STATUTORY INSTRUMENTS

1989 No. 1131

DESIGNS

The Registered Designs (Fees) Rules 1989

Made - - - -	*4th July 1989*
Laid before Parliament	*10th July 1989*
Coming into force	*1st August 1989*

The Secretary of State, in exercise of the powers conferred upon him by sections 36, 40 and 44(1) of the Registered Designs Act 1949(a), after consultation with the Council on Tribunals pursuant to section 10(1) of the Tribunals and Inquiries Act 1971(b) and with the consent of the Treasury pursuant to the said section 40, hereby makes the following Rules:

1.—(1) These Rules may be cited as the Registered Designs (Fees) Rules 1989 and shall come into force on 1st August 1989.

(2) The Registered Designs (Fees) Rules 1988(c) are hereby revoked.

2. These Rules shall be construed as one with the Registered Designs Rules 1989(d).

3. The fees to be paid in respect of any matters arising under the Registered Designs Act 1949 shall be those specified in the Schedule to these Rules; and in any case where a form specified in the Schedule as the corresponding form in relation to any matter is required by the Registered Designs Rules 1989 to be used, that form or any alternative form accepted by the registrar under rule 4(2) of the said Registered Designs Rules 1989 shall be accompanied by the fee specified in respect of that matter.

Eric Forth
Parliamentary Under Secretary of State,
Department of Trade and Industry

27th June 1989

We consent to the making of these Rules.

David Maclean
Stephen Dorrell
Two of the Lords Commissioners
of Her Majesty's Treasury

4th July 1989

(a) 1949 c.88; sections 36 and 40 of the Registered Designs Act 1949 were amended by the Copyright, Designs and Patents Act 1988 (c.48), Schedule 3, paragraphs 26 and 30.
(b) 1971 c.62.
(c) S.I. 1988/856, amended by S.I. 1988/2088.
(d) S.I. 1989/1105.

SCHEDULE

Rule 3

FEES PAYABLE

IN THIS SCHEDULE REFERENCES TO A SECTION ARE TO THAT SECTION OF THE REGISTERED DESIGNS ACT 1949 AND REFERENCES TO A RULE ARE TO THAT RULE IN THE REGISTERED DESIGNS RULES 1989

Number of corresponding Designs Form	Item	Amount £
1A	Appointment or change of agent	—
2A	On application to register one design to be applied to a single article not falling within the next item	45
2A	On application to register one design to be applied to a single article made substantially of lace or a design consisting substantially of checks or stripes to be applied to a single textile article	28
2A	On application to register one design to be applied to a set of articles	72
6	On application for a copy of certificate of registration of a design	10
7	On request to the registrar for statement of grounds of decision under rule 31	55
8	On request for extension of time to complete an application for the registration of a design:—	
	By one month	13
	By two months	26
	By three months	39
9A	On application to extend period of protection:—	
	for second period	107
	for third period	158
9A	Additional fee payable under section 8(4) in respect of extra time for making application for extension of period of protection:—	
	Additional time not exceeding one month ...	13
	Each succeeding month ... ... (not exceeding six months)	13
12A	On application under rule 42 to enter subsequent proprietorship, etc.:—	
	In respect of one design	26
	On application covering more than one design, for each additional design similarly affected ...	3
12A	On application under rule 45 by mortgagee or licensee for entry that he no longer claims to be such:—	
	In respect of each design	3
16	On application to record alteration of name:—	
	In respect of each design	5
18	On request under section 21 for correction of error:—	
	One design	37
	Each additional design—same error	3
19	On request by proprietor of design to cancel registration	—

Number of corresponding Designs Form	Item	Amount £
20	On request for information under section 23 on supply of registration number	4
21	On request for search when registration number is not supplied	20
23	On request for certificate of the registrar:—	
	Sealed and attached to document	10
	By impression on document	4
25A	On application for grant of a compulsory licence under section 10 or for cancellation of the registration under section 11(2) or (3)	52
28	On notification of order of the court	—
29	On application for restoration of a lapsed right in a design	100
30	On provision of fee for restoration of a registered design	100
31	On application for settlement of the terms of a licence of right	50
	Inspection of register or design where inspection is permitted other than inspection under the second paragraph of section 22(2):—	
	In respect of each design	3
	On request for uncertified copy or extract under rule 73:—	
	In respect of each design	3

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules revoke and replace the Registered Designs (Fees) Rules 1988. Certain of the Forms in respect of which fees were payable under the revoked Rules have been amalgamated. The resulting, amalgamated Forms are Forms 2A, 9A, 12A and 25A. The fees payable under the Registered Designs Act 1949: (1) in respect of the items covered by Forms 6, 7, 8, 9A, 16, 21, 23 and 25A, (2) in respect of some of the items covered by Forms 2A, 12A and 18, (3) in respect of the inspection of the Register of Designs and of certain documents held in the Patent Office and (4) for the supply by the Registrar of certain uncertified copies and extracts, are increased. New fees are introduced to be paid on Forms 29, 30 and 31. In addition, a fee will now be payable in respect of an application for the cancellation of the registration of a design under section 11(3) of the 1949 Act.

The items for which fees are charged on Forms 12A and 16 differ in some respects from the items for which fees were charged on the equivalent forms under the revoked Rules: (1) the fees payable in respect of the filing of Form 12A will no longer increase with the passage of time from the date of the event being recorded, (2) a fee has been introduced for the recording of the alteration of a name in any document filed at the Patent Office and (3) there is no longer a fee for the recording of the alteration of an address entered on the Register.

The new fees come into effect on 1st August 1989. It is estimated that the result of the introduction of the new fees will be that the total amount of fees relating to registered designs collected by the Patent Office in its financial year ending 31st March 1990 will be five per cent greater than the total amount collected in its previous financial year.

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