



Jersey

# **TRADE MARKS (JERSEY) ORDER 2000**

## **Official Consolidated Version**

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

05.900.30

Showing the law from 1 January 2019 to Current





Jersey

## TRADE MARKS (JERSEY) ORDER 2000

### Contents

#### Article

1	Interpretation .....	5
2	Form of applications and requests .....	5
3	Signing of applications and requests .....	6
4	Address for service.....	6
5	Notice in respect of the importation of goods which are infringing goods, material or articles .....	6
6	Citation.....	7

#### **SCHEDULE 1** **8**

FORM 1	8
APPLICATION FOR REGISTRATION OF TRADE MARK	8
FORM 2	9
APPLICATION FOR REGISTRATION OF TITLE IN RESPECT OF TRADE MARK	9
FORM 3	10
APPLICATION FOR REGISTRATION OF RENEWAL OF TRADE MARK	10
FORM 4	11
APPLICATION FOR REGISTRATION AS REGISTERED LICENSEE OF A TRADE MARK	11
FORM 5	12
REQUEST TO CHANGE NAME OR ADDRESS OF REGISTERED PROPRIETOR OR REGISTERED LICENSEE OF TRADE MARK	12

#### **SCHEDULE 2** **13**

NOTICE UNDER ARTICLE 22 OF THE TRADE MARKS (JERSEY) LAW 2000 REQUESTING INFRINGING GOODS, MATERIAL OR ARTICLES TO BE TREATED AS PROHIBITED GOODS.	13
---	----

#### **ENDNOTES** **16**

Table of Legislation History .....	16
------------------------------------	----

Table of Renumbered Provisions ..... 16  
Table of Endnote References ..... 16



Jersey

## TRADE MARKS (JERSEY) ORDER 2000

**THE ECONOMIC DEVELOPMENT COMMITTEE**, in pursuance of Articles 3, 4, 6, 11, 23 and 32 of the [Trade Marks \(Jersey\) Law 2000](#), orders as follows –

Commencement [[see endnotes](#)]

---

### 1 Interpretation

In this Order unless the context otherwise requires –

“Law” means the [Trade Marks \(Jersey\) Law 2000](#);

“trade mark agent” means a person described in Article 20(1)(a) or (b) of the Law.

### 2 Form of applications and requests

- (1) Subject to paragraph (3), an application –
  - (a) for the registration of a trade mark under Article 4(1) of the Law shall be made on Form 1 as set out in Schedule 1;
  - (b) for the registration of a title under Article 4(2) of the Law shall be made on Form 2 as set out in Schedule 1;
  - (c) for the registration of a renewal under Article 5 of the Law shall be made on Form 3 as set out in Schedule 1; and
  - (d) for registration as a registered licensee under Article 6 of the Law shall be made on Form 4 as set out in Schedule 1,and each such application shall be accompanied by a fee of £30.
- (2) Subject to paragraph (3), a request to enter a change of name or address of the registered proprietor or registered licensee shall be made on Form 5 as set out in Schedule 1 and each such request shall be accompanied by a fee of £10.
- (3) The forms set out in Schedule 1 may be modified as directed by the registrar.

### **3 Signing of applications and requests**

- (1) Any application or request made on a Form set out in Schedule 1 or any request to correct a clerical error under Article 15 of the Law shall be signed –
  - (a) in the case of an individual, by the individual or by a trade mark agent, advocate or solicitor duly authorized to sign on the individual's behalf;
  - (b) in the case of a body corporate, by a director or the secretary of that body corporate or by a trade mark agent, advocate or solicitor duly authorized to sign on its behalf;
  - (c) in the case of a partnership, by –
    - (i) all the partners,
    - (ii) any other person who satisfies the registrar that the person is authorized to sign on its behalf and who declares that he or she signs on its behalf, or
    - (iii) a trade mark agent, advocate or solicitor duly authorized to sign on its behalf,and the application or request shall contain the full names of all the partners of that partnership; and
  - (d) in the case of an association of persons other than a body corporate or partnership, by any person who appears to the registrar to be qualified, or by a trade mark agent, advocate or solicitor duly authorized to sign on its behalf.
- (2) Where an application or request made in accordance with this Order is signed on the applicant's behalf the registrar may require the person so signing to furnish the registrar with proof of the person's authority.

