



Jersey

## **TRADE MARKS RULES 2000**

### **Official Consolidated Version**

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

05.900.60

Showing the law from 1 January 2019 to Current





Jersey

## TRADE MARKS RULES 2000

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Jersey

## TRADE MARKS RULES 2000

**THE SUPERIOR NUMBER OF THE ROYAL COURT**, in pursuance of Article 13 of the [Royal Court \(Jersey\) Law 1948](#), and of Article 33 of the [Trade Marks \(Jersey\) Law 2000](#), and of all other powers enabling it in this behalf, has made the following Rules –

Commencement [[Endnotes](#)]

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### 1

In these Rules –

“court” means the Royal Court;

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

“trade mark” has the same meaning as in the Law.

### 2

In any proceedings under the Law, or in proceedings for the infringement of trade marks, the court may, at any time, appoint an independent adviser to assist the court or to enquire and report upon any question of fact or of opinion not involving questions of law or construction.

### 3

- (1) Any person desirous of taking proceedings under the Law *in forma pauperis* may lay his or her suit before an advocate or solicitor of the Royal Court and, if such advocate or solicitor is of the opinion that such person has a good cause of action, the person shall deliver to the Viscount a statement of the material facts which may be alleged, and of the points of law which may be raised, by such person, together with such documents appertaining to such suit as the person may have in his or her possession.
- (2) If the Viscount is satisfied that such person has *prima facie* a good cause of action, the Viscount shall grant a certificate by virtue whereof such

person shall be exempt from the payment of all court fees to which the person would otherwise have been liable by reason of such suit.

- (3) The Viscount may, before granting such certificate, require such affidavits as the Viscount considers necessary.
- (4) Every document presented by a person to whom such a certificate has been granted shall, if it would otherwise have been required to have stamps affixed thereto, be marked “gratis” by the person designated in the tariff as being responsible for cancelling the stamps.

#### **4**

- (1) Unless otherwise directed by the court, a notice, summons or other document required to be served for the purposes of the Law or these Rules shall be served through the medium of the Viscount’s Department.
- (2) Unless otherwise directed by the court, service may be effected by delivering the notice, summons or other document to the person to be served or by leaving it at the address for service given by the person.

#### **5**

Any proceedings for the purposes of the Law may be instituted, prosecuted and heard in or out of term.

#### **6**

These Rules may be cited as the Trade Marks Rules 2000.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Trade Marks (Jersey) Rules 2000	<a href="#">R&amp;O.78/2000</a>	1 October 2000

### Table of Renumbered Provisions

Original	Current
6	spent, omitted from this revised edition
7	6

### Table of Endnote References

*There are currently no endnote references*