

SCHEDULES

SCHEDULE 3

TRANSITIONAL PROVISIONS

Conversion of pending application

- 11 (1) In the case of a pending application for registration which has not been advertised under section 18 of the 1938 Act before the commencement of this Act, the applicant may give notice to the registrar claiming to have the registrability of the mark determined in accordance with the provisions of this Act.
- (2) The notice must be in the prescribed form, be accompanied by the appropriate fee and be given no later than six months after the commencement of this Act.
- (3) Notice duly given is irrevocable and has the effect that the application shall be treated as if made immediately after the commencement of this Act.