### **4 Address for service**

Every registered proprietor and registered licensee of a trade mark shall furnish to the registrar an address for service in Jersey for entry on the register of trade marks and shall inform the registrar forthwith of any change of such address.

### **5 Notice in respect of the importation of goods which are infringing goods, material or articles**

- (1) A notice given by a proprietor or licensee of a registered trade mark, Community trade mark or protected international trade mark under Article 22(1) of the Law in respect of certain goods shall be in the form set out in Schedule 2 (or such form as modified as directed by the Agent of the Impôts) and separate notices shall be given in respect of each arrival of such goods.
- (2) A fee of £30 in respect of each notice shall be paid to the Agent of the Impôts at the time it is given.
- (3) The person giving the notice shall give to the Agent of the Impôts such security or further security within such time and in such manner, whether

by deposit of a sum of money or guarantee as the Agent may require, in respect of any liability or expense which the person may incur in consequence of the notice by reason of the detention of any goods, or anything done to goods so detained.

- (4) Without prejudice to paragraph (5), if the security or further security required by paragraph (3) is not given within the time specified by the Agent of the Impôts, the notice shall have no effect.
- (5) In every case, whether any security or further security is given or not, the person who has given the notice shall keep the Agent of the Impôts indemnified against all such liability and expenses as is mentioned in paragraph (3).
- (6) The person giving the notice shall, either on giving notice or when the goods are imported, furnish the Agent of the Impôts with the following information in respect of the trade mark specified in the notice –
  - (a) in the case of a registered trade mark, the certification of registration (or a copy of it) issued by the registrar on the registration of that trade mark specified in the notice, together with evidence that such trade mark remains on the register of trade marks;
  - (b) in the case of a Community trade mark, a certification by the registrar that the registrar is satisfied that the trade mark is duly registered in accordance with the provisions of the Community Trade Mark Regulation; and
  - (c) in the case of a protected international trade mark, certification by the registrar that the registrar is satisfied that the trade mark is duly protected in the United Kingdom.
- (7) If the person giving the notice fails to furnish the Agent of the Impôts with the information required by paragraph (6) the goods shall not be detained, or if detained, shall be released and (without prejudice to paragraph (5)) any notice in respect of them shall have no effect.

## **6 Citation**

This Order may be cited as the Trade Marks (Jersey) Order 2000.

**SCHEDULE 1**

(Article 2)

**FORM 1**

**APPLICATION FOR REGISTRATION OF TRADE MARK**

I/We<sup>a</sup> .....  
 .....  
 .....  
 of<sup>b</sup> .....  
 .....

hereby declare that I/we am/are the person(s) for the time being entered in the United Kingdom register of trade marks as the proprietor(s) of Trade Mark No. .... and I/we hereby apply for the registration of the said trade mark in the register of trade marks in respect of the goods/services<sup>c</sup> comprised in the United Kingdom registration.

I/We enclose herewith –

- (i) a certificate of the Comptroller-General of Patents, Designs and Trade Marks in the United Kingdom (under his title of Registrar of Trade Marks) setting forth my/our title to the trade mark;
- (ii) a certified representation of the mark;
- (iii) a copy of the regulations in respect of the trade mark deposited at the Patent Office of the United Kingdom in pursuance of paragraph 6(1) of Schedule 2 to the Trade Marks Act 1994<sup>d</sup> of the United Kingdom;
- (iv) the appropriate fee as required by the Trade Marks (Jersey) Order 2000.

My/Our address for service in Jersey is .....  
 .....  
 .....

Dated this ..... day of ..... 20.....

Signature of .....  
 applicant(s)<sup>e</sup> .....

---

<sup>a</sup> Full name(s) of applicant(s). A married woman should give her *maiden* surname and the full name of her husband, stating whether 'wife', 'widow' or divorced. In the case of an application by a partnership give the full names of all partners.  
<sup>b</sup> Address of applicant(s). An individual 'should' give his or her residential address, a partnership should give the address of the principal place of business of the partnership and a body corporate should give the address of its registered office.  
<sup>c</sup> Delete as appropriate.  
<sup>d</sup> Delete except in the case of a certification trade mark.  
<sup>e</sup> A trade mark agent, advocate or solicitor duly authorized by the applicant(s) may sign on his/her/their behalf.

