

Changes to legislation: There are currently no known outstanding effects for the Trade Marks Act 1994, Cross Heading: Approval of regulations by registrar. (See end of Document for details)

SCHEDULES

SCHEDULE 1

COLLECTIVE MARKS

Commencement Information

- II** Sch. 1 wholly in force at 31.10.1994; Sch. 1 not in force at Royal Assent; Sch. 1 para. 6(2) in force for certain purposes at 29.9.1994 and at 31.10.1994 insofar as Sch. 1 not already in force by 1994/2550, arts. 2, 3(1), Sch.

Approval of regulations by registrar

- 6 (1) A collective mark shall not be registered unless the regulations governing the use of the mark—
- (a) comply with paragraph 5(2) [^{F1}and (3)] and any further requirements imposed by rules, and
 - (b) are not contrary to public policy or to accepted principles of morality.
- (2) Before the end of the prescribed period after the date of the application for registration of a collective mark, the applicant must file the regulations with the registrar and pay the prescribed fee.

If he does not do so, the application shall be deemed to be withdrawn.

Textual Amendments

- F1** Words in Sch. 1 para. 6(1)(a) inserted (14.1.2019) by [The Trade Marks Regulations 2018 \(S.I. 2018/825\)](#), regs. 1(1), **33(3)** (with Pt. 5)

Commencement Information

- II** Sch. 1 wholly in force at 31.10.1994; Sch. 1 not in force at Royal Assent see s. 109; Sch. 1 para. 6(2) in force for certain purposes at 29.9.1994 and at 31.10.1994 insofar as Sch. 1 not already in force by [S.I. 1994/2550](#), arts. 2, 3(1), [Sch.](#)

- 7 (1) The registrar shall consider whether the requirements mentioned in paragraph 6(1) are met.
- (2) If it appears to the registrar that those requirements are not met, he shall inform the applicant and give him an opportunity, within such period as the registrar may specify, to make representations or to file amended regulations.
- (3) If the applicant fails to satisfy the registrar that those requirements are met, or to file regulations amended so as to meet them, or fails to respond before the end of the specified period, the registrar shall refuse the application.

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- (4) If it appears to the registrar that those requirements, and the other requirements for registration, are met, he shall accept the application and shall proceed in accordance with section 38 (publication, opposition proceedings and observations).
- 8 The regulations shall be published and notice of opposition may be given, and observations may be made, relating to the matters mentioned in paragraph 6(1).
- This is in addition to any other grounds on which the application may be opposed or observations made.

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