



# Trade Marks Act 1994

## 1994 CHAPTER 26

### PART I

#### REGISTERED TRADE MARKS

##### *Licensing*

#### **28 Licensing of registered trade mark.**

- (1) A licence to use a registered trade mark may be general or limited.

A limited licence may, in particular, 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.

- (2) A licence is not effective unless it is in writing signed by or on behalf of the grantor.

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

- (3) Unless the licence provides otherwise, it is binding on a successor in title to the grantor's interest.

References in this Act to doing anything with, or without, the consent of the proprietor of a registered trade mark shall be construed accordingly.

- (4) Where the licence so provides, a sub-licence may be granted by the licensee; and references in this Act to a licence or licensee include a sub-licence or sub-licensee.

- [<sup>F1</sup>(5) The proprietor of a registered trade mark may invoke the rights conferred by that trade mark against a licensee who contravenes any provision in the licence with regard to—

- (a) its duration,
- (b) the form covered by the registration in which the trade mark may be used,

---

*Changes to legislation: There are currently no known outstanding effects for the Trade Marks Act 1994, Section 28. (See end of Document for details)*

---

- (c) the scope of the goods or services for which the licence is granted,
- (d) the territory in which the trade mark may be affixed, or
- (e) the quality of the goods manufactured or of the services provided by the licensee.]

---

**Textual Amendments**

- F1** S. 28(5) inserted (14.1.2019) by [The Trade Marks Regulations 2018 \(S.I. 2018/825\)](#), regs. 1(1), **16**  
(with [Pt. 5](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Trade Marks Act 1994, Section 28.