

## SCHEDULES

### SCHEDULE 2

#### CERTIFICATION MARKS

##### *Infringement: rights of authorised users*

- 13 The following provisions apply in relation to an authorised user of a registered certification mark as in relation to a licensee of a trade mark—
- (a) section 10(5) (definition of infringement: unauthorised application of mark to certain material);
  - (b) section 19(2) (order as to disposal of infringing goods, material or articles: adequacy of other remedies);
  - (c) section 89 (prohibition of importation of infringing goods, material or articles: request to Commissioners of Customs and Excise).
- 14 In infringement proceedings brought by the proprietor of a registered certification mark any loss suffered or likely to be suffered by authorised users shall be taken into account; and the court may give such directions as it thinks fit as to the extent to which the plaintiff is to hold the proceeds of any pecuniary remedy on behalf of such users.