

1989 No. 1105

DESIGNS

The Registered Designs Rules 1989

<i>Made - - - -</i>	<i>29th June 1989</i>
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The Secretary of State, in exercise of the powers conferred upon him by sections 1(5), 3(1), (4) and (6), 5(2), 6(6), 8(3), 8A(1) and (3), 11(1), 17(1), (5) and (6), 18(1), 19(1) and (2), 20(3) and (4), 22(2), 29, 30(1) and (3), 31, 32(1), 36(1) and (1A), 39(1) and 44(1) of the Registered Designs Act 1949^(a) and after consultation with the Council on Tribunals pursuant to section 10(1) of the Tribunals and Inquiries Act 1971^(b), hereby makes the following Rules:

PRELIMINARY

Citation and commencement

1. These Rules may be cited as the Registered Designs Rules 1989 and shall come into force on 1st August 1989.

Interpretation

2. In these Rules, unless the context otherwise requires—
- “the Act” means the Registered Designs Act 1949 and “section” means a section of the Act;
 - “convention application” means an application in the United Kingdom under section 14;
 - “Journal” means the Official Journal (Patents) published by the Comptroller-General of Patents, Designs and Trade Marks under the Patents Act 1977^(c);
 - “register” means the register of designs kept under section 17;
 - “specimen” means an article with the design applied to it;
 - “textile article” means textile and plastics piece goods, handkerchiefs, shawls and such other classes of articles of a similar character as the registrar may from time to time decide, for which the protection required is limited to features of pattern and ornament only;
 - “United Kingdom” includes the Isle of Man.

Revocation

3. The Designs Rules 1984^(d), the Designs (Amendment) Rules 1987^(e) and the Designs (Amendment) Rules 1988^(f) are hereby revoked.

Forms

4.—(1) The forms mentioned in these Rules are those set out in Schedule 1 to these Rules.

(2) A requirement under these Rules to use a form set out in Schedule 1 to these Rules is satisfied by the use either of a replica of that form or of a form which contains the information required by the form set out in the said Schedule and which is acceptable to the registrar.

DOCUMENTS

Size and presentation of documents

5. Subject to any directions that may be given by the registrar in any particular case, all applications, notices, papers having representations affixed, and other documents filed under the Act or these Rules shall be upon strong paper and, except where otherwise

^(a) 1949 c.88; section 17 of the Registered Designs Act 1949 was inserted by the Patents, Designs and Marks Act 1986 (c.39), Schedule 1, paragraph 3; sections 1(5), 3(4) and (6), 5(2), 6(6), 8(3), 8A(1) and (3), 30(1) and (3), 31 and 36(1A) of the 1949 Act were inserted by, and sections 22(2), 29 and 36(1) of the 1949 Act were amended by, the Copyright, Designs and Patents Act 1988 (c.48), sections 265 and 269 and Schedule 3, paragraphs 1, 3, 4, 12, 18, 19, 20 and 26.

^(b) 1971 c.62.

^(c) 1977 c.37.

^(d) S.I. 1984/1989.

^(e) S.I. 1987/287.

^(f) S.I. 1988/2088.

required, on one side only, of a size approximately 297 mm by 210 mm (11½ inches by 8¼ inches) or approximately 330 mm by 200 mm to 210 mm (13 inches by 8 inches to 8¼ inches) and having on the left hand part thereof a margin of approximately 50 mm (2 inches).

Signature of documents

6.—(1) This rule applies to any notice, application or other document required or authorised by the Act or these Rules to be given, made or filed at the Patent Office and such a notice, application or other document is referred to in the following paragraphs of this rule as a "document".

(2) A document filed by or on behalf of a firm which is concerned in any proceedings to which these Rules relate as principal and not as an agent shall contain the names of all the partners in full and shall be signed by all the partners, by any partner stating that he signs on behalf of the firm (or, in the case of a firm formed under the law of Scotland, by any partner in the firm's name) or by any other person who satisfies the registrar that he is authorised to sign the document.

(3) A document signed for or on behalf of a body corporate shall be signed by a director or the secretary or other principal officer of the body or by any other person who satisfies the registrar that he is authorised to sign the document.

(4) A document signed for or on behalf of an unincorporated body or association of persons other than a firm may be signed by any person who satisfies the registrar that he is authorised to sign the document.

Service of documents

7. Any notice, application or other document sent to the Patent Office by posting it in the United Kingdom shall be deemed to have been given, made or filed at the time when the letter containing it would be delivered in the ordinary course of post.

ADDRESS

Address for service

8.—(1) Every person concerned in any proceedings to which these Rules relate and every person registered as proprietor of, or as having an interest in, a registered design shall furnish to the registrar an address for service in the United Kingdom and that address may be treated for all purposes connected with such proceedings or such registered design as the address of that person.

(2) Such address shall, in the case of a registered proprietor, be entered on the register as the address for service of such proprietor.

Failure to provide address for service

9. Where an address for service in the United Kingdom has not been furnished to the registrar by an applicant in any proceedings to which these Rules relate, the registrar need not proceed with the examination of the application until such an address has been furnished to him.

AGENTS

Appointment of agents

10.—(1) Unless the registrar otherwise directs in any particular case, anything required or authorised by these Rules to be done by or in relation to any person may be done by, or in relation to, his agent.

(2) Where after a person has become a party to proceedings before the registrar he appoints an agent for the first time, or appoints one agent in substitution for another, the newly appointed agent shall file Designs Form 1A in duplicate on or before the first occasion when he acts as agent.

Recognition of agents

11. The registrar may refuse to recognise as agent in respect of any business under the Act—

- (a) any individual whose name has been erased from, and not restored to, the register of patent agents kept in pursuance of rules made under the Patents Act 1977 or who is for the time being suspended from acting as a patent agent; or
- (b) any person who is found by the Secretary of State to have been convicted of any offence or to have been guilty of any such misconduct as, in the case of an individual registered in the register of patent agents aforesaid, would render him liable to have his name erased from it; or
- (c) any company or firm, if any person whom the registrar could refuse to recognise as agent in respect of any business under the Act is acting as a director or manager of the company or is a partner in the firm.

APPLICATIONS FOR REGISTRATION

Form for applications

12. Applications to register designs shall be made on Designs Form 2A.

Application for same design in respect of more than one article

13. Where it is desired to register the same design in respect of more than one article other than sets of articles, a separate application shall be made in respect of each article and each application shall be numbered separately and shall be treated as a separate and distinct application.

Article to which design is applied

14.—(1) Every application shall state the article to which the design is to be applied and that the applicant claims to be the proprietor of the design in relation to that article.

(2) If any question arises as to whether an article to which a design is to be applied is made substantially of lace or as to whether a design to be applied to a textile article consists substantially of checks or stripes, it shall be decided by the registrar.

Statement of novelty on representations or specimens

15.—(1) Except in the case of an application to register the pattern or ornament of a design to be applied to a textile article, to wallpaper or similar wall covering or to lace or to sets of textile articles or lace, a statement satisfactory to the registrar of the features of the design for which novelty is claimed shall appear on each representation or specimen of the design.

(2) The statement referred to in paragraph (1) above shall appear on the front of the first sheet only of each representation or specimen (except where the registrar is satisfied that this is impracticable in which case it shall appear in a place satisfactory to the registrar) and it shall be separate from any other statement or disclaimer.

Registration of same design in respect of other articles, etc.

16. If the application is for the registration of a design which has already been registered or applied for in respect of one or more articles, or consists of a design already registered or applied for with modifications or variations not sufficient to alter the character or substantially to affect the identity thereof, and it is desired to claim the protection of section 4 for such application, it shall contain the number or numbers of the registration or registrations already effected or the application or applications already made.

