
STATUTORY INSTRUMENTS

2018 No. 825

The Trade Marks Regulations 2018

PART 2

Amendments to the 1994 Act

Reproduction of trade marks in dictionaries, encyclopaedias etc.

31. After section 99, insert—

“99A Reproduction of trade marks in dictionaries, encyclopaedias etc.

(1) Subsection (2) applies if the reproduction of a trade mark in a dictionary, encyclopaedia or similar reference work, in print or electronic form, gives the impression that it constitutes the generic name of the goods or services for which the trade mark is registered.

(2) The publisher of the work must, at the request in writing of the proprietor of the trade mark, ensure that the reproduction of the trade mark is accompanied by an indication that it is a registered trade mark.

(3) The action required by subsection (2) must be taken—

- (a) without delay, and
- (b) in the case of works in printed form, at the latest in the next edition of the publication.

(4) If the publisher fails to take any action required by subsection (2) the court may, on an application by the proprietor—

- (a) order the publisher to take the action concerned;
- (b) if the work is in printed form, order the publisher to erase or amend the reproduction of the trade mark or secure the destruction of copies of the work in the publisher's possession, custody or control; or
- (c) grant such other order as the court in the circumstances considers appropriate.”.

Changes to legislation:

There are currently no known outstanding effects for the The Trade Marks Regulations 2018, Section 31.