



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART V

PATENT AGENTS AND TRADE MARK AGENTS

Trade mark agents

283 Unregistered persons not to be described as registered trade mark agents

- (1) An individual who is not a registered trade mark agent shall not—
 - (a) carry on a business (otherwise than in partnership) under any name or other description which contains the words “registered trade mark agent”; or
 - (b) in the course of a business otherwise describe or hold himself out, or permit himself to be described or held out, as a registered trade mark agent.
- (2) A partnership shall not—
 - (a) carry on a business under any name or other description which contains the words “registered trade mark agent”; or
 - (b) in the course of a business otherwise describe or hold itself out, or permit itself to be described or held out, as a firm of registered trade mark agents,unless all the partners are registered trade mark agents or the partnership satisfies such conditions as may be prescribed for the purposes of this section.
- (3) A body corporate shall not—
 - (a) carry on a business (otherwise than in partnership) under any name or other description which contains the words “registered trade mark agent”; or
 - (b) in the course of a business otherwise describe or hold itself out, or permit itself to be described or held out, as a registered trade mark agent,unless all the directors of the body corporate are registered trade mark agents or the body satisfies such conditions as may be prescribed for the purposes of this section.
- (4) The Secretary of State may make rules prescribing the conditions to be satisfied for the purposes of this section in relation to a partnership where not all the partners

Status: This is the original version (as it was originally enacted).

are registered trade mark agents or a body corporate where not all the directors are registered trade mark agents; and the rules may, in particular, prescribe conditions as to the number or proportion of partners or directors who must be registered trade mark agents.

- (5) Rules under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) A person who contravenes this section commits an offence and is liable on summary conviction to a fine not exceeding level 5 on the standard scale; and proceedings for such an offence may be begun at any time within a year from the date of the offence.