**FORM 2**

**APPLICATION FOR REGISTRATION OF TITLE IN RESPECT OF TRADE MARK**

I/We<sup>a</sup> .....

.....

of <sup>b</sup> .....

.....

hereby apply for the entry of my/our name(s) in the register of trade marks as proprietors of Trade Mark No. .... at present registered in Jersey in the register of trade marks in the name of

.....

I/We claim to be so entitled by virtue of <sup>c</sup>

.....

.....

I/We enclose herewith –

- (i) a certificate of the Comptroller-General of Patents, Designs and Trade Marks in the United Kingdom (under his title of Registrar of Trade Marks) setting forth my/our title to the trade mark;
- (ii) the appropriate fee as required by the Trade Marks (Jersey) Order 2000.

My/Our address for service in Jersey is .....

.....

.....

Dated this ..... day of ..... 20.....

Signature of.....

applicant(s)<sup>e</sup> .....

<sup>a</sup> Full name(s) of applicant(s). A married woman should give her *maiden* surname and the full name of her husband, stating whether 'wife', 'widow' or divorced. In the case of an application by a partnership give the full names of all partners.

<sup>b</sup> Address of applicant(s). An individual 'should' give his or her residential address, a partnership should give the address of the principal place of business of the partnership and a body corporate should give the address of its registered office.

<sup>c</sup> Specify the nature of the claim.

<sup>d</sup> A trade mark agent, advocate or solicitor duly authorized by the applicant(s) may sign on his/her/their behalf.

**FORM 3**

**APPLICATION FOR REGISTRATION OF RENEWAL OF TRADE MARK**

I/We<sup>a</sup> .....

.....

of<sup>b</sup> .....

.....

hereby apply for the registration in the register of trade marks of the renewal of Trade Mark No. .... which trade mark is registered in my/our name(s).

I/We enclose herewith –

- (i) a certificate of the competent authority in the United Kingdom dated the ..... day of ..... 20..... stating that the said trade mark has been renewed;
- (ii) the appropriate fee as required by the Trade Marks (Jersey) Order 2000.

My/Our address for service in Jersey is .....

.....

.....

Dated this ..... day of .....20.....

Signature of .....

applicant(s)<sup>e</sup> .....

<sup>a</sup> Full name(s) of applicant(s). A married woman should give her *maiden* surname and the full name of her husband, stating whether 'wife', 'widow' or divorced. In the case of an application by a partnership give the full names of all partners.

<sup>b</sup> Address of applicant(s). An individual 'should' give his or her residential address, a partnership should give the address of the principal place of business of the partnership and a body corporate should give the address of its registered office.

<sup>c</sup> A trade mark agent, advocate or solicitor duly authorized by the applicant(s) may sign on his/her/their behalf.

**FORM 4**

**APPLICATION FOR REGISTRATION AS REGISTERED LICENSEE OF A TRADE MARK**

I/We<sup>a</sup> .....

of <sup>b</sup> .....

hereby apply that you will enter my/our name(s) in the register of trade marks as registered licensee of Trade Mark No. .... in respect of the goods/services<sup>c</sup> comprised in the United Kingdom registration, which trade mark is registered in Jersey in the name of .....

in respect of such goods/services.<sup>c</sup>

I/We enclose herewith –

- (i) a certificate of the Comptroller-General of Patents, Designs and Trade Marks in the United Kingdom (under the title of Registrar of Trade Marks) relating to my/our registration in the United Kingdom as registered licensee of the said trade mark;
- (ii) the appropriate fee as required by the Trade Marks (Jersey) Order 2000.

My/Our address for service in Jersey is .....

Dated this ..... day of ..... 20.....

Signature of.....

applicant(s)<sup>e</sup> .....

<sup>a</sup> Full name(s) of applicant(s). A married woman should give her *maiden* surname and the full name of her husband, stating whether 'wife', 'widow' or divorced. In the case of an application by a partnership give the full names of all partners.

<sup>b</sup> Address of applicant(s). An individual 'should' give his or her residential address, a partnership should give the address of the principal place of business of the partnership and a body corporate should give the address of its registered office.