REPRESENTATIONS AND SPECIMENS

Supply of representations and specimens

17. Except as regards applications for registration of designs to be applied to sets of articles, there shall be furnished in connection with an application four identical representations of the design, in a form satisfactory to the registrar, or four specimens. Where representations are supplied the registrar may at any time before registration require specimens or additional representations.

Representations and specimens for sets of articles

18.—(1) There shall be furnished in connection with an application for the registration of a design to be applied to a set of articles five identical representations of the design in a form satisfactory to the registrar, or five specimens.

(2) The representations shall show the design as applied to each different article included in the set.

Size and presentation of representations

19.—(1) Each representation of the design, whether to be applied to a single article or to a set of articles, shall be upon paper of the size prescribed by rule 5 above and not on cardboard, and shall appear on one side only of the paper. The figure or figures shall be placed in an upright position on the sheet except where the registrar is satisfied that it is impracticable. When more figures than one are shown, these shall where reasonably practicable be on one and the same sheet, and each shall be designated perspective view, front view, side view, plan or otherwise as the case may be.

(2) Each sheet shall bear in the top left hand corner the name of the applicant and in the top right hand corner the number of sheets comprising the representation and the consecutive number of each sheet.

Drawings or tracings

20. When the representations furnished are drawings or tracings they shall be in ink and if on tracing cloth or tracing paper shall be mounted on paper of the size prescribed by rule 5 above.

Replacement of specimens by representations

21. When specimens are furnished and are not, in the registrar's opinion, of a kind which can be conveniently mounted in a flat position by means of an adhesive upon paper or by stitching on linen-backed sheets of paper of the size prescribed by rule 5 above and stored without damage to other documents, representations shall be furnished in place of specimens.

Words, letters or numerals

22. In an application where words, letters or numerals appear in the design, the registrar may require that a disclaimer of any right to their exclusive use shall appear on each representation or specimen.

Repeating surface patterns

23. Each representation or specimen of a design which consists of a repeating surface pattern shall show the complete pattern and a sufficient portion of the repeat in length and width, and shall not be of less size than 180 mm by 130 mm (7 inches by 5 inches).

Use of portrait of a member of the Royal Family or armorial bearings, etc.

24. Where a portrait of Her Majesty or of any member of the Royal Family, or a reproduction of the armorial bearings, insignia, orders of chivalry, decorations or flags of any country, city, borough, town, place, society, body corporate, institution or person appears on a design, the registrar, before proceeding to register the design, shall, if he so requires, be furnished with a consent to the registration and use of such portrait or reproduction from such official or other person as appears to the registrar to be entitled to give consent, and in default of such consent he may refuse to register the design.

Use of portrait of living or recently dead person

25. Where the name or portrait of a living person appears on a design, the registrar shall be furnished, if he so requires, with consent from such person before proceeding to register the design and, in the case of a person recently dead, the registrar may call for consent from his personal representative before proceeding with the registration of a design on which the name or portrait of the deceased person appears.

DESIGNS EXCLUDED FROM REGISTRATION UNDER SECTION 1(5)

Exclusion of designs to be applied to certain articles

26. There shall be excluded from registration under the Act designs to be applied to any of the following articles, namely—

- (1) works of sculpture, other than casts or models used or intended to be used as models or patterns to be multiplied by any industrial process;
- (2) wall plaques, medals and medallions;
- (3) printed matter primarily of a literary or artistic character, including book jackets, calendars, certificates, coupons, dress-making patterns, greetings cards, labels, leaflets, maps, plans, playing cards, postcards, stamps, trade advertisements, trade forms and cards, transfers and similar articles.

CONVENTION APPLICATIONS

Declarations

27. An application for registration under section 14 shall contain a declaration that the application in a convention country upon which the applicant relies is the first application made in a convention country in respect of the design, whether by the applicant or by any person of whom he claims to be the personal representative or assignee, and shall specify the convention country in which such foreign application was made, or is to be deemed under section 14(4) to have been made, and the official date thereof.

Copies and translations

28.—(1) In addition to the representations or specimens filed with every convention application there shall be filed with the application, or within three months thereafter, a copy of the representation of the design filed or deposited in respect of the first application in a convention country, duly certified by the authority with which it was filed or otherwise verified to the satisfaction of the registrar.

(2) If any certificate or other document relating to the application is in a language other than English, a translation thereof into English verified to the satisfaction of the registrar as corresponding to the original text shall be annexed thereto.

PROCEDURE ON RECEIPT OF APPLICATION

Statement of objections by registrar

29. If upon consideration there appears to the registrar to be any objection to the application, a statement of those objections shall be sent to the applicant in writing, and unless within two months thereafter the applicant applies for a hearing or makes observations in writing on those objections, he shall be deemed to have withdrawn his application.

Decision of registrar to be communicated in writing

30. If the applicant applies for a hearing, the decision of the registrar at the hearing shall be communicated to the applicant in writing, together with an indication in general terms of the grounds for that decision.

Appeal from registrar's decision

31. If the applicant desires to appeal from the registrar's decision, he shall within one month from the date of the decision apply to the registrar, upon Designs Form 7, requesting him to state in writing the grounds of, and the materials used by him in arriving at, his decision. Upon receipt of such application, the registrar shall send to the applicant a statement as aforesaid in writing and the date when the statement is sent shall be deemed to be the date of the registrar's decision for the purpose of an appeal.

CERTIFICATE OF REGISTRATION

Form of certificate

32. The certificate of registration of a design shall be in the form set out in Schedule 2 to these Rules, provided always that, in the case of a design which is registered under the provisions of section 4 in association with a design which has been previously registered, the certificate shall contain a statement that the design has been registered in association with that previously registered design.

Copy of certificate

33. An application under section 18(2) for a copy of a certificate of registration shall be made on Designs Form 6 and, where the original certificate has been lost, destroyed or otherwise cannot be produced, shall be accompanied by evidence setting out in full and verifying the circumstances in which the original certificate was lost, destroyed or cannot be produced. An application for a copy of a certificate made for any other reason shall be accompanied by a statement as to why the applicant considers it expedient for a copy to be furnished to him and shall be supported by such evidence as the registrar shall require.

NOVELTY OF DESIGNS

Deemed application date under section 3(4)

34.—(1) For the purpose of deciding whether a design is new the registrar may direct—

(a) that an application for the registration of a design, which has been amended in such a way that the appearance of the design has been altered significantly, shall be treated as having been made on the date on which it was so amended; or

(b) that, where an application for the registration of a design disclosed more than one design and has been amended so as to exclude one or more designs from the application, a subsequent application for the registration of a design so excluded made by the person who made the earlier application or his successor in title shall be treated as having been made on the date on which the earlier application was made or is treated as having been made, provided always that the later application is filed before the end of the period provided by rule 36 below for the completion of the earlier application (including any extension of time allowed under the said rule 36) or the date on which the certificate of registration of the design which is the subject of the earlier application (as amended) is granted, whichever is the earlier.

(2) Nothing in paragraph (1)(a) of this rule shall be taken to limit the discretion of the registrar to decline to accept an amendment of an application for the registration of a design.

Industrial application of designs

35. A design shall be regarded for the purposes of section 6 as "applied industrially" if it is applied—

- (a) to more than fifty articles which do not all together constitute a single set of articles as defined in section 44(1); or
- (b) to goods manufactured in lengths or pieces, not being hand-made goods.

