

SCHEDULE 2

PART 2

MODIFICATION OF RULES APPLIED TO PROTECTED INTERNATIONAL REGISTRATIONS (UK) AND REQUESTS FOR INTERNATIONAL REGISTRATION (UK)

17. The 2006 Rules are modified as follows.
18. Rule 2 applies with the insertion after paragraph (2) of—
 - “(3) Any expression defined for the purposes of the Designs (International Registration of Industrial Designs) Order 2018 which is used in the Rules as modified by that Order has the same meaning as in that Order.”
19. Rule 7 applies—
 - (a) with the substitution for paragraph (1) of—
 - “(1) Where a request was made for international registration (UK) of a design in respect of which protection has been applied for in a convention country, the applicant shall comply with the following provisions.”;
 - (b) with the substitution for paragraph (3) of—
 - “(3) At the request of the registrar the applicant must file at the Patent Office a copy of the representation of the design that was the subject of each convention application within such period as the registrar may specify in that request.”.
20. Rule 8 applies with the substitution for paragraph (1) of—
 - “(1) Where it appears to the registrar that the requirements for conferral of protection for a design so that it becomes a protected international registration (UK) are not met—
 - (a) by reason of the request for international registration (UK) not being made in accordance with the rules applicable to international registration (UK); or
 - (b) by reason of section 3A(3) or (4),the registrar must give notice of refusal to the International Bureau in accordance with article 12 of the Geneva Act and rule 18 of the Common Regulations.”.
21. Rule 17 applies with the insertion after paragraph (2) of—
 - “(3) The registrar must notify the International Bureau of the decision on the application for a declaration of invalidity under section 11ZB in accordance with article 15 of the Geneva Act and rule 20 of the Common Regulations.
 - (4) The decision mentioned in paragraph (3) means a decision from which no appeal may be brought on whether the finding of invalidation should be upheld.”.
22. Rule 36(2)(a) applies with the omission at the end of paragraph (iii) of “or” and the insertion after the final “or” of—
 - “(iv) making an application for a protected international registration (UK); or”.