Trade Marks Registry

WORK MANUAL

CHAPTER 2 THE REGISTRY

Trade Marks Registry
The Patent Office
London 1984

This manual is intended for the guidance and instruction of the staff in the Trade Marks Registry. Its terms in no way fetter the discretion given to the Registrar under the Trade Marks Act 1938. All cases dealt with by the Registry will be decided under the Act on their own facts and within the guidance of the Courts and the Registrar's discretion, where appropriate.

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THE REGISTRY - THE REGISTRAR AND ASSISTANT REGISTRAR

2-1 The office of Registrar of Trade Marks is vested in, and is one of the designations of, the Comptroller General of Patents, Designs and Trade Marks, and the latter is referred to, in the Act and in the Rules (as amended from time to time), and generally in forms and in correspondence, as "The Registrar".

2-2 The Registrar is appointed by, and acts under the general superintendence and direction of, the Board of Trade (now part of the Department of Trade and Industry). In most respects he is empowered by the Act to act on his own discretion (see Chapter 1), subject only to rights of appeal from his decision (eg to the High Court of Justice) as provided for in the Act (see Chapter 26).

2-3 The Comptroller General is required to make annual reports to Parliament regarding all the matters within his jurisdiction in accordance with Section 45 of the Act, each report including the matters dealt with by him in his capacity of Registrar of Trade Marks.

2-4 Under the Comptroller General, the Assistant Registrar (of Assistant Secretary grade) is responsible for the work of the Registry, for the registration of Trade Marks, and for the custody and maintenance of the Register of Trade Marks, which contains particulars of all Registered Trade Marks, with the names, addresses and descriptions of the proprietors and the further particulars required by Section 1 of the Act.

2-5 Officers at HEO level and above in the Trade Marks Registry are authorised by the Secretary of State for Trade under Section 62(3) of the Patents and Designs Act 1907 to perform the functions of the Registrar under the provisions of the Act and the Rules made thereunder, set against their ranks as follows:-

Assistant Registrar Senior Principal Principal	-	All the provisions of the Trade Marks Act 1938 and all the provisions of the relevant Rules made thereunder
Senior Executive Officers	-	The provisions of Sections 17, 22, 23, 25, 28, 34, 35, 36, 57 and 58 of the Trade Marks Act 1938 and the relevant Rules made thereunder

Higher Executive Officers	-	The provisions of Sections 57 and 58 of the Trade Marks Act 1938

Officers substituting for a higher grade assume the powers of that grade.

2-6 The organisation of the Registry is set out in Appendix 1 of this Chapter.

2-7 to 2-9

THE REGISTRY - MANCHESTER OFFICE

2-10 Apart from the Headquarters organisation of the Registry there is an Office in Manchester, known officially as the "Manchester Branch of the Trade Marks Registry", in charge is an officer styled "Keeper of the Manchester Branch", commonly referred to shortly as the "Keeper". By statute, applicants for registration of trade marks for textile goods (as defined in Rule 101) have an option (see Chapter 4) to file their applications at the Registry in London or at the Manchester Branch. The Keeper reports to Headquarters in London through the Senior Executive Officer responsible for the textile classes - See Appendix 1.

2-11 The official record of trade marks in Manchester, called the "Manchester Record", duplicates the Register at Headquarters in London in so far as it relates to textile goods: additionally it covers the collection of refused cotton marks provided for in Section 39(8) of the Act.

2-12 Trade mark applications filed at the Manchester Office are dealt with as indicated in Chapters 4 and 9.

2-13 to 2-19

THE REGISTRY - CUTLERS' COMPANY (SHEFFIELD)

2-20 The Cutlers' Company in Sheffield, headed by the Master Cutler, is empowered by the Act to receive applications for the registration of trade marks in respect of metal goods (as defined in Rule 95) from persons resident in Hallamshire or within six miles thereof. The persons making such applications have, however, an option to send them direct to the Registry in London. The Secretary of the Cutler's Company transmits applications received in Sheffield directly to London (see Chapter 4) and thereafter acts on the authority of the Registrar in London.

2-21 The official record of trade marks in Sheffield, called the "Sheffield Register", is a branch register for trade marks for metal goods registered by traders in such goods in Hallamshire and within six miles thereof.

2-22 All post registration matters, except actions for rectification, arising on trade marks originally filed at the Cutlers' Company are dealt with through the Company. Rectification actions must be filed in London and dealt with there - ACORN TM 1977 RPC 451 - unless, of course, the application is made direct to the Court under Section 54 of the Act.

2-23 to end

HEAD OF BRANCH
(Assistant Secretary)
Senior Principal (Sections C, D & E)
Principal (Sections A, B & F + COMPUTERIZATION)
Hearing Officers (Senior Executive Officers)

Section A	Section B	Section C	Section D	Section E	Section F
SENIOR EXECUTIVE OFFICER	SENIOR EXECUTIVE OFFICER	SENIOR EXECUTIVE OFFICER (ALSO A HEARING OFFICER)	SENIOR EXECUTIVE OFFICER		HIGHER EXECUTIVE OFFICER
			HIGHER EXECUTIVE OFFICER	HIGHER EXECUTIVE OFFICER	
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Examination Units A, B and C + Classification Unit	Examination Units D, E and F + Manchester Office	Law Section	Public Enquiry Office	Registration	Training and Miscellaneous Duties
			Indexing Section	Registry	
			Trade Marks Journal	Assignments	
			---	---	
HIGHER EXECUTIVE OFFICERS	HIGHER EXECUTIVE OFFICERS	HIGHER EXECUTIVE OFFICER			
EXECUTIVE OFFICERS	EXECUTIVE OFFICERS	EXECUTIVE OFFICER	EXECUTIVE OFFICERS	EXECUTIVE OFFICERS	
CLERICAL STAFF	CLERICAL STAFF	CLERICAL STAFF	CLERICAL STAFF	CLERICAL STAFF	

The Branch staff list, issued quarterly, shows individual post holders and their specific responsibilities