
Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Cross Heading: Trade mark attorneys. (See end of Document for details)

SCHEDULES

SCHEDULE 5

AUTHORISED PERSONS

PART 2

RIGHTS DURING TRANSITIONAL PERIOD

Trade mark attorneys

- 16 (1) During the transitional period, every registered trade mark attorney is deemed to be authorised by the Institute of Trade Mark Attorneys to carry on reserved instrument activities.
- (2) During that period, every authorised trade mark attorney is deemed to be authorised by the Institute of Trade Mark Attorneys to administer oaths.
- (3) During that period, every trade mark attorney body is deemed to be authorised by the Institute of Trade Mark Attorneys to carry on the activities in sub-paragraph (4).
- (4) Those activities are any activities which are reserved legal activities within sub-paragraph (5) and which—
- (a) if the body is a partnership, any partner who is a registered trade mark attorney is authorised to carry on, or
 - (b) if the body is a body corporate, any director who is a registered trade mark attorney is authorised to carry on.
- (5) Those activities are—
- (a) the exercise of a right of audience;
 - (b) the conduct of litigation;
 - (c) reserved instrument activities;
 - (d) the administration of oaths.
- (6) The authority conferred by any of sub-paragraphs (1) to (3) is exercisable in accordance with and subject to the regulatory arrangements of the Institute of Trade Mark Attorneys.
- (7) In this paragraph—
- “authorised trade mark attorney” means a registered trade mark attorney who is authorised by the Institute of Trade Mark Attorneys to carry on one or both of the following activities—
 - (a) the exercise of a right of audience;
 - (b) the conduct of litigation;
 - “trade mark attorney body” means—

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- (a) a partnership all the partners of which are registered trade mark attorneys,
 - (b) a body corporate all the directors of which are registered trade mark attorneys, or
 - (c) a partnership or body corporate which satisfies the conditions prescribed under section 85 of the Trade Marks Act 1994 (c. 26);
- “registered trade mark attorney” has the same meaning as in the Trade Marks Act 1994.

Commencement Information

- II** Sch. 5 para. 16 wholly in force at 1.1.2010; Sch. 5 para. 16 not in force at Royal Assent see s. 211; Sch. 5 para. 16(7) in force for certain purposes at 31.3.2009 by S.I. 2009/503, art. 3, Sch. 5 para. 16 in force otherwise at 1.1.2010 by S.I. 2009/3250, art. 2(b)(ii) (with art. 9)

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