

ROYAL ARMS, NAMES **AND IMAGES**

The following summarises the legal position governing the use, for commercial purposes, of the Royal Arms, Royal Devices, Emblems and Titles and of photographs, portraits, engravings, effigies and busts of The Queen and Members of the Royal Family.

Guidance on advertising in which reference is made to a Member of the Royal Family, and on the use of images of Members of the Royal Family on articles for sale, is also provided.

1. Royal Arms and Royal Devices, Emblems and Titles

The use of the Royal Arms and of Royal Devices, Emblems and Titles, or of Arms, Devices, etc., which are so similar as to be calculated to deceive, in connection with any trade or business, or to suggest that the person is employed by or supplies goods to a Member of the Royal Family, is prohibited by the Trade Marks Act 1994, unless the permission of the Member of the Royal Family concerned has been obtained.

The Lord Chamberlain's Office will be pleased to provide guidance when it is unclear as to whether the use of "Arms" etc., may give the impression that there is a Royal connection.

2. Trade Marks

Under Section 4(1) of the Trade Marks Act 1994, a trade mark which consists of or contains the Royal Arms, or a constituent part, such as the Crown, or Devices likely to be mistaken for them, or a representation of a Member of the Royal Family, or anything likely to give the impression that the Trade Mark owner has, or has had, Royal patronage, will not be registered, unless consent has been given by the Member of the Royal Family concerned.

The Lord Chamberlain's Office will again be pleased to provide guidance if required.

3. Royal Names

The use in Company names of words such as King, Queen, Prince, Princess and Royal is prohibited by the Company and Business Names Regulations.

Using Royal names on products, rather than as part of a Company's name, is illegal if the use of the name suggests the goods have some connection with or are supplied to a Member of the Royal Family.

4. Advertising

The Advertising Standards Authority issues specific guidelines which cover the use of Royal Images in advertising, but generally, except when advertising a book, newspaper article or magazine article about a Member of the Royal Family, Royal Images may not be used for advertising purposes in any medium.

A firm's advertisement may not include photographs of Members of the Royal Family visiting their works or exhibition stands, or being publicly involved with their goods or services. Such matters may then be referred to the Advertising Standards Authority or the Director General of Fair Trading under the control of Misleading Advertisements Regulations 1988.

Legal Tender and Postage Stamps

Legal tender which shows The Queen's head side of a coin or bank note may be used in advertising material, providing it is a faithful reproduction and is shown without alteration. This also applies to postage stamps, which must be shown in entirety, including perforations.

Clarification can be sought from the Lord Chamberlain's Office.

5. Images of Members of the Royal Family

The Lord Chamberlain's Office will not generally seek to oppose the use of images of Members of the Royal Family on certain articles which are for sale, providing they are of a permanent kind, free from advertisement, in good taste, carry no implication that the firm concerned has received Royal Custom or approval, and are not in contravention of any trademark or copyright.

However, as a general rule, the Lord Chamberlain's Office does not consider that Royal Images should be used on the following:-

Medals, medallions and coins
(which are not issued by The Queen or are legal tender)

Adhesive seals

Articles of dress

Household linen and furnishing fabrics

Packaging, containers, boxes, covers or labels

If it is intended to show the image of The Queen or a Member of the Royal Family with that of a person who is not a Member of the Royal Family, then it is suggested that specific advice should be sought from the Lord Chamberlain's Office.

Images of Members of the Royal Family under the age of 18 should not be used for commercial purposes.

6. Copyright

Any question of copyright involved in the reproduction of a Royal Image must be settled by the prospective user directly with the copyright holder.

Nothing in these rules gives any right to the use of any particular Image.

7. National Occasions

It is only proposed to vary these rules on occasional events of national importance.

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