NON-COMPLETION

Time limits

36. The time prescribed for the purposes of section 3(6), which relates to non-completion of an application, shall be twelve months from the date of the application:

Provided that the application may be completed at any time after twelve months but within fifteen months of the date aforesaid, if a request for an extension of time is made on Designs Form 8 accompanied by the prescribed fee.

DEATH OF APPLICANT

Substitution

37. In the case of the death of any applicant for the registration of a design after the date of his application, and before registration of the design has been effected, the registrar may, on being satisfied of the applicant's death, enter in the register, in place of the name and address of such deceased applicant, the name and address of the person owning the design, on such ownership being proved to the satisfaction of the registrar.

EXTENSION OF DURATION OF RIGHT IN REGISTERED DESIGN

Extension for further periods of five years

38.—(1) An application for extension of the period for which the right in a registered design subsists for a further period of five years shall be made on Designs Form 9A not more than three months before the expiry of the period of five years immediately preceding that further period.

(2) On receipt of the prescribed extension fee accompanied by Designs Form 9A, duly completed, the registrar shall issue a certificate of extension of the period for which the right in the registered design subsists.

Notice of expiry of the right in a registered design

39.—(1) Where the right in a registered design has expired under section 8(3), the registrar shall, not later than six weeks after the date on which the right expired (and if an application for extension of the period for which the right subsists has still not been received by the registrar), send to the registered proprietor of the design a notice of that fact.

(2) This rule does not apply to the right in a design registered in pursuance of an application made before 1st August 1989.

Late extensions

40. An application for extension of the period for which the right in a registered design subsists for a further period of five years made during the period of six months immediately following the end of a five year period shall be made on Designs Form 9A.

Restoration of lapsed right in a design under section 8A

41.—(1) An application under section 8A may be made within twelve months from the date on which the right in the registered design expired.

(2) Any such application shall be made on Designs Form 29 and shall be supported by evidence in support of the statements made in that application.

(3) The registrar shall enter in the register notice of the application and shall publish such notice in the Journal.

(4) If, upon consideration of the evidence, the registrar is not satisfied that a case for an order under section 8A has been made out, he shall notify the applicant accordingly and, unless within two months the applicant requests to be heard in the matter, the registrar shall refuse the application.

(5) If the applicant requests a hearing within the time allowed, the registrar shall, after giving the applicant an opportunity of being heard, determine whether the application shall be allowed or refused.

(6) If the registrar decides to allow the application, he shall notify the applicant accordingly and require him to file Designs Form 30, together with Designs Form 9A, duly completed, and the amount of the unpaid extension fee and the prescribed restoration fee, upon receipt of which the registrar shall order the restoration of the right in the design and advertise the fact in the Journal.

(7) If the registrar decides to refuse the application he shall notify the applicant accordingly, giving written reasons for his decision if so required by the applicant.

(8) This rule does not apply to the right in a design registered in pursuance of an application made before 1st August 1989.

REGISTRATION OF ASSIGNMENTS, ETC

Procedure for application for registration

42.—(1) An application under section 19(1) or (2) for the registration of the title of any person becoming entitled by assignment, transmission or operation of law to a registered design or to a share in a registered design, or becoming entitled as mortgagee, licensee or otherwise to any interest in a registered design shall be made on Designs Form 12A.

(2) Application may be made on Designs Form 12A for entry in the register of notification of any other transaction, event or document purporting to affect the proprietorship of a registered design.

Filing of certified copies

43. A certified copy of any document which is referred to in an application under rule 42 above shall be filed with the application.

Particulars to be provided

44. An application under rule 42(1) above shall contain the name and address of the person claiming or stated to be entitled together with full particulars of the transaction, event or document under which title is claimed or given.

Cancellation of claim to be mortgagee or licensee

45. Where the name of a person is entered in the register as mortgagee or licensee, such person may on making an application for the purpose on Designs Form 12A have a note entered in the register that he no longer claims to be mortgagee or licensee, as the case may be.

Alteration of name or address

46.—(1) A request by any person upon the alteration of his name for that alteration to be entered in the register or on any application or other document filed at the Patent Office shall be made on Designs Form 16.

(2) Before acting on a request to alter a name, the registrar may require such proof of the alteration as he thinks fit.

(3) A request by any person for the alteration or correction of his address or address for service entered in the register or on any application or other document filed at the Patent Office shall be made in writing.

(4) Where any person files a form under these Rules and on that form he specifies as his address or address for service an address which differs from the address or address for service (as the case may be) which he has previously furnished to the registrar, he shall be deemed, in relation to the design to which the form relates, to have made a request in writing under paragraph (3) above in respect of any address or address for service of his (as the case may be) entered in the register and on any application or other document filed at the Patent Office.

(5) If the registrar is satisfied that the request to alter a name, address or address for service may be allowed, he shall cause the register, application or other document to be altered accordingly.

CORRECTION OF ERRORS

Request for correction

47. Where a person interested desires, under the provisions of section 21, to correct an error, he shall make his request on Designs Form 18 (unless the error relates to his address or address for service).

DISCRETIONARY POWER

Exercise of discretionary powers of registrar

48.—(1) Without prejudice to any provisions of the Act or these Rules requiring the registrar to hear any party to proceedings under the Act, or to give any such party an opportunity to be heard, the registrar shall, before exercising any discretion vested in him by or under the Act adversely to any party to a proceeding before him, give that party an opportunity to be heard.

(2) The registrar shall give that party at least fourteen days' notice of the time when he may be heard unless that party consents to shorter notice.

DISPENSATION BY REGISTRAR

Registrar's power to dispense from Rules

49. Where under these Rules any person is required to do any act or thing, or any document or evidence is required to be produced or filed and it is shown to the satisfaction of the registrar that from any reasonable cause that person is unable to do that act or thing, or that document or evidence cannot be produced or filed the registrar may, upon the production of such evidence and subject to such terms as he thinks fit, dispense with the doing of any such act or thing, or the production or filing of that document or evidence.

AMENDMENTS

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

50. If the registrar thinks fit any document or drawing or other representation of a design may be amended, and any irregularity in procedure may be rectified, on such terms as the registrar may direct.

EXTENSION OF TIME

Registrar's power to extend times prescribed by Rules

51. The times or periods prescribed by these Rules for doing any act or taking any proceeding thereunder, other than the period prescribed in rule 41(1) above, may be extended by the registrar if he thinks fit, upon such notice and upon such terms as he may direct, and such extension may be granted although the time or period for doing such act or taking such proceeding has already expired.

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

Procedure for application

52.—(1) An application for the grant of a compulsory licence under section 10 or for the cancellation of the registration of a design under section 11(2) or (3) shall be made on Designs Form 25A. Such application shall be accompanied by a copy thereof and a statement in duplicate setting out fully the nature of the applicant's interest and the facts upon which he relies.

(2) A copy of the application and the statement of case shall be sent by the registrar to the registered proprietor.

Opposition by registered proprietor

53. If the registered proprietor desires to oppose the application he shall, within such time as the registrar may allow, file a counter-statement fully setting out the grounds on which the application is to be opposed and shall send to the applicant a copy thereof.

Evidence of applicant

54. The applicant may, within such time as the registrar may allow after receipt of the counter-statement, file evidence in support of his case and shall send to the registered proprietor a copy of any evidence so filed.

Evidence of registered proprietor and evidence in reply

55.—(1) Within such time as the registrar may allow, the registered proprietor may file evidence in support of his case and shall send to the applicant a copy thereof.

