



# Trade Marks Act 1994

## 1994 CHAPTER 26

### PART IV

#### MISCELLANEOUS AND GENERAL PROVISIONS

##### *Interpretation*

#### **103 Minor definitions**

(1) In this Act—

“business” includes a trade or profession;

“director”, in relation to a body corporate whose affairs are managed by its members, means any member of the body;

“infringement proceedings”, in relation to a registered trade mark, includes proceedings under section 16 (order for delivery up of infringing goods, &c.);

“publish” means make available to the public, and references to publication—

(a) in relation to an application for registration, are to publication under section 38(1), and

(b) in relation to registration, are to publication under section 40(4);

“statutory provisions” includes provisions of subordinate legislation within the meaning of the Interpretation Act 1978;

“trade” includes any business or profession.

(2) References in this Act to use (or any particular description of use) of a trade mark, or of a sign identical with, similar to, or likely to be mistaken for a trade mark, include use (or that description of use) otherwise than by means of a graphic representation.

(3) References in this Act to a Community instrument include references to any instrument amending or replacing that instrument.