
STATUTORY INSTRUMENTS

2013 No. 2237

TRADE MARKS

**The Trade Marks (International Registration)
(Amendment No. 2) Order 2013**

<i>Made</i>	- - - -	<i>4th September 2013</i>
<i>Laid before Parliament</i>		<i>6th September 2013</i>
<i>Coming into force</i>	- -	<i>1st October 2013</i>

The Secretary of State in exercise of the powers contained in section 54 of the Trade Marks Act 1994⁽¹⁾ and of the power conferred by the Department of Trade and Industry (Fees) Order 1988⁽²⁾ makes the following Order:

Citation and commencement

1. This Order may be cited as the Trade Marks (International Registration) (Amendment No. 2) Order 2013 and shall come into force on 1st October 2013.

Amendments to the Trade Marks (International Registration) Order 2008

2. The Table in Schedule 6 to the Trade Marks (International Registration) Order 2008⁽³⁾ shall be amended, as follows—

- (a) After the entry for “Notice of opposition to the conferring of protection on an international registration (trade marks rule 17)” insert—

“Notice of opposition to the conferring of protection on an £100 international registration where the grounds of opposition are based solely on either or both of sub-sections 5(1) and (2) of the Trade Marks Act 1994

Notice of fast track opposition to the conferring of protection on £100 an international registration (trade marks rule 17A)

(1) 1994 c.26.

(2) S.I. 1988/93 as amended by S.I. 1990/1473, which was made under section 102 of the Finance Act (No. 2) Act 1987 (c.51).

(3) S.I. 2008/2206, Schedule 6 of which has been amended by S.I. 2009/2464, S.I. 2010/32 and 2013/445. Other amendments have been made which are not relevant to this Order.

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Application to add grounds, other than under section 5(1) or 5(2) £100”
of the Act, to an opposition to the conferring of protection on an
international registration (trade marks rule 62(1)(e))

(b) after the final entry in the Table insert—

“Appeal to the person appointed under section 76 in proceedings £250”
between two or more parties (trade marks rule 71(1A))

4th September 2013

Younger of Leckie
Parliamentary Under Secretary of State for
Business, Innovation and Skills
Department for Business, Innovation and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the fees prescribed in Schedule 6 to The Trade Marks (International Registration) Order 2008. The Order provides for three fees of £100 which are payable on a notice of opposition to the conferring of protection on an international registration. The three fees are payable where: the grounds of opposition are based solely on either or both of sub-sections 5(1) and (2) of the Trade Marks Act 1994 (the “Act”); where notice is given of fast track opposition to the conferring of protection on an international registration (trade marks rule 17A) and upon an application to add grounds, other than under section 5(1) or 5(2) of the Act, to an opposition to the conferring of protection on an international registration (trade marks rule 62(1)(e)).

This Order provides for a fee of £250 to be payable on an appeal to the person appointed under section 76 of the Act in proceedings between two or more parties.

A separate impact assessment has not been produced for this instrument as it is made in consequence of the Trade Marks (Fast Track Opposition) (Amendment) Rules 2013. However, a full impact assessment of the effect that the Trade Marks (Fast Track Opposition) (Amendment) Rules 2013 will have on the costs of business and the voluntary sector is available from the Intellectual Property Office, Concept House, Cardiff Road, Newport NP10 8QQ and is annexed to the Explanatory Memorandum which is available alongside that instrument on www.legislation.gov.uk. Copies of that impact assessment have also been placed in the libraries of both Houses of Parliament.