relative grounds for refusal of registration: conflict with earlier mark registered for different goods or services).

**Changes to legislation:**

There are currently no known outstanding effects for the Trade Marks Act 1994, Paragraph 18.