1965 No. 1551

DESIGNS

The Designs (Amendment) Rules 1965

Made - - - - -	*4th August* 1965
Laid before Parliament	*12th August* 1965
Coming into Operation	*16th August* 1965

The Board of Trade, in pursuance of the powers conferred on them by sections 36 and 40 of the Registered Designs Act 1949(a) and of all other powers enabling them in that behalf, and, as regards Rule 1(2) with the consent of the Treasury, hereby make the following Rules:—

1. The Designs Rules 1949(b), as amended (c), shall have effect subject to the following further amendments:—

Applications for Registration

(1) There shall be substituted for Rules 12 and 71(1) the following Rules:—

" 12(1) Applications to register designs to be applied to articles other than textile articles shall be made, in the case of applications relating to single articles, on Form Designs No. 2 or No. 3, as appropriate, or, in the case of applications relating to sets of articles, on Form Designs No. 4 or No. 5, as appropriate.

(2) Applications to register designs in respect of textile articles or sets of textile articles shall be made in accordance with Rule 71(1).";

" 71(1)(*a*) Applications to register designs to be applied to single textile articles other than applications made pursuant to section 14 of the Act (convention applications) shall be on Form Designs (Manchester) No. 1 unless the designs consist substantially of checks or stripes only, in which case they shall be made on Form Designs (Manchester) No. 2.

(*b*) Applications to register pursuant to the said section 14 designs to be applied to single textile articles shall be made on Form Designs No. 3.

(*c*) Applications to register designs to be applied to sets of textile articles shall be made on Form Designs No. 4 or No. 5 as appropriate.".

Fees

(2) The entry set out in Schedule 1 hereto shall be included in Schedule 1 to the said Rules (d), and there shall be added in relation to items 3 and 4 in that Schedule a reference to Form Designs No. 3.

(a) 12, 13 & 14 Geo. 6. c. 88. (b) S.I. 1949/2368 (1949 I, p. 1417).
(c) S.I. 1955/116, 1964/229, 1336 (1955 I, p. 639; 1964 I, p. 428; II, p. 3045).
(d) Set out as the Schedule to S.I. 1964/1336 (1964 II, p. 3045).

Forms

(3) In Schedule 2 to the said Rules (a) there shall be substituted for Form Designs Nos. 3, 4 and 5 the forms set out in Schedule 2 hereto.

Minor Amendments

(4)(*a*) In Rule 14(2), after the word " lace " there shall be added the words " or to sets of textile articles or lace ".

(*b*) In Rule 17 after the words " to textile articles " there shall be added the words " or to sets of articles of any type ".

(*c*) In Rules 70(1) and 72, after the words " textile articles " there shall be added the words " or to sets of such articles ".

2. The Interpretation Act 1889(b) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

3. These Rules may be cited as the Designs (Amendment) Rules 1965 and shall come into operation on 16th August 1965.

4th August 1965.

Douglas Jay
President of the Board of Trade.

We consent to the making of Rule 1(2) of these Rules.
4th August 1965.

John McCann
George Lawson
Lords Commissioners of
Her Majesty's Treasury.

SCHEDULE 1

FEES PAYABLE

Subject or Proceeding	Amount	Corresponding Form
2A. On application to register one design to be applied to a set of textile articles:—		
Not being checks or stripes...	4 0 0	Designs No. 4 or 5
Checks or stripes	1 10 0	Designs No. 4 or 5

(a) Set out as Schedule 2 to S.I. 1955/116 (1955 I, p. 639).
(b) 52 & 53 Vict. c. 63.

SCHEDULE 2

FORM DESIGNS NO. 3

REGISTERED DESIGNS ACT 1949

[FEE Item 1, 3 or 4] **APPLICATION UNDER SECTION 14 FOR REGISTRATION OF DESIGN**

(*An application in respect of a textile article must be accompanied by a duplicate*)

Application is hereby made for the registration of the accompanying design in the name of (*a*).....
of.....
.....
who claim(s) to be the proprietor(s) thereof (*b*).....
.....
.....
.....

The design is to be applied to a (*c*).....
.....
.....

(*d*) The design has been previously registered for one or more other articles under No.....

(*e*) The design consists of the design previously registered under No..... with modifications or variations not sufficient to alter the character, or substantially to affect the identity thereof.

Application for protection of the design has been made in (*f*).....
.....
on the following official date, viz.: (*g*)..... Such application is the first application made in a Convention country in respect of the design, whether by the applicant(s) or by any person of whom he (they) claim(s) to be the legal representative(s) or assignee(s), and I (we) request that the design may be registered as of the date (*g*).....

My (or Our) address for service in the United Kingdom is:—
.....
.....

(*h*).....
.....

Dated this.....day of.....19.....

To the Registrar,
*Patent Office, Designs Registry,
25, Southampton Buildings, Chancery Lane,
London, W.C.2
or (for a textile article only)
*The Manchester Branch, Designs Registry,
51, Regent House, Cannon Street,
Manchester, 4.

