

1, 12, 13, 14, 16

GOVERNMENT OF ZAMBIA

ACT

No. 2 of 2010

Date of Assent: 12th April, 2010

An Act to amend the Trade Marks Act.

[16th April, 2010

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Trade Marks (Amendment) Act, 2010, and shall be read as one with the Trade Marks Act, in this Act referred to as the principal Act.

Short title
Cap. 401

2. Section two of the principal Act is amended—

Amendment
of section
2

(a) by the insertion in the appropriate place of the following new definition:

“ Agency ” means the Patents and Companies Registration Agency established under section three of the Patents and Companies Registration Agency Act, 2010;;

Act No. 15
of 2010

(b) by the deletion of the definition of “Trade Marks Office”; and

(c) by the deletion of the definition of “ Registrar ” and the substitution therefor of the following definition:

“ Registrar ” means the person appointed as Registrar under section fourteen of the Patents and Companies Registration Agency Act, 2010;.

Act No. 15
of 2010

3. The principal Act is amended by the repeal of section three and the substitution therefor of the following new section:

Repeal and
replacement
of section 3
Administration
of Act

3. This Act shall be administered by the Agency.

4. The principal Act is amended by the repeal of section four and the substitution therefor of the following:

Repeal and
replacement
of section 4

8 [No. 2 of 2010 Trademarks (Amendment)

- Seal
Act No.15 of
2010
- 4: (1) The seal of the Agency kept in terms of the Patents and Companies Registration Agency Act, 2010, shall be used for the purposes of this Act and the impression thereof made for such purposes shall be judicially noticed.
- (2) On the commencement of this Act, any impression of a seal made for the purposes of this Act before the commencement of this Act shall be deemed to be an impression of the seal of the Agency.
- Repeal and
replacement
of section 5
Registrar and
other staff
Act No. 15 of
2010
5. The principal Act is amended by the repeal of section *five* and the substitution therefor of the following new section:
5. (1) The Registrar shall exercise the powers and perform the duties assigned to the Registrar by this Act and the Patents and Companies Registration Agency Act, 2010.
- (2) The Agency may appoint, on such terms and conditions as it may determine, examiners and such other staff as it considers necessary for the performance of its functions under this Act.
- Amendment
of section 81
6. Section *eighty-one* of the principal Act is amended in subsection (1) by the insertion immediately after the word “may” of the words “on the recommendation of the Agency,”.
- General
amendment of
Act
7. The principal Act is amended by the deletion of the words “Trade Marks Office” and “Patent Office” wherever they appear and the substitution therefor of the word “Agency”.
-