(2) Following receipt of the copy from the registered proprietor and within such time as the registrar may allow, the applicant may file evidence confined to matters strictly in reply and shall send to the registered proprietor a copy thereof.

Prohibition on further evidence

56. No further evidence shall be filed by either party except by leave or direction of the registrar.

Procedure for hearing

57.—(1) On completion of the evidence, if any, or at such other time as he may see fit, the registrar shall appoint a time for the hearing of the case, and shall give the parties at least fourteen days' notice of the appointment.

(2) If either party desires to be heard he shall give notice in writing of that fact to the registrar and the registrar may refuse to hear a party who has not given him such notice prior to the date of the hearing.

(3) The hearing before the registrar of any dispute between two or more parties relating to any matter in connection with a registered design shall be in public unless

the registrar, after consultation with those parties to the dispute who appear in person or are represented at the hearing, otherwise directs.

(4) Nothing in this rule shall prevent a member of the Council on Tribunals or of its Scottish Committee from attending a hearing in his capacity as such.

CANCELLATION UNDER SECTION 11(1)

Request for cancellation

58. Where the registered proprietor of a design desires to cancel his registration, he shall request such cancellation on Designs Form 19.

LICENCES OF RIGHT

Application to settle terms of licence of right

59.—(1) An application to settle the terms of a licence under section 11A(4) of the Act or section 266(2) of the Copyright, Designs and Patents Act 1988 shall be made on Designs Form 31 and shall be accompanied by a copy thereof and a statement in duplicate setting out the terms of the licence which the applicant requires the registrar to settle.

(2) Within fourteen days of the receipt of Designs Form 31 the registrar shall send a copy of it, together with a copy of the applicant's statement, to the registered proprietor.

(3) The registered proprietor shall, if he does not agree to the terms of the licence set out in the applicant's statement, within six weeks of the receipt of the copies referred to in paragraph (2) above serve a notice of objection on the registrar with a statement setting out the grounds of his objection and at the same time shall serve a copy of the same on the applicant.

(4) Within four weeks of the receipt of the notice of objection the applicant may serve on the registrar a counter-statement, and at the same time shall serve a copy of the same on the registered proprietor.

(5) No amended statement or further statement shall be served by either party except by leave or direction of the registrar.

(6) The registrar may give such directions as he may think fit with regard to the subsequent procedure.

COSTS

Costs of proceedings

60.—(1) The registrar may, in any proceedings before him under the Act, by order award to any party such costs as he may consider reasonable, and direct how and by what parties they are to be paid.

(2) In the event of an application for the grant of a compulsory licence or for the cancellation of the registration of a design being uncontested by the registered proprietor, the registrar in deciding whether costs should be awarded to the applicant shall consider whether proceedings might have been avoided if reasonable notice had been given by the applicant to the registered proprietor before the application was filed.

Security for costs

61.—(1) If a person neither resides nor carries on business in the United Kingdom or another member State of the European Economic Community, the registrar may require him to give security for the costs of any application or appeal falling within section 30(3).

(2) In default of such security being given, the registrar, in the case of an application, or the Appeal Tribunal, in the case of an appeal, may treat the application or appeal as abandoned.

EVIDENCE BEFORE REGISTRAR

Evidence

62.—(1) Where under these Rules evidence may be filed, it shall be by statutory declaration or affidavit.

(2) The registrar may if he thinks fit in any particular case take oral evidence in lieu of or in addition to such evidence and shall allow any witness to be cross-examined on his statutory declaration, affidavit or oral evidence, unless he directs otherwise.

(3) The registrar shall in relation to the examination of witnesses on oath and the discovery and production of documents have all the powers of an official referee of the Supreme Court.

(4) The rules applicable to the attendance of witnesses before such a referee shall apply in relation to the attendance of witnesses in proceedings before the registrar.

Form and content of statutory declaration or affidavit

63.—(1) The statutory declarations and affidavits required by these Rules, or used in any proceedings thereunder, shall be headed in the matter or matters to which they relate, and shall be divided into paragraphs consecutively numbered, and each paragraph shall, so far as possible, be confined to one subject.

(2) Every statutory declaration or affidavit shall state the description and true place of abode of the person making the same, and shall be written, typed, lithographed or printed.

Making and subscription of statutory declaration or affidavit

64.—(1) Any statutory declaration or affidavit filed under the Act or these Rules shall be made and subscribed as follows—

- (a) in the United Kingdom, before any justice of the peace or any commissioner or other officer authorised by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceedings;
- (b) in any other part of Her Majesty's dominions or in the Republic of Ireland, before any court, judge, justice of the peace or any officer authorised by law to administer an oath there for the purpose of any legal proceedings; and
- (c) elsewhere, before a British Minister, or person exercising the functions of a British Minister, or a Consul, Vice-Consul or other person exercising the functions of a British Consul or before a notary public, judge or magistrate.

(2) Any document purporting to have affixed, impressed or subscribed thereto or thereon the seal or signature of any person authorised by paragraph (1) above to take a declaration may be admitted by the registrar without proof of the genuineness of the seal or signature, or of the official character of the person or his authority to take the declaration.

Registrar's power to require documents, information or evidence

65. At any stage of any proceedings before the registrar, he may direct that such documents, information or evidence as he may require shall be filed within such period as he may fix.

ADVISERS

Registrar's power to appoint advisers

66. The registrar may appoint an adviser to assist him in any proceedings before the registrar and shall settle the question or instructions to be submitted or given to such adviser.

INSPECTION OF REGISTER AND DOCUMENTS

Inspection by public

67. The register (or the material on the register) and the material available for inspection pursuant to section 22 shall be made available for inspection by the public on payment of the prescribed fee between the hours of ten a.m. and four p.m. on weekdays, other than Saturdays and days which are specified as excluded days for the purposes of section 39.

Direction by registrar under section 5(1)

68. Where the registrar has given a direction under section 5(1) prohibiting or restricting the publication of a design, the representation or specimen of the design and any such evidence as is mentioned in section 5(2)(b) shall not be open to public inspection while such direction remains in force.

Prohibition on inspection under section 22(2)

69. The period under section 22(2) during which a design shall not be open to inspection, except as provided in that section, shall be, as regards designs to be applied to textile articles, three years and as regards designs to be applied to wallpaper and similar wall covering and lace, two years from the date of the registration thereof.

SEARCHES

Procedure when registration number known

70. Where any person desires to obtain the information which he is entitled to obtain under section 23 and can furnish the registration number of the design, he shall make his request on Designs Form 20 and the registrar shall thereafter furnish him with the information aforesaid.

Procedure when registration number unknown or general search

71. The registrar shall, upon a request for the purpose made on Designs Form 21, accompanied by a representation or specimen (in duplicate) of the design applied to an article, cause such search as may be reasonably practicable to be made among registered designs and state whether the design as applied to that article appears to be identical with, or closely to resemble, any registered design applied to that or any other article, and shall furnish such information as can properly be given.

CERTIFICATES AND COPIES SUPPLIED BY REGISTRAR

Certificates supplied by registrar

72. Upon request made on Designs Form 23 and payment of the appropriate fee—
- (a) the registrar shall supply a certified copy of an entry in the register or a certified extract from the register; and
 - (b) the registrar may supply—
 - (i) a certified copy of any representation, specimen or document kept in the Patent Office or a certified extract from any such document; or
 - (ii) a certificate for the purposes of section 17(9).

Copies supplied by registrar

73. Upon request and payment of the appropriate fee—
- (a) the registrar shall supply an uncertified copy of an entry in the register or an uncertified extract from the register; and
 - (b) the registrar may supply an uncertified copy of any representation or document kept in the Patent Office or an uncertified extract from any such document.