N.B.—Three identical representations or specimens of the design (four in the case of a textile article) should accompany this Form, and, except in the case of an application in respect of a textile article, wallpaper or lace, it should further be accompanied by a statement of the features of the design for which novelty is claimed.

(*a*) Here insert (in full) the name, address and nationality of the applicant or applicants.

(*b*) If the applicant is not the person who made the application in the Convention country, the words "by virtue of", followed by particulars of the instrument under which he claims, should be inserted here.

(*c*) Here state the article to which the design is to be applied as shown in the representations.

(*d*) and (*e*) Strike out one or both paragraphs, if inapplicable.

(*f*) Here insert the name of the Convention country in which the *first* application was made.

(*g*) Here insert the official date of the *first* application in a Convention country.

(*h*) Signature.

* Strike out one of these addresses.

FORM DESIGNS NO. 4

REGISTERED DESIGNS ACT 1949

APPLICATION FOR REGISTRATION OF DESIGN TO BE APPLIED TO A SET OF ARTICLES

[FEE Item 2 or 2A]

(*An application in respect of textile articles must be accompanied by a duplicate*)

Application is hereby made for registration of the accompanying design for a set of articles in the name of (*a*).....
.....
of.....
.....
who claim(s) to be the proprietor(s) thereof.

(*a*) Here insert (in full) the name, address, and nationality of the applicant or applicants.

The design is to be applied to (*b*).....
.....
.....

(*b*) Here state the set of articles, and also the trade description of each of the articles comprised in the set to which the design is to be applied as shown in the representations.

(*c*) The design has been previously registered for one or more other articles under No.....

(*d*) The design consists of the design previously registered under No..... with modifications or variations not sufficient to alter the character, or substantially to affect the identity thereof.

(*c*) and (*d*) Strike out one or both paragraphs, if inapplicable.

My (or Our) address for service in the United Kingdom is.....
.....

(*e*).....

(*e*) Signature.

Dated this.....day of.....19.....

To the Registrar,
*Patent Office, Designs Registry,
25, Southampton Buildings, Chancery Lane,
London, W.C.2
or (for textile articles only)
*The Manchester Branch, Designs Registry,
51, Regent House, Cannon Street,
Manchester, 4.

* Strike out one of these addresses.

N.B.—Four identical representations or specimens of the design should accompany this Form and, except in the case of an application in respect of textile articles, wallpaper or lace, it should further be accompanied by a statement of the features of the design for which novelty is claimed.

FORM DESIGNS NO. 5

REGISTERED DESIGNS ACT 1949

[FEE Item 2 or 2A] **APPLICATION UNDER SECTION 14 FOR REGISTRATION OF DESIGN TO BE APPLIED TO A SET OF ARTICLES**

(*An application in respect of textile articles must be accompanied by a duplicate*)

Application is hereby made for the registration of the accompanying design for a set of articles in the name of (*a*).....
of.....
.....
who claim(s) to be the proprietor(s) thereof (*b*).....
.....
.....
.....

The design is to be applied to a (*c*).....
.....
.....

(*d*) The design has been previously registered for one or more other articles under No.....

(*e*) The design consists of the design previously registered under No..... with modifications or variations not sufficient to alter the character, or substantially to affect the identity thereof.

Application for protection of the design has been made in (*f*).....
.....
on the following official date, viz.: (*g*).....
Such application is the first application made in a Convention country in respect of the design, whether by the applicant(s) or by any person of whom he (they) claim(s) to be the legal representative(s) or assignee(s), and I (we) request that the design may be registered as of the date (*g*).....

My (or Our) address for service in the United Kingdom is:—
.....
.....

(*h*).....
.....

Dated this.....day of.....19.....

To the Registrar,
*Patent Office, Designs Registry,
25, Southampton Buildings, Chancery Lane,
London, W.C.2.
or (for textile articles only)
*The Manchester Branch, Designs Registry,
51, Regent House, Cannon Street,
Manchester, 4.

N.B.—Four identical representations or specimens of the design should accompany this Form and, except in the case of an application in respect of textile articles, wallpaper or lace, it should further be accompanied by a statement of the features of the design for which novelty is claimed.

(*a*) Here insert (in full) the name, address and nationality of the applicant or applicants.

(*b*) If the applicant is not the person who made the application in the Convention country, the words " by virtue of ", followed by particulars of the instrument under which he claims, should be inserted here.

(*c*) Here state the set of articles, and also the trade description of each of the articles comprised in the set, to which the design is to be applied as shown in the representations.

(*d*) (*e*) Strike out one or both paragraphs, if inapplicable.

(*f*) Here insert the name of the Convention country in which the *first* application was made.

(*g*) Here insert the official date of the *first* application in a Convention country.

(*h*) Signature.

* Strike out one of these addresses.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules further amend the Designs Rules 1949.

The principal change is that provision is now made for the registration of designs to be applied to sets of textile articles.

Hitherto in the case of textile articles it has only been possible to register designs to be applied to single articles.