



Olympic Symbol etc. (Protection) Act 1995

1995 CHAPTER 32

Forfeiture of counterfeit goods, etc.

12 Forfeiture: Scotland.

- (1) Section 98 of the Trade Marks Act 1994 (which makes provision about the forfeiture of certain goods, material or articles on application by the procurator-fiscal or where a person is convicted of a relevant offence) shall also have effect with the following modifications.
- (2) In subsection (1) (which describes the goods, material or articles concerned)—
 - (a) in paragraph (a), for “sign identical to or likely to be mistaken for a registered trade mark” there shall be substituted “ representation within paragraph (a) or (b) of section 3(1) of the Olympic Symbol etc. (Protection) Act 1995 ”, and
 - (b) in paragraphs (b) and (c), for “sign” there shall be substituted “ representation ”.
- (3) In subsection (13) (power of court to direct release instead of destruction on condition that offending sign erased etc.) for “sign” there shall be substituted “ representation ”.
- (4) In subsection (14), in the definition of “relevant offence”, for “section 92 (unauthorised use of trade mark, &c. in relation to goods)” there shall be substituted “ section 8 of the Olympic Symbol etc. (Protection) Act 1995 ”.

Changes to legislation:

There are currently no known outstanding effects for the Olympic Symbol etc. (Protection) Act 1995, Section 12.