

SCHEDULE 5

Regulation 6

Consequential amendments, repeals, revocations, transitional and saving provisions

Consequential amendments

1. In section 24D(5)(b) of the Registered Designs Act 1949(1) omit “(including that section as applied by regulation 4 of the Community Trade Mark Regulations 2006 (SI 2006/1027))”.

2. In sections 114(6)(c), 204(6)(c) and 231(6)(c) of the Copyright, Designs and Patents Act 1988(2) omit “(including that section as applied by regulation 4 of the Community Trade Mark Regulations 2006 (SI 2006/1027))”.

3. In regulation 5(7)(b) of the Olympics Association Right (Infringement Proceedings) Regulations 1995(3) omit “(including that section as applied by regulation 4 of the Community Trade Marks Regulations 2006)”.

4. In regulation 1C(5)(d) of the Community Design Regulations 2005(4) omit “(including that section as applied by regulation 4 of the Community Trade Mark Regulations 2006 (SI 2006/1027))”.

5. In regulation 4(8)(b) of the Olympics, Paralympics and London Olympics Association Rights (Infringement Proceedings) Regulations 2010(5) omit “(including that section as applied by regulation 4 of the Community Trade Marks Regulations 2006)”.

Repeals and revocations

6. The enactments listed in column 1 of the Table are repealed or revoked to the extent specified in column 2.

<i>Enactment</i>	<i>Extent of repeal or revocation</i>
The Legal Services Act 2007(6)	Schedule 12, paragraph 110
The Intellectual Property (Unjustified Threats) Act 2017(7)	Section 3
Community Trade Mark (Amendment) Regulations 2008(8)	In its entirety
The European Union Trade Mark Regulations 2016(9)	Regulations 6 to 12
The Trade Marks Regulations 2018(10)	Regulations 7(2), 8(6), 23(7) and 27
Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14th June 2017 on the European Union trade mark(11)	In its entirety

(1) 1949 c. 88 as amended by S.I. 2006/1028, schedule 1, paragraph 3.

(2) 1988 c. 48.

(3) S.I. 1995/3325 as amended by S.I. 2010/2477, regulation 6.

(4) S.I. 2005/2339 as amended by S.I. 2006/1028, schedule 3, paragraph 9.

(5) S.I. 2010/2477.

(6) 2007 c. 29.

(7) 2017 c. 14.

(8) S.I. 2008/1959.

(9) S.I. 2016/299.

(10) S.I. 2018/825.

(11) O.J. No. L 154/1, 16.6.2017, p.1.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Trade Marks (Amendment etc.) (EU Exit) Regulations 2019 No. 269*

<i>Enactment</i>	<i>Extent of repeal or revocation</i>
Commission Implementing Regulation (EU) 2018/626 of 5th March 2018 ⁽¹²⁾	In its entirety
Commission Delegated Regulation (EU) 2018/625 of 5th March 2018 ⁽¹³⁾	In its entirety

Transitional and Saving Provisions

7.—(1) Any application or proceeding under the 1994 Act which was made or commenced before the coming into force of these Regulations shall be dealt with under the 1994 Act as it had effect before regulation 4 came into force.

(2) The repeal of section 52 of the 1994 Act (Power to make provision in connection with European Union Trade Mark Regulation) does not affect any proceedings which are pending on the coming into force of these Regulations before the EU trade mark courts designated by regulation 12 of the Community Trade Mark Regulations 2006⁽¹⁴⁾ insofar as such proceedings relate to the application and enforcement of a European Union trade mark in the United Kingdom.

⁽¹²⁾ O.J. No. L 104/1, 24.4.2018, p.37.

⁽¹³⁾ O.J. No. L 104/1, 24.4.2018, p.1.

⁽¹⁴⁾ [S.I. 2006/1027](#) as amended by, [S.I. 2008/1959](#), [2011/1043](#), [2016/299](#) and by the Intellectual Property (Unjustified Threats) Act 2017 (c.14), section 3.