

Law
to Reform the Law relating to Merchants and Firms and
to Amend other Provisions of Commercial and Company Law
(Commercial Law Reform Law – HRefG)

of 22 June 1998

The Federal Parliament has passed the following Law:

Articles 1 to 12 ...

Article 13

Amendment to the Trade Mark Law

The Trade Mark Law of 25 October 1994 (Federal Law Gazette I page 3082, 1995 I page 156), last amended by Article 3 paragraph (14) of the Law of 28 October 1996 (Federal Law Gazette J page 1546), shall be amended as follows:

1. Section 33 shall be amended as follows:

(a) A semicolon and the words "Publication of Application" shall be added to the heading.

(b) The following subsection (3) shall be added:

"(3) A trade mark application which has been accorded a date of filing shall be published including information identifying the applicant."

2. Section 65 subsection (1) shall be amended as follows:

(a) The full stop at the end of number 13 shall be replaced by a comma.

(b) The following number 14 shall be added:

"14. to regulate the information to be included in the publication pursuant to section 33 subsection (3) and to determine the extent and the manner of the publication of such information."

3. Section 165 shall be worded as follows:

**"Section 165
Transitional Provisions**

(1) Section 33 subsection (3) shall not apply to applications for registration of a trade mark in the Register filed at the Patent Office before 1 January 1998.

(2) Until 1 January 1999 section 125h shall be applied subject to the proviso that bankruptcy proceedings shall be substituted for insolvency proceedings, the bankruptcy court for the insolvency court, assets involved in bankruptcy proceedings for assets involved in insolvency proceedings and the bankruptcy administrator for the insolvency administrator."

**Article 14
Amendment to the Law Against Unfair Competition**

Section 6c, second sentence, of the Law Against Unfair Competition in the revised version published in the Federal Law Gazette Part III, No. 43-1, last amended by Article 4 of the Law of 13 August 1997 (Federal Law Gazette I page 2038), shall be repealed.

Articles 15 to 28 ...

**Article 29
Entry into Force**

(1) Article 13 no. 2 of this Law shall enter into force on the day following promulgation.

(2) Article 3 no. 7, 9, 25, 34 and 35, Article 5 no. 1, Article 8 no. 3 and 6, Article 9 no. 2, 3 and 5, Articles 21, 22 and 23 no. 3 to 5 of this Law shall enter into force on 1 January 1999.

(3) Article 20 no. 1 (a), (b) of this Law shall enter into force on 1 January 2002.

(4) This Law shall otherwise enter into force on 1 July 1998.

The constitutional rights of the Federal Council have been heeded.
The above Law is hereby executed and promulgated in the Federal Law Gazette.

Berlin, 22 June 1998

The Federal President
Roman Herzog

The Federal Chancellor
Dr. Helmut Kohl

The Federal Minister of Justice
Schmidt-Jortzig
