
STATUTORY INSTRUMENTS

2004 No. 1473

**The Goods Infringing Intellectual Property
Rights (Customs) Regulations 2004**

Interpretation

2.—(1) In these Regulations—

“the 1979 Act” means the Customs and Excise Management Act 1979(1);

“application” means an application under Article 5 of the Council Regulation;

“the Commissioners” means the Commissioners of Customs and Excise;

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F2
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“the Council Regulation” means Council Regulation (EC) No 1383/2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights(2);

“the customs and excise Acts” has the meaning given in section 1(1) of the 1979 Act;

“database rights” has the meaning given in regulation 13 of the Copyright and Rights in Databases Regulations 1997(3);

“decision” means a decision granting an application in accordance with Article 8 of the Council Regulation;

“declarant” has the meaning given in Article 4(18) of Council Regulation (EEC) No 2913/1992 establishing the Community Customs Code(4);

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“goods infringing an intellectual property right” has the meaning given in Article 2(1) of the Council Regulation and related expressions shall be construed accordingly;

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...

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...

“publication rights” has the meaning given in regulation 16 of the Copyright and Related Rights Regulations 1996(5);

(1) 1979 c. 2.

(2) OJ No L 196, 2.8.03, p 7.

(3) S.I.1997/3032.

(4) OJ No L 302, 19.10.92, p 1.

(5) S.I. 1996/2967, amended by S.I. 2003/2498.

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...

“right-holder” has the meaning given in Article 2(2) of the Council Regulation;

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...

“working days” has the meaning given in Article 3(1) of Council Regulation (EEC, Euratom) No 1182/1971 determining the rules applicable to periods, dates and time limits⁽⁶⁾.

(2) For the purposes of these Regulations, any reference in the Council Regulation to “copyright or related right” is to be construed as a reference to “copyright, rights in performances, publication rights or database rights”.

(3) These Regulations shall apply to goods which fall to be treated by virtue of [F12Article 2] of the Council Regulation as being goods infringing an intellectual property right; but these Regulations shall not apply to any goods in relation to which the Council Regulation does not apply by virtue of [F12Article 3] thereof.

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|------------|---|
| F1 | Words in reg. 2(1) omitted (16.4.2010) by virtue of Goods Infringing Intellectual Property Rights (Customs) (Amendment) (No.2) Regulations 2010 (S.I. 2010/992), regs. 1, 3(a) |
| F2 | Words in reg. 2(1) omitted (16.4.2010) by virtue of Goods Infringing Intellectual Property Rights (Customs) (Amendment) (No.2) Regulations 2010 (S.I. 2010/992), regs. 1, 3(b) |
| F3 | Words in reg. 2(1) omitted (16.4.2010) by virtue of Goods Infringing Intellectual Property Rights (Customs) (Amendment) (No.2) Regulations 2010 (S.I. 2010/992), regs. 1, 3(c) |
| F4 | Words in reg. 2(1) omitted (16.4.2010) by virtue of Goods Infringing Intellectual Property Rights (Customs) (Amendment) (No.2) Regulations 2010 (S.I. 2010/992), regs. 1, 3(d) |
| F5 | Words in reg. 2(1) omitted (16.4.2010) by virtue of Goods Infringing Intellectual Property Rights (Customs) (Amendment) (No.2) Regulations 2010 (S.I. 2010/992), regs. 1, 3(e) |
| F6 | Words in reg. 2(1) omitted (16.4.2010) by virtue of Goods Infringing Intellectual Property Rights (Customs) (Amendment) (No.2) Regulations 2010 (S.I. 2010/992), regs. 1, 3(f) |
| F7 | Words in reg. 2(1) omitted (16.4.2010) by virtue of Goods Infringing Intellectual Property Rights (Customs) (Amendment) (No.2) Regulations 2010 (S.I. 2010/992), regs. 1, 3(g) |
| F8 | Words in reg. 2(1) omitted (16.4.2010) by virtue of Goods Infringing Intellectual Property Rights (Customs) (Amendment) (No.2) Regulations 2010 (S.I. 2010/992), regs. 1, 3(h) |
| F9 | Words in reg. 2(1) omitted (16.4.2010) by virtue of Goods Infringing Intellectual Property Rights (Customs) (Amendment) (No.2) Regulations 2010 (S.I. 2010/992), regs. 1, 3(i) |
| F10 | Words in reg. 2(1) omitted (16.4.2010) by virtue of Goods Infringing Intellectual Property Rights (Customs) (Amendment) (No.2) Regulations 2010 (S.I. 2010/992), regs. 1, 3(j) |
| F11 | Words in reg. 2(1) omitted (16.4.2010) by virtue of Goods Infringing Intellectual Property Rights (Customs) (Amendment) (No.2) Regulations 2010 (S.I. 2010/992), regs. 1, 3(k) |
| F12 | Words in reg. 2(3) substituted (16.4.2010) by Goods Infringing Intellectual Property Rights (Customs) (Amendment) (No.2) Regulations 2010 (S.I. 2010/992), regs. 1, 4 |

(6) OJ No L 124, 8.6.71, p 1.

Changes to legislation:

There are currently no known outstanding effects for the The Goods Infringing Intellectual Property Rights (Customs) Regulations 2004, Section 2.