HOURS OF BUSINESS AND EXCLUDED DAYS

Hours of business

74. The Patent Office shall be deemed to be closed at the following hours for the transaction of business of the classes specified—

- (a) on weekdays, other than Saturdays, at midnight for the filing of applications, forms and other documents, and at four p.m. for all other business,
- (b) on Saturdays, at one p.m. for the filing of new applications for the registration of designs which are not convention applications.

Excluded days

75.—(1) The following shall be excluded days for all purposes under the Act:

- (a) all Sundays;
- (b) Good Friday and Christmas Day;
- (c) any day specified as or proclaimed to be a bank holiday in England in or under section 1 of the Banking and Financial Dealings Act 1971(a);
- (d) any Saturday immediately preceded by a day falling within sub-paragraph (b) or (c) above.

(2) Saturdays not falling within paragraph (1) above shall be excluded days for all purposes except the filing of new applications for the registration of designs which are not convention applications.

Calculation of times or periods

76.—(1) Where, on any day, there is—

- (a) a general interruption or subsequent dislocation in the postal services of the United Kingdom, or
- (b) an event or circumstances causing an interruption in the normal operation of the Patent Office,

the registrar may certify the day as being one on which there is an “interruption” and, where any period of time specified in the Act or these Rules for the giving, making or filing of any notice, application or other document expires on a day so certified the period shall be extended to the first day next following (not being an excluded day) which is not so certified.

(2) Any certificate of the registrar given pursuant to this rule shall be posted in the Patent Office.

(3) Where in connection with an application for the registration of a design the period of time referred to in rule 34(1)(b) above or the period of six months after the opening of an exhibition referred to in section 6(2) ends on a day which is certified by the registrar for the purposes of paragraph (1) above or which is an excluded day for the purposes of section 39, the application shall be treated as having been made within the relevant period if it is made on the first following day which is neither so certified nor an excluded day.

(4) If in any particular case the registrar is satisfied that the failure to give, make or file any notice, application or other document within—

- (a) any period of time specified in the Act or these Rules for such giving, making or filing,
- (b) the period of six months specified in section 6(2) or 14(1), or
- (c) the period of time referred to in rule 34(1)(b) above,

was wholly or mainly attributable to a failure or undue delay in the postal services in the United Kingdom, the registrar may, if he thinks fit—

- (i) in the case of a period of time falling within sub-paragraph (a) above, extend the period so that it ends on the day of the receipt by the addressee of the notice, application or other document (or, if the day of such receipt

(a) 1971 c.80.

is an excluded day, on the first following day which is not an excluded day), or

- (ii) in the case of the said periods of six months or the period of time referred to in rule 34(1)(b) above, determine that the application shall be treated as having been made within the relevant period,

in each case upon such notice to other parties and upon such terms as he may direct.

ORDERS OF THE COURT

Service of application on registrar

77. Where application to the court under section 20 for rectification of the register has been made, the applicant shall forthwith serve an office copy of the application on the registrar, who shall enter a notice of the application in the register.

Filing of order with registrar

78. Where an order has been made by the court in any case under the Act, the person in whose favour such order has been made shall forthwith file Designs Form 28 accompanied by an office copy of the order. The register shall, if necessary, thereupon be rectified by the making of any entry therein or the variation or deletion of any entry therein.

Eric Forth
Parliamentary Under Secretary of State,
Department of Trade and Industry

29th June 1989

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.

Designs Form 1A
**Appointment or
Change of Agent**

For Official Use

Registered
Designs Act 1949

Notes

Please file this form in duplicate. Please type, or write in dark ink using BLOCK LETTERS. A fee is not required for this form.

Rule 10 of the Registered Designs Rules 1989 is the main rule governing the completion and filing of this form.

This form may be used for more than one design if the same authorisation has been given. If you do not have enough space, please use a separate sheet of paper.

This form is for use only where, after a person has become a party to proceedings before the Registrar he appoints an agent for the first time or appoints one agent in substitution for another.

This form is to be completed by the newly appointed agent and filed in duplicate. Where the agent has been appointed in substitution for another, the duplicate will be sent to the original agent.

Please mark correct box.

Please sign here ➤

1. Your reference.	
2. Please give Design Application or Registered Design number(s)	
3. Please give full name and address of applicant or registered proprietor.	
Name	
Address	
	Postcode
ADP number (if known)	
4. Please give your name and address in the United Kingdom.	
Name	
Address	
	Postcode
ADP number (if known)	
5. Have you been authorised to act in all matters relating to the above application/registered design?	
	Yes <input type="checkbox"/> No <input type="checkbox"/>
If 'No' please give details of the extent of your appointment.	
6. I declare that I/we have been appointed by the person(s) named at 3 above to act as agent as detailed in 5 above.	
Signed _____	Date _____
	day month year

Revised 1989

Designs Form 2A
Application for
Registration of a
Design

For Official Use

Registered
Designs Act 1949

Notes

Please type, or write in dark ink using BLOCK LETTERS. For details of prescribed fees please contact the Designs Registry at the Patent Office.

Rules 6, 12 to 14 and 16 of the Registered Designs Rules 1989 are the main rules governing the completion and filing of this form.

If you do not have enough space, please use a separate sheet of paper.

② Please enter the names of each applicant. Names of individuals should be entered in full and the surname or family name should be underlined. The names of all partners in a firm must be given in full. Corporate bodies should be designated by their corporate name.

① Applicants resident abroad **must** provide a United Kingdom address.

⑦ Please mark appropriate box(es). For a definition of textile articles please see Rule 2 of the Registered Design Rules 1989.

⑥ Please name concisely the specific article as shown in the representations for which protection is required.

1. Your reference.

2. Please give full name(s) and address(es) of applicant(s).

Name

Address

Postcode

ADP number (if known)

3. If you are a corporate body please give country of incorporation.

State of incorporation (if appropriate)

4. Please give the name of your agent (if applicable).

Please give an address for service in the United Kingdom to which all correspondence will be sent.

Postcode

ADP number (if known)

5. Are you applying for registration of a design applied to:

a single article?

or to a set of articles?

Is the design to be applied to:

a single article made substantially of lace or is it a design consisting substantially of checks or stripes to be applied to a single textile article?

or to any other article?

6. What article is the design to be applied to?

This form should be accompanied by **four (five** in respect of a set of articles) identical representations or specimens of the design. Except in the case of an application for a design applied to lace, a textile article or wallpaper (or similar wall covering) each representation or specimen should carry a statement of the features of the design for which novelty is claimed. If words, letters or numerals appear in the design, the Registrar will normally require a disclaimer of any right to their exclusive use to appear on each representation or specimen.

⑨ An application claiming priority under Section 14 of the Registered Designs Act 1949 must be filed in the UK within 6 months of the first filing of the design in any Convention country.

⑩ This part only applies if the application is made by virtue of Section 14 of the Registered Designs Act 1949.

Please enter details of instrument. For example, Deed of Assignment, with name(s) and date(s)

Please sign here ➤

This application form must be signed by one of the following:

- The applicant.
- A partner or other person authorised to act on behalf of a firm.
- A director or secretary or authorised signatory of a corporate body.
- The applicant's authorised agent.

7. If an identical design has been previously registered or applied for in the United Kingdom in respect of another article please give its Design number.

8. If the design possesses modifications or variations not sufficient to alter the character or substantially to affect the identity of a design already registered or applied for in the United Kingdom please enter that design's number.

