



Trade Marks Act 1994

1994 CHAPTER 26

PART I

REGISTERED TRADE MARKS

Application for registered trade mark

32 Application for registration.

- (1) An application for registration of a trade mark shall be made to the registrar.
- (2) The application shall contain—
 - (a) a request for registration of a trade mark,
 - (b) the name and address of the applicant,
 - (c) a statement of the goods or services in relation to which it is sought to register the trade mark, and
 - (d) a representation of the trade mark^{F1}, which is capable of being represented in the register in a manner which enables the registrar and other competent authorities and the public to determine the clear and precise subject matter of the protection afforded to the proprietor].
- (3) The application shall state that the trade mark is being used, by the applicant or with his consent, in relation to those goods or services, or that he has *abona fide* intention that it should be so used.
- (4) The application shall be subject to the payment of the application fee and such class fees as may be appropriate.

Textual Amendments

- F1** Words in s. 32(2)(d) inserted (14.1.2019) by [The Trade Marks Regulations 2018 \(S.I. 2018/825\)](#), regs. 1(1), 18 (with Pt. 5)

Changes to legislation: There are currently no known outstanding effects for the Trade Marks Act 1994, Cross Heading: Application for registered trade mark. (See end of Document for details)

33 Date of filing.

- (1) The date of filing of an application for registration of a trade mark is the date on which documents containing everything required by section 32(2) are furnished to the registrar by the applicant.

If the documents are furnished on different days, the date of filing is the last of those days.

- (2) References in this Act to the date of application for registration are to the date of filing of the application.

34 Classification of trade marks.

- (1) Goods and services shall be classified for the purposes of the registration of trade marks according to a prescribed system of classification.
- (2) Any question arising as to the class within which any goods or services fall shall be determined by the registrar, whose decision shall be final.

Commencement Information

- II** S. 34 wholly in force at 31.10.1994; s. 34 not in force at Royal Assent see s. 109; s. 34(1) in force for certain purposes at 29.9.1994 and at 31.10.1994 insofar as s. 34 not already in force by [S.I. 1994/2550](#), arts. 2, 3(1), [Sch.](#)

Changes to legislation:

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Application for registered trade mark.