



Trade Marks Act 1938

1938 CHAPTER 22

REGISTRATION, INFRINGEMENT AND OTHER SUBSTANTIVE PROVISIONS.

Registrability and validity of registration

13 Registration in Part A to be conclusive as to validity after seven years

- (1) In all legal proceedings relating to a trade mark registered in Part A of the register (including applications under section thirty-two of this Act) the original registration in Part A of the register of the trade mark shall, after the expiration of seven years from the date of that registration, be taken to be valid in all respects, unless—
 - (a) that registration was obtained by fraud, or
 - (b) the trade mark offends against the provisions of section eleven of this Act.
- (2) Nothing in subsection (1) of section five of this Act shall be construed as making applicable to a trade mark, as being a trade mark registered in Part B of the register, the foregoing provisions of this section relating to a trade mark registered in Part A of the register.