

*Changes to legislation:* There are currently no known outstanding effects for the Trade Marks Act 1994, PART 5. (See end of Document for details)

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 2B

#### INTERNATIONAL TRADE MARKS PROTECTED IN THE EUROPEAN UNION

##### Textual Amendments

- F1** Sch. 2B inserted (31.12.2020) by [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/638), reg. 1, **Sch. 4 para. 3** (with Sch. 5 Pt. 2) (as amended by S.I. 2020/1050, regs. 1(2), **22(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**

### PART 5

#### INTERPRETATION

##### *Interpretation*

34 (1) In this Schedule—

“comparable trade mark (IR)” has the meaning given by paragraph 1(4);  
“the Common Regulations” means the Common Regulations under the Madrid Agreement concerning the international registration of marks and the Madrid Protocol in force on 1<sup>st</sup> November 2017;

“corresponding (IR)” has the meaning given by paragraph 3(4);

“existing IR(EU)” has the meaning given by paragraph 1(1);

“expired IR(EU)” has the meaning given by paragraph 23(1);

“international application” has the meaning given by paragraph 27(1)(c);

“the International Register” has the meaning given by paragraph 1(11)(a);

“international registration” has the meaning given by paragraph 1(11)(b);

“international trade mark” has the meaning given by paragraph 1(11)(c);

“Office of origin” has the meaning given by Article 2(2);

“the previous EUTM Regulations” means Council Regulation (EC) No 207/2009 of 26th February 2009 on the European Union trade mark and Council Regulation (EC) No 40/94 of 20<sup>th</sup> December 1993 on the Community trade mark;

“protected international trade mark (UK)” has the same meaning as in the Trade Marks (International Registration) Order 2008;

(2) References in this Schedule to—

(a) an “Article” are to an Article of the Madrid Protocol;

(b) an Article of the European Union Trade mark Regulation include references to any equivalent Article contained in the previous EUTM Regulations;

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- (c) the European Union Trade Mark Regulation include references to the previous EUTM Regulations;
  - (d) an international trade mark include references to an international trade mark which is dealt with for the purposes of the European Union Trade Mark Regulation as an EU collective mark or an EU certification mark;
  - (e) a “Rule” are to a Rule of the Common Regulations.
- (3) In this Schedule, references to a request for territorial extension, in relation to an existing IR(EU) which is the subject of a separate international registration within the meaning of paragraph 1(3), are to the request made before the separate international registration was created.]

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