9. If you wish to claim priority from a previous application filed in a Convention country so that this application is treated as made on the date of the previous application, please give:

Name of country _____

Date of previous application _____

day month year

10. If the original application in the Convention country was made by someone other than yourself please explain how your right to apply for registration in the United Kingdom was acquired. (If this information is not given at the time of filing this form it must be supplied prior to registration of the design.)

Declaration

This application is made to register the design shown in the representation(s) or specimen attached. I declare that the applicant claims to be the proprietor of the design in relation to the article specified at part 6 overleaf and to be the owner of any design right that exists in this design. I also declare in respect of any entry at part 9 above that the application made in the Convention country upon which the applicant relies is the first application made for registration of the design in a Convention country.

Signed _____ Date _____
day month year

Reminder

Have you attached

representations or specimens of the design?

any continuation sheet if appropriate?

Does the statement of novelty appear on the first sheet of each representation or specimen?
(not applicable for textiles, lace or wallpaper)

the prescribed fee?

Designs Form 6
Application for a
copy of
Certificate of
Registration of a
Design

For Official Use

Registered
Designs Act 1949

Notes

Please type, or write in dark ink using BLOCK LETTERS. For details of prescribed fees please contact the Designs Registry at the Patent Office.

Rule 33 of the Registered Designs Rules 1989 is the main rule governing the completion and filing of this form.

Please mark correct box

1. Your reference.	
2. Please give Registered Design number.	
3. Please give full name of applicant for certificate. ADP number (if known)	
4. The original certificate	has been lost <input type="checkbox"/>
	has been destroyed <input type="checkbox"/>
	cannot be produced <input type="checkbox"/>
or	A copy of the original certificate is requested for other reasons which are set out in the accompanying statement. <input type="checkbox"/>
5. Please state your interest in the design.	
6. Please give a name and address in the United Kingdom to which the certificate is to be sent.	
Name	
Address	
Postcode	
ADP number (if known)	
Signed _____	Date _____ day month year
Reminder	
Have you attached	evidence of circumstances? <input type="checkbox"/>
	representation? <input type="checkbox"/>
	the prescribed fee? <input type="checkbox"/>

Please sign here ➤
This form must be accompanied by evidence setting out in full and verifying the circumstances in which the original certificate of registration was lost or destroyed or cannot be produced (if this is the case) and by a representation or specimen of the design identical with that attached to the original Certificate of Registration.

Revised 1989

Designs Form 7
**Request to the
Registrar for
Statement of
Grounds of
Decision under
Rule 31**

For Official Use

Registered
Designs Act 1949

Notes

Please type, or write in dark ink using BLOCK LETTERS. For details of prescribed fees please contact the Designs Registry at the Patent Office.

Rule 31 of the Registered Designs Rules 1989 is the main rule governing the completion and filing of this form.

1. Your reference.	
2. Please give Design Application number.	
3. Please give full name of applicant for the design.	
ADP number (if known)	
4. Please give a name and address for service in the United Kingdom to which all correspondence will be sent.	
Name	
Address	
Postcode	
ADP number (if known)	
5a. Date of hearing	Date _____ day month year
5b. Date of Registrar's decision	Date _____ day month year
Please sign here ➤	Signed _____ Date _____ day month year

This form must be accompanied by the prescribed fee.

Revised 1989

Registered
Designs Act 1949

Designs Form 8
**Request for
extension of time
to complete an
Application for
the Registration
of a Design**

For Official Use

Notes

Please type, or write in dark ink using BLOCK LETTERS. For details of prescribed fees please contact the Designs Registry at the Patent Office.

Rule 36 of the Registered Designs Rules 1989 is the main rule governing the completion and filing of this form.

The initial twelve month period for completion of an application may be extended, by up to three months on payment of the prescribed fee.

Please mark correct box

Please sign here ➤

1. Your reference.
2. Please give Design Application number.
3. Please give full name of the applicant for the design. ADP number (if known)
4. Please give a name and address for service in the United Kingdom to which all correspondence will be sent. Name Address Postcode ADP number (if known)
5. I/We request the extension of the period available for the completion of the application for registration of this design. The period of time extension required is one month <input type="checkbox"/> two months <input type="checkbox"/> three months <input type="checkbox"/>
Signed _____ Date _____ day month year

This form must be accompanied by the prescribed fee.

Revised 1989

Designs Form 9A
**Application to
extend period of
protection.**

For Official Use

Registered
Designs Act 1949

Notes

Please type, or write in dark ink using BLOCK LETTERS. For details of prescribed fees please contact the Designs Registry at the Patent Office.

Rules 38 and 40 of the Registered Designs Rules 1989 are the main rules governing the completion and filing of this form.

Please mark correct box

① Each period for which the right subsists is normally five years. However, in the case of an associated design registered under Section 4 of the Registered Designs Act 1949 the right will expire when the right in the original design expires. The extended period may thus be less than the full five years.

② The period for making the application may be extended by up to six months provided that the fee is paid within the period being purchased.

③ The extension fee must be paid together with any additional fee for late application.

Please sign here ➤

1. Your reference.	
2. Please give Registered Design number.	
3. Please give full name of registered proprietor.	
ADP number (if known)	
4. I/We apply for an extension for	a second period <input type="checkbox"/>
	or a third period <input type="checkbox"/>
5. Please complete this part if the application for extension is late.	
	number of additional months required <input type="text"/>
6. Please give details of fees paid	
	Extension of period £ <input type="text"/>
	Additional fee for late application (if necessary) £ <input type="text"/>
7. Please give a name and address in the United Kingdom to which the certificate of extension will be sent.	
Name	
Address	
	Postcode
ADP number (if known)	
Signed _____ Date _____	
	day month year

This form must be accompanied by the prescribed fee(s)

Revised 1989

**Designs Form 12A
Application to
register an
assignment, licence,
mortgage or other
event affecting the
rights in a
Registered Design**

For Official Use

Notes

Please type, or write in dark ink using BLOCK LETTERS. For details of prescribed fees please contact the Designs Registry at the Patent Office.

Rules 42 to 45 of the Registered Designs Rules 1989 are the main rules governing the completion and filing of this form.

This form may be used for more than one design if the same change is made.

If you do not have enough space, please use a separate sheet of paper.

⑤ Examples are an assignment, a licence, a mortgage, or probate.

A certified copy establishing the transaction, event or document must be forwarded for retention with this form

If 'Yes' please mark box.

1. Your reference.

2. Please give Registered Design number(s).

3. Please give name of the registered proprietor.

ADP number (if known)

4. Please give full name and address of the person gaining an interest or claiming an interest has ceased.

Name

Address

Postcode

ADP number (if known)

5. Please give details of the transaction, event or document affecting any interest in the design together with its date and the names of all parties involved.

Do you require an entry in the Register showing you no longer claim any interest in a mortgage or licence?

6. Please give a name and address for service in the United Kingdom to which all correspondence will be sent.

Name

Address

Postcode

ADP number (if known)

Revised 1989

Please turn over 

Please mark correct box.

⑤ Complete this part only when the name and address differs from that entered at part 4.

7. Does the address for service entered at part 6 apply to:-

all matters concerned with the registered design?

only those matters dealt with by this application?

8. Please give the full name and address of the person making this application.

Name

Address

Postcode

ADP number (if known)

Declaration

I/We declare that where design right exists in the design(s) mentioned in this application, the person(s) entitled to any interest which the applicant is seeking to register by this application is/are also entitled to the corresponding interest in the design right(s).

Please sign here ➤

Signed _____ Date _____
day month year

Reminder

Have you attached

a certified copy of the document under which the change is made?

any continuation sheet if appropriate?

the prescribed fee?

