

### SCHEDULE 3

#### Other amendments to the 1994 Act

#### **Privilege for communications with registered trade mark agents**

**12.**—(1) Section 87(3) is amended as follows.

(2) At the end of paragraph (c) insert “or”.

(3) After paragraph (c) insert—

“(d) a person whose name appears on the list of professional representatives for trade mark matters maintained by the European Union Intellectual Property Office referred to in Article 120 of the European Union Trade Mark Regulation.”

(4) After subsection (3) insert—

“(4) Where a trade mark attorney is a person falling within subsection (3)(d), subsection (2) applies as if the reference to a matter mentioned in subsection (1) were a reference to a matter relating to the protection of a trade mark.”