
STATUTORY INSTRUMENTS

2004 No. 948

**The Trade Marks (International
Registration) (Amendment) Order 2004**

Transitional provisions

8.—(1) Any proceedings commenced under article 10 of the unamended Order where the holder—

(a) has not filed Form TM8 before 5th May 2004—

(i) shall proceed under the unamended Order until the date upon which Form TM8 is filed by the holder; and

(ii) shall proceed, subject to paragraph (2), under the amended Order from the point in time immediately after Form TM8 is filed;

(b) has filed TM8 before 5th May 2004 shall proceed under the unamended Order; but where a new step is taken under such Order on or after 5th May 2004, the amended Order, subject to paragraph (2), shall apply to proceedings from the point in time immediately after that step is taken.

(2) Article 10C(2) shall not apply rule 13C(1)(b) of the Trade Marks Rules 2000 to any proceedings commenced before the coming into force of this Order.

(3) In this article—

“the unamended Order” means the Trade Marks (International Registration) Order 1996 in the form it was immediately prior to this Order coming into force;

“the amended Order” means the Trade Marks (International Registration) Order 1996 in the form it is after this Order has come into force.