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SCHEDULE

EXCEPTIONS AND MODIFICATIONS SUBJECT TO WHICH THE TRADE MARKS ACT 1994 EXTENDS TO THE ISLE OF MAN

17.—(1) Section 106 and Schedules 4 and 5 shall have effect in relation only to statutory provisions which extend to the Isle of Man.

(2) In Schedule 4, at the appropriate places there shall be inserted the following paragraphs—

“Consumer Protection (Trade Descriptions) Act 1970 (an Act of Tynwald)

4. In the Consumer Protection (Trade Descriptions) Act 1970 (an Act of Tynwald), in section 34 (exemption of trade description contained in pre-1970 trade mark)—

- (a) in the opening words, omit “within the meaning of the Trade Marks Act 1938 (an Act of Parliament as extended to the Isle of Man by section 71(4) thereof),”;
- (b) in paragraph (c), for “a person registered under section 28 of the said Trade Marks Act 1938 as a registered user of the trade mark” substitute “, in the case of a registered trade mark, a person licensed to use it”.

Copyright Act 1991 (an Act of Tynwald)

8A. In section 113(6), for “section 58C of the Trade Marks Act 1938” substitute “section 19 of the Trade Marks Act 1994”.

Design Right Act 1991 (an Act of Tynwald)

8B. In section 19(6), for “section 58C of the Trade Marks Act 1938” substitute “section 19 of the Trade Marks Act 1994”.

Consumer Protection Act 1991 (an Act of Tynwald)

8C.—(1) In section 58(1), for “section 58A (fraudulent application or use of trade mark) of the Trade Marks Act 1938” substitute “section 92 (unauthorised use of trade mark &c in relation to goods) of the Trade Marks Act 1994”.

(2) In section 58(3), for “58A” substitute “92”.

(3) In Schedule 5, at the appropriate places in chronological order there shall be inserted the following entries—

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| “XXI p.482 | Consumer Protection (Trade Descriptions) Act 1970 (an Act of Tynwald). | Section 17. |
| 1980 c. 18 (IOM) | Misrepresentation and Unfair Contract Terms Act 1980 (an Act of Tynwald). | In Schedule 1,, in words from “The reference” onwards. |
| 1989 c. 6 (IOM) | Statute Law Revision Act 1989 (an Act of Tynwald). | In Schedule 1,, paragraph 32.” |
