

1990 No. 1698

DESIGNS

The Registered Designs (Fees) Rules 1990

<i>Made</i>	- - - -	<i>16th August 1990</i>
<i>Laid before Parliament</i>		<i>20th August 1990</i>
<i>Coming into force</i>	-	<i>10th September 1990</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 36, 40 and 44(1) of the Registered Designs Act 1949(a), of the power conferred upon him by the Department of Trade and Industry (Fees) Order 1988(b), and of all other powers enabling him in that behalf, after consultation with the Council on Tribunals pursuant to section 10(1) of the Tribunals and Inquiries Act 1971(c) and with the consent of the Treasury pursuant to the said section 40, hereby makes the following Rules:-

1.—(1) These Rules may be cited as the Registered Designs (Fees) Rules 1990 and shall come into force on 10th September 1990.

(2) The Registered Designs (Fees) Rules 1989(d) are hereby revoked.

2. These Rules shall be construed as one with the Registered Designs Rules 1989(e).

3. The fees to be paid in respect of any matters arising under the Registered Designs Act 1949 shall be those specified in the Schedule to these Rules; and in any case where a form specified in the Schedule as the corresponding form in relation to any matter is required by the Registered Designs Rules 1989 to be used, that form or any alternative form accepted by the registrar under rule 4(2) of those Rules shall be accompanied by the fee specified in respect of that matter.

13th August 1990

Douglas Hogg
Department of Trade and Industry

We consent to the making of these Rules.

16th August 1990

Michael Fallon
Kenneth Carlisle
Two of the Lords Commissioners of Her Majesty's Treasury

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- (a) 1949 c.88; sections 36 and 40 of the Registered Designs Act 1949 were amended by the Copyright, Designs and Patents Act 1988 (c.48), section 272 and Schedule 3, paragraphs 26 and 30.
(b) S.I. 1988/93, as amended by S.I. 1990/1473, which was made under section 102 of the Finance (No. 2) Act 1987 (c.51). The relevant provisions of that Order are article 6 and Part III of Schedule 1.
(c) 1971 c.62.
(d) S.I. 1989/1131.
(e) S.I. 1989/1105.

SCHEDULE

Rule 3

FEES PAYABLE

(In this Schedule references to a section are to that section of the Registered Designs Act 1949 and references to a rule are to that rule in the Registered Designs Rules 1989.)

<i>Number of corresponding Designs Form</i>	<i>Item</i>	<i>Amount £</i>
1A	Appointment or change of agent	-
2A	On application to register one design to be applied to a single article not falling within the next item	50
2A	On application to register one design to be applied to a single article made substantially of lace or a design consisting substantially of checks or stripes to be applied to a single textile article	30
2A	On application to register one design to be applied to a set of articles	75
6	On application for a copy of certificate of registration of a design	10
7	On request to the registrar for statement of grounds of decision under rule 31	60
8	On request for extension of time to complete an application for the registration of a design:-	
	By one month	15
	By two months	30
	By three months	45
9A	On application to extend period of protection:-	
	for second period	110
	for third period	170
9A	Additional fee payable under section 8(4) in respect of extra time for making application for extension of period of protection:-	
	Additional time not exceeding one month	14
	Each succeeding month (not exceeding six months)	14
12A	On application under rule 42 to enter subsequent proprietorship, etc:-	
	In respect of one design	30
	On application covering more than one design, for each additional design similarly affected	3
12A	On application under rule 45 by mortgagee or licensee for entry that he no longer claims to be such:-	
	In respect of each design	3
16	On application to record alteration of name:-	
	In respect of each design	5
18	On request under section 21 for correction of error:-	
	One design	40
	Each additional design - same error	3
19	On request by proprietor of design to cancel registration	-
20	On request for information under section 23 on supply of registration number	4
21	On request for search when registration number is not supplied	20

SCHEDULE: – continued

<i>Number of corresponding Designs Form</i>	<i>Item</i>	<i>Amount £</i>
23	On request for certificate of the registrar:– Sealed and attached to document	10
	By impression on document	4
25A	On application for grant of a compulsory licence under section 10 or for cancellation of the registration under section 11(2) or (3)	55
28	On notification of order of the court	–
29	On application for restoration of a lapsed right in a design	100
30	On provision of fee for restoration of a registered design	100
31	On application for settlement of the terms of a licence of right	55
	Inspection of register or design where inspection is permitted other than inspection under the second paragraph of section 22(2):–	
	In respect of each design	3
	On request for uncertified copy or extract under rule 73:–	
	In respect of each design	3

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules revoke and replace the Registered Designs (Fees) Rules 1989. The fees payable under the Registered Designs Act 1949 on forms 2A, 7, 8, 9A, 12A, 18, 25A and 31 are increased with effect from 10th September 1990. It is estimated that the total amount of fees collected per annum at the new levels will be 7½ per cent greater than the amount collected per annum at existing levels.