STATUTORY INSTRUMENTS

# 1986 No. 1303

# TRADE MARKS

## The Trade Marks and Service Marks (Relevant Countries) Order 1986

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| *Made - - - -* | *25th July* 1986 |
| *Laid before Parliament* | *4th August* 1986 |
| *Coming into Operation* | *1st October* 1986 |

At the Court at Buckingham Palace, the 25th day of July 1986

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 39A(7) of the Trade Marks Act 1938(**a**), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

**1.** This Order may be cited as the Trade Marks and Service Marks (Relevant Countries) Order 1986 and shall come into operation on 1st October 1986.

**2.** Section 39A of the Trade Marks Act 1938 as it has effect with respect to trade marks shall apply to the countries specified in Schedule 1 to this Order (being countries formerly the subject of Orders declaring Convention countries under section 91A(1) of the Patents and Designs Act 1907(**b**)).

**3.** Section 39A of the Trade Marks Act 1938 as it has effect with respect to service marks shall apply to the countries specified in Schedule 2 to this Order (being countries under the laws of which Her Majesty is satisfied that appropriate provision has been or will be made for giving priority for the protection of service marks in respect of which applications are made under the said Act).

*G.I. de Deney,*
Clerk of the Privy Council.

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(**a**) 1938 c.22; section 39A was added by the Patents, Designs and Marks Act 1986 (c.39), Schedule 2, paragraph 5, and is applied to service marks by the Trade Marks (Amendment) Act 1984 (c.19), section 1(2) and Schedule 1, paragraph 18C, as respectively substituted and inserted by the Patents, Designs and Marks Act 1986, section 2(1)*(a)* and Schedule 2, paragraph 11.

(**b**) 1907 c.29; section 91A was inserted by the Patents etc (International Conventions) Act 1938 (c.29), section 9, and repealed by the Patents, Designs and Marks Act 1986 (c.39), Schedule 3, Part II.

## SCHEDULE 1 Article 2

RELEVANT COUNTRIES FOR TRADE MARKS.

Algeria
Argentina
Australia (including Norfolk Island)
Austria
Bahamas
Barbados
Belgium
Benin
Brazil
Bulgaria
Burkina
Burundi
Cameroon
Canada
Central African Republic
Chad
China, People's Republic of
Congo, People's Republic of
Côte d'Ivoire
Cuba
Cyprus, Republic of
Czechoslovakia
Denmark (including the Faroe Islands)
Dominican Republic
Ecuador
Egypt
Finland
France (including all Overseas Departments and Territories)
Gabon
German Democratic Republic (and Berlin (East))
Germany, Federal Republic of (and Berlin (West))
Ghana
Greece
Guinea, Republic of
Haiti
Holy See
Honduras
Hong Kong
Hungary
Iceland
Indonesia
Iran
Iraq
Ireland, Republic of
Israel
Italy
Japan
Jordan
Kenya
Korea, Republic of
Lebanon
Libya

Liechtenstein
Luxembourg
Madagascar
Malagasy Republic
Malawi
Mali
Malta
Mauritania
Mauritius
Mexico
Monaco
Mongolian People's Republic
Morocco
Netherlands (including Aruba and the Netherlands Antilles)
New Zealand
Niger
Nigeria
Norway
Philippines
Poland
Portugal
Romania
Rwanda
San Marino
Senegal
South Africa
Soviet Union
Spain
Sri Lanka
Sudan
Suriname
Sweden
Switzerland
Syria
Tanzania
Togo
Trinidad and Tobago
Tunisia
Turkey
Uganda
United States of America (including Puerto Rico and all territories and possessions)
Uruguay
Vietnam
Yugoslavia
Zaire
Zambia
Zimbabwe

## SCHEDULE 2 Article 3

RELEVANT COUNTRIES FOR SERVICE MARKS.

Australia (including Norfolk Island)
Denmark (including the Faroe Islands)
France (including all overseas Departments and Territories)
Norway
Philippines
United States of America (including Puerto Rico and all territories and possessions)

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## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order specifies the countries in which an application for the registration of a trade mark or a service mark will give priority in respect of an application made in the United Kingdom within the following six months. So far as it relates to trade marks, the Order replaces the Orders made under section 91A of the Patents and Designs Act 1907 so far as they related to trade marks; to that extent, those Orders have ceased to have effect.

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