



# Trade Marks Act 1994

## 1994 CHAPTER 26

### PART I

#### REGISTERED TRADE MARKS

##### *Registered trade mark as object of property*

#### **24 Assignment, &c. of registered trade mark**

- (1) A registered trade mark is transmissible by assignment, testamentary disposition or operation of law in the same way as other personal or moveable property.

It is so transmissible either in connection with the goodwill of a business or independently.

- (2) An assignment or other transmission of a registered trade mark may be partial, that is, limited so as to apply—
- (a) in relation to some but not all of the goods or services for which the trade mark is registered, or
  - (b) in relation to use of the trade mark in a particular manner or a particular locality.

- (3) An assignment of a registered trade mark, or an assent relating to a registered trade mark, is not effective unless it is in writing signed by or on behalf of the assignor or, as the case may be, a personal representative.

Except in Scotland, this requirement may be satisfied in a case where the assignor or personal representative is a body corporate by the affixing of its seal.

- (4) The above provisions apply to assignment by way of security as in relation to any other assignment.
- (5) A registered trade mark may be the subject of a charge (in Scotland, security) in the same way as other personal or moveable property.

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*Status: This is the original version (as it was originally enacted).*

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- (6) Nothing in this Act shall be construed as affecting the assignment or other transmission of an unregistered trade mark as part of the goodwill of a business.