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STATUTORY INSTRUMENTS

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**2018 No. 825**

**The Trade Marks Regulations 2018**

**PART 4**

Amendments to the CTM Regulations and the International Registration Order

**Amendments to the CTM Regulations**

44. The CTM Regulations are amended in accordance with regulations 45 to 49.

**Determination of invalidity and liability to revocation in relation to claims of seniority**

45. In regulation 3(3) after “liable” insert “ as at the date of such removal or surrender ”.

**Remedies in infringement proceedings**

46. In regulation 5(1), for “Article 102(1)” substitute “ Article 130(1) ”.

**Conversion**

47.—(1) Regulation 10 is amended as follows.

(2) In paragraph (1), in the words before sub-paragraph (a), for “Article 112” substitute “ Article 139 ”.

(3) In paragraph (1)(b), for “Article 159(1)(a)” substitute “ Article 202(1)(a) ”.

(4) In paragraph (2), for “Article 113(3)” substitute “ Article 140(5) ”.

**Privilege for communications with those on the list of professional trade marks representatives**

48. In regulation 11(3), for “Article 93” substitute “ Article 120 ”.

**Designation of Community trade mark courts**

49.—(1) Regulation 12 is amended as follows.

(2) In paragraph (1), for “Article 95” substitute “ Article 123(1) ”.

(3) At the end of paragraph (1)(a)(i) insert “ and ”.

(4) Omit paragraph (1)(a)(ii).

**Amendments to the International Registration Order**

50. The International Registration Order is amended in accordance with regulations 51 and 52.

**Provisions of the Act and Trade Mark Rules which do not apply to International Trade Marks (UK) or requests for extension**

**51.** In Part 2 of Schedule 1, after the entry in the table relating to “trade marks rule 13 (deficiencies in application; section 32)” insert—

“trade marks rule 28 (registration of a series of trade marks; section 41) (Form TM12).”.

**Modifications to provisions of the Act applied to International Trade Marks (UK)**

**52.** In paragraph 6 of Schedule 2 in the text relating to the modification of the 1994 Act by the insertion of section 38(B)(3) of the 1994 Act, omit “section 46(1)” and substitute “ sections 6A, 11A, 46(1) and 47(2A) ”.

**Changes to legislation:**

There are currently no known outstanding effects for the The Trade Marks Regulations 2018, PART 4.