Designs Form 18
**Request for
Correction of
Error**

For Official Use

Registered
Designs Act 1949

Notes

Please type, or write in dark ink using BLOCK LETTERS. For details of prescribed fees please contact the Designs Registry at the Patent Office.

Rule 47 of the Registered Designs Rules 1989 is the main rule governing the completion and filing of this form.

③ For the interest state whether applicant for registration or proprietor of design or state other interest as appropriate.

① This form should be accompanied by a statutory declaration or other suitable evidence stating the circumstances in which the error occurred.

Please mark correct box

This form may be used for more than one design if the same error has been made. One fee is charged for each design affected. If you do not have enough space please use a separate sheet of paper.

Please sign here ➤

1. Your reference.	
2. Please give Design Application or Registered Design number(s).	
3. Please give the full name of the person requesting the correction and state his interest in the matter. Name _____ ADP number (if known) _____ Interest _____	
4. Please give details of the error to be corrected. Is the error to be corrected in the <div style="float: right;"> application? <input type="checkbox"/> representation? <input type="checkbox"/> register? <input type="checkbox"/> </div>	
5. Please give a name and address for service in the United Kingdom to which all correspondence will be sent. Name _____ Address _____ Postcode _____ ADP number (if known) _____	
Signed _____ Date _____ <div style="text-align: right;"> day month year </div> Please enter the number of applications or registrations to be amended. <input type="text"/>	
Reminder Have you attached evidence in support of error correction? <input type="checkbox"/> the prescribed fee? <input type="checkbox"/>	

Revised 1989

Designs Form 19
**Request by
Proprietor of
Design to Cancel
Registration**

For Official Use

Registered
Designs Act 1949

Notes

Please type, or write in dark ink using
BLOCK LETTERS. A fee is not required
for this form.

Rule 58 of the Registered Designs
Rules 1989 is the main rule governing
the completion and filing of this form.

1. Your reference.

2. Please give Registered Design number.

3. Please give full name of registered proprietor(s).

ADP number (if known)

4. Please give a name and address for service in the United Kingdom to
which all correspondence will be sent.

Name

Address

Postcode

ADP number (if known)

5. It is requested that the registration of this Design be cancelled.

Please sign here ➤

Signed _____

Date _____

day month year

Revised 1989

Registered
Designs Act 1949

Designs Form 20
Request for
information under
Section 23 on
supply of
Registration
number

For Official Use

Notes

Please type, or write in dark ink using BLOCK LETTERS. For details of prescribed fees please contact the Designs Registry at the Patent Office.

Rule 70 of the Registered Designs Rules 1989 is the main rule governing the completion and filing of this form.

Please sign here ➤

1. Your reference.
2. Please give Registered Design number.
3. Please give full name and address in the United Kingdom to which the information is to be sent. Name Address Postcode ADP number (if known)
Signed _____ Date _____ day month year

This form must be accompanied by the prescribed fee.

Revised 1989

Designs Form 21
Request for
search when
Registration
Number is not
supplied

For Official Use

Registered
Designs Act 1949

Notes

Please type, or write in dark ink using BLOCK LETTERS. For details of prescribed fees please contact the Designs Registry at the Patent Office.

Rule 71 of the Registered Designs Rules 1989 is the main rule governing the completion and filing of this form.

② Please enter the address in the United Kingdom to which the result of the search is to be sent.

③ Please enter the name of the article, as shown in the representations, or specimen which must be supplied in duplicate and attached to this form.

This form can only be used to obtain a search for a single design.

Please sign here ➤

1. Your reference.

2. Please give full name and address of applicant for search.
Name

Address

Postcode

Telephone number

ADP number (if known)

3. Please make a search in respect of the design shown in the attached representations (or specimen) applied to a

I/We apply for information whether the design appears to be identical with, or closely resembles any registered design, and if so,

- in respect of what articles
- whether any extension of the period of right in the registered design has been granted
- the date of registration
- the name and address of the registered proprietor

Signed _____ Date _____
day month year

Reminder

Have you attached

a representation or specimen in duplicate?

the prescribed fee?

Revised 1989

Designs Form 23
Request for
Certificate of the
Registrar

For Official Use

Registered
Designs Act 1949

Notes

Please type, or write in dark ink using BLOCK LETTERS and use a separate form for each design.

Rule 72 of the Registered Designs Rules 1989 is the main rule governing the completion and filing of this form.

This form may be used to obtain certificates, certified copies and certified extracts.

For certificates sealed and attached to documents please use part 5. For certificates impressed on documents please use part 6. The current prescribed fees for each type of certificate may be obtained from the Designs Registry at the Patent Office.

⑤ Please mark appropriate box to indicate what the Registrar is requested to certify.

Please describe any special requirements. If you do not have enough space please use a separate sheet of paper.

1. Your reference.

2. Please give Design Application or Registered Design number.

3. Please give the name of the applicant(s)/registered proprietor(s) of the design.

ADP number (if known)

4. Please give full name and address in the United Kingdom of the person to whom the certificate(s) will be sent.

Name

Address

Postcode

ADP number (if known)

5. Certificates Sealed and Attached to Documents

What is the Registrar requested to certify?

Number required

the particulars of the design as originally filed

the particulars of the design as registered

other, including certificates under section 17(9)
(please specify) ↓

Is the certificate required for

Please mark

legal proceedings?

obtaining a registration abroad?

something else? (please specify)
↓

Revised 1989

Please turn over ↩

⑥ Do not complete part 6 if only the certificate(s) provided under part 5 are required.

Under part 6 the certificate is impressed by means of a rubber stamp and the document is embossed by the seal of the Patent Office.

⑦ Items supplied for certification must be identical to the corresponding document on the official file.

6. Certificates Impressed on Documents

Please indicate which document(s) you want certified

	Number required
register entry	<input type="text"/>
representation of design	<input type="text"/>
statement of novelty (if separate from representation)	<input type="text"/>
other documents (please specify)	<input type="text"/>

7. General

Are the documents to be certified enclosed?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

If 'No', the Registry will, if possible, prepare photocopies.

If you have any special delivery/collection instructions please give details.

Please sign here ➤

Signed _____ Date _____
day month year

This form must be accompanied by the prescribed fee.

**Designs Form 25A
Application for grant
of a Compulsory
Licence under
Section 10 or for
Cancellation of the
registration under
Section 11(2) or (3)**

For Official Use

Registered
Designs Act 1949

Notes

Please type, or write in dark ink using BLOCK LETTERS. For details of prescribed fees please contact the Designs Registry at the Patent Office.

Rule 52 of the Registered Designs Rules 1989 is the main rule governing the completion and filing of this form.

Please mark correct box

⑤ This form must be filed in duplicate together with a statement in duplicate setting out fully the nature of the applicant's interest, and facts on which he/she relies.

Please sign here ➤

1. Your reference.	
2. Please give Registered Design number.	
3. Please give full name and address of applicant for compulsory licence or for cancellation.	
Name	
Address	
Postcode	
ADP number (if known)	
4. Please give a name and address for service in the United Kingdom to which all correspondence will be sent.	
Name	
Address	
Postcode	
ADP number (if known)	
5. I/We apply for the grant of a compulsory licence in respect of the design.	<input type="checkbox"/>
or I/We apply for the cancellation of the registration of the design on the grounds that:	<input type="checkbox"/>
<p>Signed _____ Date _____</p> <p style="text-align: right;">day month year</p>	
Reminder	
Have you attached	a duplicate copy of this form? <input type="checkbox"/>
	the statement of case in duplicate? <input type="checkbox"/>
	the prescribed fee? <input type="checkbox"/>

Revised 1989

Designs Form 28

**Notification of
Order of the
Court**

For Official Use

Registered
Designs Act 1949

Notes

Please type, or write in dark ink using
BLOCK LETTERS.

