



Olympic Symbol etc. (Protection) Act 1995

1995 CHAPTER 32

Miscellaneous

16 Remedy for groundless threats of infringement proceedings.

- (1) Where the proprietor threatens another with proceedings for infringement of the Olympics association right other than—
 - (a) the application to goods or their packaging of a controlled representation,
 - (b) the importation of goods to which, or to the packaging of which, such a representation has been applied, or
 - (c) the supply of services under a sign which consists of or contains such a representation,any person aggrieved may bring proceedings for relief under this section.
- (2) The relief which may be applied for is any of the following—
 - (a) a declaration that the threats are unjustifiable,
 - (b) an injunction against the continuance of the threats, and
 - (c) damages in respect of any loss he has sustained by the threats;
- (3) A plaintiff under this section shall be entitled to the relief applied for unless the defendant shows that the acts in respect of which proceedings were threatened constitute (or if done would constitute) an infringement of the Olympics association right.
- (4) The mere notification of the rights conferred by this Act shall not constitute a threat of proceedings for the purposes of this section.

Modifications etc. (not altering text)

- C1** S. 16 applied (with modifications) (temp.) (30.3.2006) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), s. 40(1)(d)(8), [Sch. 4 para. 10](#)

Changes to legislation:

There are currently no known outstanding effects for the Olympic Symbol etc. (Protection) Act 1995, Section 16.