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STATUTORY INSTRUMENTS

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**1989 No. 1105**

**DESIGNS**

**The Registered Designs Rules 1989**

*Made* - - - - - *29th June 1989*  
*Laid before Parliament* *10th July 1989*  
*Coming into force* *1st August 1989*

**THE REGISTERED DESIGNS RULES 1989**

*PRELIMINARY*

1. Citation and commencement
2. Interpretation
3. Revocation
4. Forms

*DOCUMENTS*

5. Size and presentation of documents
6. Signature of documents
7. Service of documents

*ADDRESS*

8. Address for service
9. Failure to provide address for service

*AGENTS*

10. Appointment of agents
11. Recognition of agents

*APPLICATIONS FOR REGISTRATION*

12. Form for applications
13. Application for same design in respect of more than one article
14. Article to which design is applied
15. Statement of novelty on representations or specimens
16. Registration of same design in respect of other articles, etc.

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#### *REPRESENTATIONS AND SPECIMENS*

17. Supply of representations and specimens
18. Representations and specimens for sets of articles
19. Size and presentation of representations
20. Drawings or tracings
21. Replacement of specimens by representations
22. Words, letters or numerals
23. Repeating surface patterns
24. Use of portrait of a member of the Royal Family or armorial bearings, etc.
25. Use of portrait of living or recently dead person

#### *DESIGNS EXCLUDED FROM REGISTRATION UNDER SECTION 1(5)*

26. Exclusion of designs to be applied to certain articles

#### *CONVENTION APPLICATIONS*

27. Declarations
28. Copies and translations

#### *PROCEDURE ON RECEIPT OF APPLICATION*

29. Statement of objections by registrar
30. Decision of registrar to be communicated in writing
31. Appeal from registrar's decision

#### *CERTIFICATE OF REGISTRATION*

32. Form of certificate
33. Copy of certificate

#### *NOVELTY OF DESIGNS*

34. Deemed application date under section 3(4)
35. Industrial application of designs

#### *NON-COMPLETION*

36. Time limits

#### *DEATH OF APPLICANT*

37. Substitution

#### *EXTENSION OF DURATION OF RIGHT IN REGISTERED DESIGN*

38. Extension for further periods of five years
39. Notice of expiry of the right in a registered design
40. Late extensions
41. Restoration of lapsed right in a design under section 8A

#### *REGISTRATION OF ASSIGNMENTS, ETC*

42. Procedure for application for registration
43. Filing of certified copies
44. Particulars to be provided
45. Cancellation of claim to be mortgagee or licensee

46. Alteration of name or address

*CORRECTION OF ERRORS*

47. Request for correction

*DISCRETIONARY POWER*

48. Exercise of discretionary powers of registrar

*DISPENSATION BY REGISTRAR*

49. Registrar's power to dispense from Rules

*AMENDMENTS*

50. Registrar's power to allow amendments and rectify irregularities in procedure

*EXTENSION OF TIME*

51. Registrar's power to extend times prescribed by Rules

*APPLICATION FOR COMPULSORY LICENCE UNDER SECTION 10 OR CANCELLATION OF REGISTRATION OF DESIGN UNDER SECTION 11(2) OR (3)*

52. Procedure for application  
53. Opposition by registered proprietor  
54. Evidence of applicant  
55. Evidence of registered proprietor and evidence in reply  
56. Prohibition on further evidence  
57. Procedure for hearing

*CANCELLATION UNDER SECTION 11(1)*

58. Request for cancellation

*LICENCES OF RIGHT*

59. Application to settle terms of licence of right

*COSTS*

60. Costs of proceedings  
61. Security for costs

*EVIDENCE BEFORE REGISTRAR*

62. Evidence  
63. Form and content of statutory declaration or affidavit  
64. Making and subscription of statutory declaration or affidavit  
65. Registrar's power to require documents, information or evidence

*ADVISERS*

66. Registrar's power to appoint advisers

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#### *INSPECTION OF REGISTER AND DOCUMENTS*

- 67. Inspection by public
- 68. Direction by registrar under section 5(1)
- 69. Prohibition on inspection under section 22(2)

#### *SEARCHES*

- 70. Procedure when registration number known
- 71. Procedure when registration number unknown or general search

#### *CERTIFICATES AND COPIES SUPPLIED BY REGISTRAR*

- 72. Certificates supplied by registrar
- 73. Copies supplied by registrar

#### *HOURS OF BUSINESS AND EXCLUDED DAYS*

- 74. Hours of business
- 75. Excluded days
- 76. Calculation of times or periods

#### *ORDERS OF THE COURT*

- 77. Service of application on registrar
- 78. Filing of order with registrar  
Signature

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### SCHEDULE 1 — GENERAL FORMS

#### *List of Forms*

- 1A Appointment or change of agent.
- 2A Application for registration of a design.
- 6. Application for a copy of a certificate of registration of a design.
- 7. Request to the registrar for statement of grounds of decision under rule 31.
- 8. Request for extension of time to complete an application for the registration of a design.
- 9A Application to extend period of protection.
- 12A Application to register an assignment, licence, mortgage or other event affecting the rights in a registered design.
- 16. Application to record alteration of name.
- 18. Request for correction of error.
- 19. Request by proprietor of design to cancel registration.
- 20. Request for information under section 23 on supply of registration number.
- 21. Request for search when registration number is not supplied.
- 23. Request for certificate of the registrar.
- 25A Application for grant of a compulsory licence under section 10 or for cancellation of the registration under section 11(2) or (3).
- 28. Notification of order of the court.
- 29. Application for restoration of a lapsed right in a design.
- 30. Fee for restoration of a registered design.
- 31. Application for settlement of the terms of a licence of right.

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## SCHEDULE 2 — FORM OF CERTIFICATE OF REGISTRATION OF DESIGN

### Explanatory Note