A fee is not required for this form.

Rule 78 of the Registered Design Rules
1989 is the main rule governing the
completion and filing of this form.

① Please enter the name of the
proprietor of the Design as entered on
the Register of Designs immediately
prior to the issue of the Order.

② The Registrar will rectify the
Register as necessary.

1. Your reference.

2. Please give Registered Design number.

3. Please give full name of registered proprietor.

ADP number (if known)

4. Please give the name and address of the person in whose favour the
Order has been made.

Name

Address

Postcode

ADP number (if known)

5. Please give a name and address for service in the United Kingdom to
which all correspondence will be sent.

Name

Address

Postcode

ADP number (if known)

6. An office copy of the Order of the Court accompanies this form.
Please briefly state the effect of the Order.

Please sign here ➤

Signed _____

Date _____

day month year

Revised 1989

Registered
Designs Act 1949

Notes

Please type, or write in dark ink using BLOCK LETTERS. For details of prescribed fees please contact the Designs Registry at the Patent Office.

Rule 41 of the Registered Designs Rules 1989 is the main rule governing the completion and filing of this form.

④ If you do not have enough space, please use a separate sheet of paper. Supporting evidence must be provided.

⑤ Please complete this only if the applicant is not also the registered proprietor.

1. Your reference.
2. Please give Registered Design number.
3. Please give full name of registered proprietor(s). ADP number (if known)
4. Please give your reasons for applying for restoration.
5. Please give applicant's name and address (see note). Name Address Postcode ADP number (if known) Please state your interest in the Registered Design.
6. Please give a name and address for service in the United Kingdom to which all correspondence will be sent. Name Address Postcode ADP number (if known)
Signed _____ Date _____ day month year

Please sign here ➤

This form must be accompanied by the prescribed fee.

Issued 1989



For Official Use

Registered
Designs Act 1949

Notes

Please type, or write in dark ink using BLOCK LETTERS. For details of prescribed fees please contact the Designs Registry at the Patent Office.

Rule 41 of the Registered Designs Rules 1989 is the main rule governing the completion and filing of this form.

1. Your reference.
2. Please give Registered Design number.
3. Please give full name of the registered proprietor(s).
ADP number (if known)
4. Please give a name and address for service in the United Kingdom to which all correspondence will be sent.
Name
Address
Postcode
ADP number (if known)
Signed _____ Date _____ day month year
Reminder
Have you attached
completed Designs Form 9A and extension fee? <input type="checkbox"/>
the prescribed restoration fee? <input type="checkbox"/>

Please sign here ➤

This form must be accompanied by the unpaid extension fee and the prescribed restoration fee.

Issued 1989

Designs Form 31
**Application for
settlement of the
terms of a
Licence of Right**

For Official Use

Registered Designs
Act 1949
Copyright, Designs
and Patents Act
1988

Notes

Please type, or write in dark ink using
BLOCK LETTERS. For details of
prescribed fees please contact the
Design Registry at the Patent Office.

Rule 59 of the Registered Designs
Rules 1989 is the main rule governing
the completion and filing of this form.

Only the person requiring the licence
can apply.

1. Your reference.	
2. Please give Registered Design number.	
3. Please give full name and address of applicant.	
Name	
Address	
Postcode	
ADP number (if known)	
4. Please give a name and address for service in the United Kingdom to which all correspondence will be sent.	
Name	
Address	
Postcode	
ADP number (if known)	
Application is made to the Registrar for settlement of the terms of a licence of right to be granted under this Registered Design.	
Signed _____ Date _____ day month year	
Reminder	
Have you attached	
a duplicate copy of this form?	<input type="checkbox"/>
the statement of terms in duplicate?	<input type="checkbox"/>
the prescribed fee?	<input type="checkbox"/>

Please sign here ➤

Signed _____ Date _____
day month year

Issued 1989

FORM OF CERTIFICATE OF REGISTRATION OF DESIGN



CERTIFICATE OF REGISTRATION OF DESIGN

Number of Registration

Date of Registration

Date of grant of Certificate

This is to certify that,

in pursuance of and subject to the provisions of the Registered Designs Act 1949, the Design, of which a representation or specimen is attached, has been registered as of the date of registration shown above in the name of

in respect of the application of the Design to

Registrar of Designs

DR1/CRD

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules revoke and replace with modifications the Designs Rules 1984, as amended. Some of the modifications are consequent on the amendment of the Registered Designs Act 1949 ("the 1949 Act") by the Copyright, Designs and Patents Act 1988. The majority of the rules contained in the 1984 Rules have been modified to a greater or lesser extent and the order of some of those rules has been changed. The principal modifications are—

- (a) provision is made for the filing of forms which contain the information required by the Forms set out in Schedule 1 to these Rules but are not replicas of those Forms (rule 4);
- (b) specific provision is made for the signature of documents by unincorporated bodies or associations other than firms (rule 6);
- (c) new provisions are included relating to the positioning of the statement of novelty on representations and specimens of designs (rule 15(2));
- (d) the number of representations or specimens of a design required to be furnished to the registrar on an application for registration is increased (rules 17 and 18);
- (e) a single, standard certificate of registration of a design is introduced (rule 32 and Schedule 2);
- (f) provision is made for the issue by the registrar of copies of certificates of registration of designs in additional circumstances (rule 33);
- (g) new provisions are included relating to when designs are to be regarded as "new" (rules 34 and 35);
- (h) new provisions are included relating to the extension of the duration of the rights in registered designs, including provision for the sending of "reminders" by the registrar and for the restoration of lapsed rights (rules 38 to 41);
- (i) the requirement to produce to the registrar the originals of deeds of assignment or mortgage and various other documents relating to dealings in rights in registered designs is removed;
- (j) a request for the alteration or correction of an address or address for service is now required to be made in writing but not on a specific Form (rule 46);
- (k) a request under section 21 of the 1949 Act for the correction of an error can now be made by any "person interested" and not just by an applicant for the registration, or the registered proprietor, of a design (rule 47);
- (l) the requirement that a party wishing to be heard by the registrar in proceedings for a compulsory licence under section 10 of the 1949 Act or for the cancellation of the registration of a design under section 11(2) or (3) of the 1949 Act must file a Form is replaced by a requirement that he must give notice in writing to the registrar (rule 57(2));
- (m) provision is made for the making of applications to settle the terms of licences of right (rule 59);
- (n) as a consequence of the amendment of section 30 of the 1949 Act provision for the awarding of costs by the registrar and the requiring of security for costs is now made in the Rules rather than in the 1949 Act (rules 60 and 61);
- (o) as a consequence of the amendment of section 31 of the 1949 Act certain provisions relating to evidence in proceedings before the registrar are now contained in the Rules rather than in the 1949 Act (rule 62);
- (p) provision is made for the appointment by the registrar of advisers to assist him in proceedings before him (rule 66);

- (q) provision is made for the inspection of the register and other material by the public (rule 67);
- (r) the circumstances in which time periods for filing documents can be extended are expanded (rule 76);
- (s) certain Forms have been amalgamated to produce Forms 2A, 9A, 12A and 25A; Forms 29, 30 and 31 are introduced (Schedule 1).

Fees and the address of the Patent Office are prescribed in separate sets of rules.

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