



Jersey

TRADE MARKS (JERSEY) ORDER 2000

Official Consolidated Version

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TRADE MARKS (JERSEY) ORDER 2000

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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 Fees for applications and requests¹

The fee payable on the receipt by the registrar of an application or request is –

- (a) £30 for an application for a registration under any of Articles 4, 5 or 6 of the Law;
- (b) £10 for a request for the entry of a change of name or address of the registered proprietor or registered licensee.

3 ²

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 1³

SCHEDULE 2

(Article 5)

NOTICE UNDER ARTICLE 22 OF THE TRADE MARKS (JERSEY) LAW 2000 REQUESTING INFRINGEMENT 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	R&O.67/2000	1 October 2000
Trade Marks (Amendment) (Jersey) Order 2022	R&O.29/2022	9 March 2022

Table of Renumbered Provisions

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

Table of Endnote References

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- ¹ Article 2 *substituted by R&O.29/2022*
² Article 3 *deleted by R&O.29/2022*
³ Schedule 1 *deleted by R&O.29/2022*