

SCHEDULE 5

Fees payable in respect of re-registered designs, re-registered international designs and comparable trade marks (IR)

PART 1

Fees payable in respect of a re-registered design or a re-registered international design

1.—(1) The extension of the duration of the right in a re-registered design or a re-registered international design under section 8 of the Act is subject to the payment of a renewal fee and payment of the additional fee which applies in the circumstances referred to in section 8(4) of the Act.

(2) But no additional fee is payable if the application for extension under section 8(4) of the Act relates to a re-registered design, or a re-registered international design, the right in which expired within the period ^{F1}... beginning with [^{F2}IP completion day] and ending with the end of the relevant period.

(3) In sub-paragraph (2), “the relevant period” means the period of six months [^{F3}beginning] with the day after that on which [^{F4}IP completion day] falls.

Textual Amendments

- F1** Words in Sch. 5 para. 1(2) omitted (31.12.2020 immediately before IP completion day) by virtue of The Intellectual Property (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1050), regs. 1(2), **23(a)(i)**
- F2** Words in Sch. 5 para. 1(2) substituted (31.12.2020 immediately before IP completion day) by The Intellectual Property (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1050), regs. 1(2), **23(a)(ii)**
- F3** Word in Sch. 5 para. 1(3) substituted (31.12.2020 immediately before IP completion day) by The Intellectual Property (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1050), regs. 1(2), **23(b)(i)**
- F4** Words in Sch. 5 para. 1(3) substituted (31.12.2020 immediately before IP completion day) by The Intellectual Property (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1050), regs. 1(2), **23(b)(ii)**

Commencement Information

- I1** Sch. 5 para. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1

2. The restoration of the right in a re-registered design or a re-registered international design under section 8A of the Act is subject to the payment of a renewal fee and payment of the additional fee which applies in the circumstances referred to in section 8(4) of the Act.

Commencement Information

- I2** Sch. 5 para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1

3. A request for a certified copy of an entry in the register or a certified extract from the register relating to a re-registered design or a re-registered international design made under section 17(5) of the Act is subject to payment of a fee.

Commencement Information

- I3** Sch. 5 para. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1

4. The registrar may by rules provide that any person who applies for an uncertified copy or extract from the register in respect of a re-registered design or re-registered international design shall be entitled to such a copy or extract on payment of a fee prescribed in relation to uncertified copies and extracts.

Commencement Information

- I4** Sch. 5 para. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1

5. A request made to correct any error in the representation of a re-registered design or re-registered international design, or any error in the register in respect of a re-registered design or re-registered international design, made under section 21(2) of the Act is subject to payment of a fee.

Commencement Information

- I5** Sch. 5 para. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1

6. A request for information under section 23 of the Act relating to a design which is a re-registered design or re-registered international design is subject to payment of a fee.

Commencement Information

- I6** Sch. 5 para. 6 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1

7. The registrar may by regulations make provision about fees in relation to the making of requests to the registrar under section 28A for an opinion on specified matters relating to re-registered designs or re-registered international designs.

Commencement Information

- I7** Sch. 5 para. 7 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1

8. The Registered Designs (Fees) Rules 2016^{M1} apply to re-registered designs and re-registered international designs as they apply to other registered designs.

Commencement Information

- I8** Sch. 5 para. 8 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1

Changes to legislation: There are currently no known outstanding effects for the The Designs and International Trade Marks (Amendment etc.) (EU Exit) Regulations 2019, PART 1. (See end of Document for details)

Marginal Citations

M1 S.I. 2016/889.

Changes to legislation:

There are currently no known outstanding effects for the The Designs and International Trade Marks (Amendment etc.) (EU Exit) Regulations 2019, PART 1.