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**Changes to legislation:** There are currently no known outstanding effects for the Trade Marks Act 1994, Cross Heading: Infringement: rights of authorised users. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 2

#### CERTIFICATION MARKS

##### Commencement Information

- II** Sch. 2 wholly in force; Sch. 2 not in force at Royal Assent see s. 109; Sch. 2 para. 7(2) in force for certain purposes at 29.9.1994 and at 31.10.1994 insofar as Sch. 2 not already in force by [S.I. 1994/2550](#), arts. 2, 3(1), [Sch.](#)

##### *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.

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Infringement: rights of authorised users.