
STATUTORY INSTRUMENTS

2003 No. 3204

EUROPEAN COMMUNITIES

**The European Communities (Enforcement of
Community Judgments) (Amendment) Order 2003**

Made - - - - *10th December 2003*
22nd December
Laid before Parliament *2003*
Coming into force - - *1st April 2004*

At the Court at Buckingham Palace, the 10th day of December 2003

Present

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 2(2) of the European Communities Act 1972⁽¹⁾, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation and commencement

1. This Order may be cited as the European Communities (Enforcement of Community Judgments) (Amendment) Order 2003 and shall come into force on 1st April 2004.

2.—(1) The European Communities (Enforcement of Community Judgments) Order 1972⁽²⁾ is amended as follows.

(2) In Article 2(1) there shall be inserted in the definition of “Community judgment” after the words “community trade mark” the words “or Article 71 of Regulation 6/2002 of 12 December 2001 on Community designs”⁽³⁾.

⁽¹⁾ 1972 c. 68.

⁽²⁾ S.I. 1972/1590, as amended by S.I. 1998/1259; there is also an amending Act but it is not relevant to this Order.

⁽³⁾ OJ No L 3, 5.1.2002, p 1.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

A. K. Galloway,
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

The European Communities (Enforcement of Community Judgments) Order (S.I.1972/1590) (the “1972 Order”) provides for the registration and enforcement in the United Kingdom of certain decisions, judgments and orders of Community institutions which Member States are required to make enforceable in accordance with national law.

This Order amends the 1972 Order to provide for the registration and enforcement as Community judgments of awards of costs made by the Office for Harmonisation in the Internal Market (“OHIM”). OHIM is an institution of the European Community established to administer the Community design pursuant to Council Regulation (EC) No 6/2002 (OJ No L 3, 5.1.2002, p 1). Under Article 71 of that Regulation, a decision of OHIM fixing an award of costs is enforceable and enforcement is to be governed by the rules of civil procedure in the Member State where it is to be carried out.

A regulatory impact assessment is available, copies of which have been placed in the libraries of both Houses of Parliament. Copies of the assessment are also available from the Intellectual Property and Innovation Directorate of the Patent Office, Room 3B.38 Concept House, Cardiff Road, Newport NP10 8QQ.