<sup>c</sup> Delete as appropriate.

<sup>d</sup> A trade mark agent, advocate or solicitor duly authorized by the applicant(s) may sign on his/her/their behalf.

**FORM 5**

**REQUEST TO CHANGE NAME OR ADDRESS OF REGISTERED PROPRIETOR OR REGISTERED LICENSEE OF TRADE MARK**

I/We<sup>a</sup> .....  
of .....  
.....

hereby request that my/our name(s), or address, may be entered in the Register of Trade Marks  
proprietor(s)  
{ registered user(s) } of the Trade Mark No. ....  
registered in Class .....

I am/we are entitled to<sup>b</sup> { the said Trade Mark  
use the said Trade Mark as registered licensee }

There has been no change in the<sup>b</sup> { actual proprietorship  
identity of the registered licensee(s) }

of the said Trade Mark, but<sup>c</sup> .....  
.....  
.....  
.....  
.....

The entry at present standing in the Register gives my/our name(s) and address(es) as follows:  
.....  
.....  
.....  
.....

I/We enclose the appropriate fee required by the Trade Marks (Jersey) Order 2000

Dated this ..... day of .....20 .....

Signature of .....  
applicant(s) .....  
.....

<sup>a</sup> Here insert present name and address of registered proprietor or registered licensee.  
<sup>b</sup> Delete as appropriate.  
<sup>c</sup> Here state the circumstances under which the change of name or address took place.

**SCHEDULE 2**

(Article 5)

**NOTICE UNDER ARTICLE 22 OF THE TRADE MARKS (JERSEY) LAW 2000  
REQUESTING INFRINGING GOODS, MATERIAL OR ARTICLES TO BE TREATED  
AS PROHIBITED GOODS.****Please read these notes before completing this notice**

1. This notice may only be given by the proprietor or licensee of a registered trade mark. A separate notice must be given in respect of each consignment.
2. Please note that in Part 3 it is not mandatory to provide details other than the time and place of expected arrival of infringing goods but it will greatly increase the prospect of intercepting the consignment concerned if all the details requested are given.
3. A fee of £30 is payable for each notice given. Please enclose a cheque for the required amount, made payable to “The Treasurer of the States”.
4. In the case of a registered trade mark a copy of the certificate of registration as well as the certificate of renewal (if applicable) is to be enclosed with the notice or submitted when the goods are imported. In the case of a Community trade mark or protected international trade mark you should instead enclose or submit a certification by the registrar of trade marks that the registrar is satisfied that the trade mark is duly registered or protected.
5. The person who has given notice shall keep the Agent of the Impôts indemnified against any liability or expense which they may incur in consequence of the notice by reason of the detention of any goods or anything done to goods detained. The person giving notice may be required to provide a security to cover this indemnity.

**1. Person giving notice**

\*I/We .....

Full name of signatory in BLOCK LETTERS

give notice to the Agent of the Impôts that

.....  
 .....  
 .....

Name and address of proprietor or licensee in BLOCK LETTERS

is the \*proprietor/licensee of a \*trade mark/Community trade mark/protected international trade mark and that infringing goods, material or articles are expected to arrive in Jersey, and \*I/we request that they be treated as prohibited goods.

\*Delete as necessary

**2. Details of infringing goods, materials or articles**

Trade mark .....

Infringing goods, material, articles .....

Quantity .....

Commodity Code(s) .....

**3. Details of expected importation**

Place of importation .....

Method of importation .....

Please include details of ship, aircraft or vehicle, where known

Expected date of arrival .....

Country of origin .....

Country of consignment .....

Importer's details .....

Consignor's details .....

**4. Declaration**

I declare that the information given by me in this notice is true.

Signature .....

Position .....

Date.....

5. **Submission of notice**

Please send the completed notice, fee and required certification to:

Agent of the Impôts  
Maritime House  
La Route du Port Elizabeth  
St. Helier  
Jersey JE1 1JJ

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Trade Marks (Jersey) Order 2000	<a href="#">R&amp;O.67/2000</a>	1 October 2000

### Table of Renumbered Provisions

Original	Current
1(1)	1
1(2)	spent, omitted from this revised edition

### Table of Endnote References

*There are currently no endnote references*