STATUTORY INSTRUMENTS

1978 No. 1151

DESIGNS

The Designs (Amendment No. 2) Rules 1978

Made - - - -	*3rd August* 1978
Laid before Parliament -	*4th August* 1978
Coming into Operation -	
All Rules except Rule 3	*10th August* 1978
Rule 3 - - -	*2nd October* 1978

The Secretary of State in exercise of powers conferred by sections 36 and 40 of the Registered Designs Act 1949(**a**), as amended by the Patents and Designs (Renewals, Extensions and Fees) Act 1961(**b**), and now vested in him(**c**), and with the consent of the Treasury, hereby makes the following Rules:—

1. These Rules may be cited as the Designs (Amendment No. 2) Rules 1978 and shall come into operation as respects rules 1, 2, 4 and 5 on 10th August 1978 and as respects rule 3 on 2nd October 1978.

2. The Interpretation Act 1889(**d**) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament and as if these Rules and the Rules hereby revoked were Acts of Parliament.

3. On 2nd October 1978, for Schedule 1 to the Designs Rules 1949(**e**), as amended (**f**), there shall be substituted the Schedule hereto and the Designs (Amendment No. 3) Rules 1975(**g**) shall thereupon be revoked.

4. Where on or after 10th August 1978 but before 2nd October 1978, an application is made for an extension of the period of copyright in any registered design in respect of which the period of copyright current is due to expire on or after 2nd October 1978, the fee payable shall be that which would be payable if the application were made on or after 2nd October 1978 and rule 3 of these Rules had come into operation.

(**a**) 1949 c.88. (**b**) 1961 c.25. (**c**) S.I. 1970/1537. (**d**) 1889 c.63.
(**e**) S.I. 1949/2368. (**f**) The relevant amending instruments are S.I. 1964/229, 1975/1440, 1978/907.
(**g**) S.I. 1975/1440.

5. The Designs (Amendment) Rules 1978(**a**) are hereby revoked.

Stanley Clinton Davis,
Parliamentary Under-Secretary of State,
Department of Trade.

3rd August 1978.

We consent to the making of these Rules.

Peter Snape,
T. E. Graham,
Two of the Lords Commissioners
of Her Majesty's Treasury.

2nd August 1978.

(a) S.I. 1978/907.

SCHEDULE

LIST OF FEES PAYABLE

Subject or Proceeding	Amount	Corresponding Form
	£	
1. On application to register one design to be applied to a single article not being textile articles	24·00	Designs No. 2 or 3.
If made of lace	6·00	,, ,, ,,
2. On application to register one design to be applied to a set of articles not being textile articles	47·00	Designs No. 4 or 5.
If made of lace	11·00	,, ,, ,,
2A. On application to register one design to be applied to a set of textile articles:—		
Not being checks or stripes	47·00	Designs No. 4 or 5.
Checks or stripes...	11·00	,, ,, ,,
3. On application to register one design to be applied to a textile article (not being checks or stripes)	24·00	Designs (Manchester) No. 1 or 3.
4. On application to register one design to be applied to a textile article (checks or stripes)	6·00	Designs (Manchester) No. 2 or 3.
5. On application for a copy of certificate of registration	3·00	Designs No. 6.
6. On application to Registrar to state grounds of decision and materials used under Rule 31	30·00	Designs No. 7.
7. On request for extension of time within which an application for registration of a design may be completed:—		
Not exceeding one month	7·00	Designs No. 8.
,, ,, two months	12·00	,, ,,
,, ,, three months	19·00	,, ,,
8. On application for extension of copyright under section 8(2) for second period ...	58·00	Designs No. 9.
9. On application for extension of copyright under section 8(2) for third period ...	83·00	Designs No. 10.
10. On request for enlargement of time for payment of fee for extension of copyright:—		
Not exceeding one month	7·00	Designs No. 11.
,, ,, two months	12·00	,, ,,
,, ,, three months	19·00	,, ,,
,, ,, four months	26·00	,, ,,
,, ,, five months	32·00	,, ,,
,, ,, six months	38·00	,, ,,

Subject or Proceeding	Amount	Corresponding Form
	£	
11. On application to enter subsequent proprietorship, &c. under Rule 39 made within six months from date of acquisition of proprietorship, &c.:—		
In respect of one design...	7·00	Designs No. 12 or 13.
Made after six but within twelve months from date of acquisition of proprietorship, &c.:—		
In respect of one design...	15·00	,, ,, ,,
Made after expiration of twelve months from the date of acquisition of proprietorship, &c.:—		
In respect of one design...	25·00	,, ,, ,,
On application covering more than one design, for each additional design similarly acquired	1·00	—
12. On application for entry of notification of document in the register made within six months of date of document:—		
In respect of one design...	7·00	Designs No. 14.
Made after six months but within twelve months from date of document:—		
In respect of one design...	15·00	,, ,,
Made after expiration of twelve months from date of document:—		
In respect of one design...	25·00	,, ,,
On application covering more than one design, for each additional design referred to in the same document as the first design	1·00	—
13. On application of mortgagee, licensee, or other person for entry that he no longer claims such interest:—		
In respect of each design	1·00	Designs No. 15.
14. On application to enter change of name or nationality of registered proprietor in the register:—		
In respect of each design	1·00	Designs No. 16.
15. On application for alteration of address or address for service in the register:—		
In respect of each design	1·00	Designs No. 17.
16. On request under section 21 to correct error	10·00	Designs No. 18.
17. On application by proprietor for cancellation	—	Designs No. 19.
18. On request for search under section 23 when registration number is supplied ...	2·00	Designs No. 20.
19. On request for search under section 23 when registration number is not supplied...	11·00	Designs No. 21.

Subject or Proceeding	Amount	Corresponding Form
	£	
20. On application for search under Rule 48 ...	11·00	Designs No. 22.
21. On request for certificate of Registrar for use in obtaining registration in a foreign country or for use in legal proceedings or other special purpose	3·00	Designs No. 23.
22. On request for certificate of Registrar for use in obtaining registration in part of Her Majesty's dominions outside the United Kingdom	3·00	Designs No. 24.
23. On application for compulsory licence under section 10	17·00	Designs No. 25.
24. On application for cancellation of registration under section 11(2)	11·00	Designs No. 26.
25. On notice that hearing of an application for cancellation or compulsory licence will be attended	7·00	Designs No. 27.
26. On application for entry of Order of Court in register	—	Designs No. 28.
27. Inspection of register or design where inspection is permitted other than inspection under the second paragraph of section 22(2)	0·60	—
28. For certifying Office copies	1·00	—

The fees to be paid on any proceeding at the Manchester Branch shall be the same as for the like proceeding at the Office.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules further amend the Designs Rules 1949 so as to increase certain fees payable under them with effect from 2nd October 1978. However, in the case of fees paid in advance for the extension of the copyright period in a design in respect of any period beginning on or after 2nd October 1978, the fees are increased with effect from 10th August 1978.

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