
STATUTORY INSTRUMENTS

2006 No. 1975

The Registered Designs Rules 2006

PART 5

THE REGISTER AND OTHER INFORMATION

Certificate of registration and registrable interests

Certificate of registration

26.—(1) The certificate of registration of a design shall include—

- (a) the name of the registered proprietor;
- (b) the date of registration; and
- (c) the registration number of the design.

(2) Any request by the registered proprietor for a copy of the certificate of registration shall—

- (a) be in writing; and
- (b) be accompanied by the prescribed fee.

(3) Before considering the request, the registrar may require the person making the request to provide such information or evidence as the registrar thinks fit.

Registration of interests

27.—(1) The following matters are prescribed for the purposes of section 17(1)(c)—

- (a) the registered proprietor's address for service;
- (b) the grant or cancellation of a licence under a registered design;
- (c) the granting or cancelling of a security interest (whether fixed or floating) over a registered design or any right in or under it;
- (d) an order of a court or other competent authority transferring a registered design or any right in or under it.

(2) An application to the registrar to enter in the register a matter not mentioned in section 17(1)(a) or (b) or paragraph (1) shall be made in writing.

(3) An application under section 19(1) or (2) shall be made on Form DF12A.

(4) Where the registrar has doubts about whether he should enter a matter in the register—

- (a) he shall inform the person making the application of the reasons for his doubts; and
- (b) he may require that person to furnish evidence in support of the application.

Inspection and information about registered designs

Inspection of register, representations and specimens

28.—(1) The register and any representation or specimen of a registered design shall be open for inspection at the Patent Office during the hours the Patent Office is open for all classes of public business (see rule 45(2)).

(2) Whilst a direction under section 5(1) in respect of a design remains in force, no representation or specimen of the design shall be open to inspection.

Inspection of documents

29.—(1) Where a design has been registered under the Act, there shall be open to inspection at the Patent Office on and after the date on which the certificate of registration is granted every document kept at the Patent Office in connection with that design.

(2) But no document may be inspected—

(a) before the end of the period of 14 days beginning with the day—

(i) it was filed at the Patent Office; or

(ii) received by the registrar or the Patent Office;

(b) where that document was prepared by the registrar or the Patent Office for internal use only;

(c) where the document includes matter—

(i) which in the registrar's opinion disparages any person in a way likely to damage him; or

(ii) the inspection of which would in his opinion be generally expected to encourage offensive, immoral or anti-social behaviour.

(3) Unless, in a particular case, the registrar otherwise directs, no document may be inspected —

(a) where—

(i) the document was prepared by the registrar or the Patent Office other than for internal use; and

(ii) it contains information which the registrar considers should remain confidential;

(b) where it is treated as a confidential document (under rule 30).

(4) In this rule and rule 30 references to a document include part of a document.

Confidential information

30.—(1) Where a person files a document at the Patent Office or sends it to the registrar or the Patent Office, any person may request that the document be treated as a confidential document.

(2) A request to treat a document as confidential shall—

(a) be made before the end of the period of 14 days beginning with the date on which the document was filed at the Patent Office or received by the registrar or at the Patent Office;

(b) include reasons for the request.

(3) Where a request has been made under paragraph (1), the document shall be treated as confidential until the registrar refuses that request or makes a direction under paragraph (4).

(4) Where it appears that there is good reason for the document to remain confidential, the registrar may direct that the document shall be treated as a confidential document; otherwise he shall refuse the request made under paragraph (1).

(5) But, where the registrar believes there is no longer a good reason for the direction under paragraph (4) to remain in force, he shall revoke it.

Information about rights in registered designs

31.—(1) A request for information under section 23 shall be made on Form DF21 and be accompanied by the prescribed fee.

(2) The request shall—

- (a) where the registration number is known by the person making the request, include that number; or
- (b) in any other case, be accompanied by a representation or specimen of the product—
 - (i) in which the design has been incorporated; or
 - (ii) to which the design has been applied.

Copies of documents

Copies of entries in, or extracts from, the register

32. An application under section 17(5) for a certified copy of an entry in the register or a certified extract from the register shall be made on Form DF23 and be accompanied by the prescribed fee.

Copies of representations and specimens

33.—(1) A person may apply to the registrar for a certified copy of any representation or specimen of a design; and that person shall be entitled to such a copy.

(2) An application under paragraph (1) shall be made in writing and be accompanied by the prescribed fee.

Alterations and rectification

Alteration of name or address

34.—(1) Any person may request that an alteration to his name or address—

- (a) be entered in the register; or
- (b) be made to any application or other document filed at the Patent Office.

(2) A request under paragraph (1) shall in relation to an alteration to—

- (a) his name, be made on Form DF16A; and
- (b) his address, be made on Form DF16A or in writing.

(3) Where the registrar has doubts about whether he should make the alteration to a name or address—

- (a) he shall inform the person making the request of the reason for his doubts; and
- (b) he may require that person to furnish evidence in support of the request.

(4) Where the registrar has no doubts (or no longer has doubts) about whether he should make the alteration, it shall be entered in the register or made to the application or document.

Notice of rectification of the register

35.—(1) The prescribed manner of giving notice to the registrar for the purposes of section 20(3) is by giving written notice.

(2) The prescribed manner of service on the registrar for the purposes of section 20(4) is by filing a copy of the order at the Patent Office.