STATUTORY INSTRUMENTS

1971 No. 262

DESIGNS

The Designs (Amendment) Rules 1971

Made - - - -	17*th February* 1971
Laid before Parliament	26*th February* 1971
Coming into Operation –	
Rule 4 - - -	1*st March* 1971
Rule 3 - - -	1*st June* 1971

The Secretary of State, in exercise of his powers under 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 of all other powers enabling him in that behalf, and with the consent of the Treasury, hereby makes the following Rules:—

1. These Rules may be cited as the Designs (Amendment) Rules 1971 and shall come into operation as respects Rule 4 on 1st March 1971 and as respects Rule 3 on 1st June 1971.

2. The Interpretation Act 1889(**c**) 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. The fee payable by virtue of Rule 3 of the Designs Rules 1949(**d**), as amended(**e**), in respect of any of the matters specified in the Schedule hereto shall on and after 1st June 1971 be the appropriate fee so specified and, accordingly, on that date—

(i) for Schedule 1 to the said Rules there shall be substituted the Schedule hereto; and

(ii) the Designs (Amendment) Rules 1969(**f**) shall be revoked.

4. Where on or after 1st March 1971 but before 1st June 1971, 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 after 31st May

(**a**) 1949 c. 88.
(**b**) 1961 c. 25.
(**c**) 1889 c. 63.
(**d**) S.I. 1949/2368 (1949 I, p. 1417).
(**e**) The relevant amending instruments are S.I. 1964/229, 1969/481 (1964 I, p. 428; 1969 I. p. 1370).
(**f**) S.I. 1969/481 (1969 I, p. 1370).

1971, the fee payable shall be that which would be payable if the application was made on or after 1st June 1971.

Nicholas Ridley,
Parliamentary Under Secretary of State,
Department of Trade and Industry.

17th February 1971.

We consent to the making of these Rules.

Bernard Weatherill,
Walter Clegg,
Two of the Lords Commissioners
of Her Majesty's Treasury.

17th February 1971.

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	8·00	Designs No. 2 or 3.
If made of lace	2·00	" " "
2. On application to register one design to be applied to a set of articles not being textile articles	16·00	Designs No. 4 or 5.
If made of lace	4·00	" " "
2A. On application to register one design to be applied to a set of textile articles:—		
Not being checks or stripes	16·00	Designs No. 4 or 5.
Checks or stripes	4·00	" " "
3. On application to register one design to be applied to a textile article (not being checks or stripes)	8·00	Designs (Manchester) No. 1 or 3.
4. On application to register one design to be applied to a textile article (checks or stripes) ...	2·00	Designs (Manchester) No. 2 or 3.
5. On application for a copy of certificate of registration	0·75	Designs No. 6.
6. On application to Registrar to state grounds of decision and materials used under Rule 31 ...	5·00	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	3·00	Designs No. 8.
" " two months	6·00	" "
" " three months	9·00	" "
8. On application for extension of copyright under section 8(2) for second period ...	20·00	Designs No. 9.
9. On application for extension of copyright under section 8(2) for third period	30·00	Designs No. 10.
10. On request for enlargement of time for payment of fee for extension of copyright:—		
Not exceeding one month	3·00	Designs No. 11.
" " two months	6·00	" "
" " three months	9·00	" "
" " four months	12·00	" "
" " five months	15·00	" "
" " six months	18·00	" "
11. On application to enter subsequent proprietorship, &c. under Rule 39 made within six months from date of acquisition of proprietorship, &c.:—		

Subject or Proceeding	Amount	Corresponding Form
	£	
11.—*contd.*		
In respect of one design	2·00	Designs No. 12 or 13.
Made after six but within twelve months from date of acquisition of proprietorship, &c.:—		
In respect of one design	5·00	" " "
Made after expiration of twelve months from the date of acquisition of proprietorship, &c.:—		
In respect of one design	8·00	Designs No. 12 or 13.
On application covering more than one design, for each additional design similarly acquired	0·50	—
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	2·00	Designs No. 14.
Made after six months but within twelve months from date of document:—		
In respect of one design	5·00	" "
Made after expiration of twelve months from date of document:—		
In respect of one design	8·00	" "
On application covering more than one design, for each additional design referred to in the same document as the first design ...	0·50	—
13. On application of mortgagee, licensee, or other person for entry that he no longer claims such interest:—		
In respect of each design	0·50	Designs No. 15.
14. On application to enter change of name or nationality of registered proprietor in the register:—		
In respect of each design	0·50	Designs No. 16.
15. On application for alteration of address or address for service in the register:—		
In respect of each design	0·50	Designs No. 17.
16. On request under section 21 to correct error	2·00	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	1·00	Designs No. 20.
19. On request for search under section 23 when registration number is not supplied	4·00	Designs No. 21.
20. On application for search under Rule 48 ...	4·00	Designs No. 22.

Subject or Proceeding	Amount	Corresponding Form
	£	
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	0·75	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	0·75	Designs No. 24.
23. On application for compulsory licence under section 10	8·00	Designs No. 25.
24. On application for cancellation of registration under section 11(2)	5·00	Designs No. 26.
25. On notice that hearing of an application for cancellation or compulsory licence will be attended	3·00	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) ...	0·15	—
28. For certifying Office copies	0·50	—

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

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules further amend the Designs Rules 1949.

Most of the fees payable under the Rules are increased.

The new fees become payable on or after 1st June 1971 except in the case of fees for the extension of the copyright period in a design paid in advance. Such fees in respect of any period beginning on or after 1st June 1971 are increased on 1st March 1971.