



Trade Marks Act 1994

1994 CHAPTER 26

PART I

REGISTERED TRADE MARKS

Registration procedure

38 Publication, opposition proceedings and observations.

- (1) When an application for registration has been accepted, the registrar shall cause the application to be published in the prescribed manner.
- (2) Any person may, within the prescribed time from the date of the publication of the application, give notice to the registrar of opposition to the registration.

The notice shall be given in writing in the prescribed manner, and shall include a statement of the grounds of opposition.

- (3) Where an application has been published, any person may, at any time before the registration of the trade mark, make observations in writing to the registrar as to whether the trade mark should be registered; and the registrar shall inform the applicant of any such observations.

A person who makes observations does not thereby become a party to the proceedings on the application.

Commencement Information

- II** [S. 38](#) wholly in force at 31.10.1994; [s. 38](#) not in force at Royal Assent see [s. 109](#); [s. 38\(1\)\(2\)](#) in force for certain purposes at 29.9.1994 and at 31.10.1994 insofar as [s. 38](#) not already in force by [S.I. 1994/2550](#), [art. 2](#), [3\(1\)](#), [Sch.](#)

Status:

Point in time view as at 29/09/1994. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Trade Marks Act 1994, Section 38.