
STATUTORY INSTRUMENTS

2006 No. 1975

The Registered Designs Rules 2006

PART 3

DESIGNS AFTER REGISTRATION

Publication

Publication

11.—(1) When a design has been registered, the registrar shall publish a representation of that design in the journal as soon as possible after the certificate of registration is granted.

(2) When the registrar publishes the representation, he may also publish any other information he thinks is relevant to that design.

(3) The representation published under paragraph (1) shall be the representation filed under rule 4(1)(b)(i) or 9(2) or as mentioned in rule 5(4).

Duration of rights and surrender

Extension of duration of right in registered design

12.—(1) An application for an extension under section 8(2) or 8(4) shall be made on Form DF9A.

(2) An application under section 8(2) may only be made during the period of 6 months ending with the date on which the relevant period of 5 years expires.

(3) On receipt of the prescribed renewal fee the registrar shall notify the registered proprietor of the extension of the right in the registered design.

(4) Where the right in a registered design has ceased to have effect by reason of section 8(3), the registrar shall, before the end of the period of 6 weeks beginning with the date on which the right ceased, send written notice to the registered proprietor of that fact.

(5) But paragraph (4) shall not apply where the renewal fee and the prescribed additional fee is paid before a notice is sent.

Restoration of a lapsed right in a design under section 8A

13.—(1) An application for the restoration of the right in a design under section 8A shall—

(a) be made on Form DF29; and

(b) be supported by evidence of the statements made in the application.

(2) The period prescribed for the purposes of section 8A(1) shall be the period of 12 months beginning with the date on which the registered design ceased to have effect.

(3) The notice of the application shall be published in the journal.

(4) Where, upon consideration of that 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.

(5) The applicant may, before the end of the period of 1 month beginning with the date of that notification, request to be heard by the registrar.

(6) Where the applicant requests a hearing, the registrar shall give him an opportunity to be heard; after which the registrar shall determine whether the application under section 8A shall be granted or refused.

(7) Where the registrar decides not to make the order he shall give the applicant written reasons for his refusal.

Cancellation of registration

14. A request under section 11 to cancel the registration of a design shall be made on Form DF19C.