

SCHEDULE 7

Amendments to the Trade Marks Rules

- 8.—(1) Rule 47 is amended as follows.
- (2) After paragraph (a) insert—
- “(aa) in the case of a comparable trade mark (IR), the date of registration as determined in accordance with paragraph 1 of Schedule 2B”.
- (3) After paragraph (b) insert—
- “(bb) in the case of a comparable trade mark (IR), the date of completion of the registration procedure which is the date of publication by the European Union Intellectual Property Office of the matters referred to in Article 190(2) of the European Union Trade Mark Regulation in respect of the existing IR(EU) from which the comparable trade mark (IR) derives”.
- (4) Before paragraph (d) insert—
- “(cc) in the case of a comparable trade mark (IR)—
- (i) the priority date (if any) accorded pursuant to a claim of priority filed in respect of the corresponding (IR) pursuant to Article 4 of the Paris Convention; and
- (ii) the number of the registered trade mark or international trade mark (UK) from which the corresponding (IR) claimed seniority (if any) and the seniority date;
- (cd) where the mark is registered pursuant to an application referred to in paragraph 28, 29 or 33 of Schedule 2B—
- (i) the priority date (if any) accorded pursuant to a claim to a right to priority made under paragraph 28(2)(b) (taking account of paragraph 28(5)), 29(2)(b) (taking account of paragraph 29(4)) or 33(2)(b) or (3)(b) (taking account of paragraph 33(4)) of Schedule 2B; and
- (ii) the number of the registered trade mark or international trade mark (UK) from which the application claims seniority (if any) and the seniority date;”.
- (5) After paragraph (n) insert—
- “(o) in the case of a comparable trade mark (IR) an indication that it is derived from an existing IR(EU), including the number of the international registration to which the existing IR(EU) is subject.”.