# 1963 No. 263

# TRADE MARKS

## The Trade Marks (Amendment) Rules 1963

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| *Made* - - - - | 13*th February* 1963 |
| *Laid before Parliament* | 19*th February* 1963 |
| *Coming into Operation* | 20*th February* 1963 |

Whereas, in pursuance of the requirements of subsection (3) of section 40 of the Trade Marks Act 1938(a), the Board of Trade have, before making the following Rules under the Act, published notice of their intention to make such Rules and of the place where copies of the draft Rules may be obtained by advertising such notice in the Trade Marks Journal and the Official Journal (Patents) on 28th December 1962 and 2nd January 1963 being the manner which the Board considered most expedient so as to enable persons affected to make representations to the Board before the Rules were finally settled:

Now, therefore, the Board of Trade, in pursuance of the powers conferred on them by section 40 of the said Act and of all other powers enabling them in that behalf, hereby make the following Rules:—

1. The Trade Marks Rules 1938(b) as amended (c) shall have effect subject to the following amendment, that is to say that for Rule 128 there shall be substituted the following Rule:—

"128.—(1) The Office, the Manchester Branch and the office of the Cutlers' Company shall be open to the public on Monday to Friday inclusive in each week between the hours of 10 a.m. and 4 p.m. for all classes of business and the Office shall also be open to the public on those days between the hours of 4 p.m. and 6 p.m. but only for the filing of applications for the registration of trade marks, forms and other documents:

Provided that the Office, the Manchester Branch and the office of the Cutlers' Company shall be closed on the following days, that is to say, Christmas Day, Good Friday, the days observed as days of public fast or thanksgiving or as holidays at the Bank of England, and days which may from time to time be notified in the case of the Office, the Manchester Branch or the office of the Cutlers' Company by a placard posted in a conspicuous place at the Office, that Branch or the office of the Cutlers' Company as the case may be.

(2) The register, the Manchester Record and the Sheffield register shall, subject to the foregoing proviso, be open to inspection, on payment of the fee specified in Schedule 1 hereto, on Monday to Friday inclusive in each week between the hours of 10 a.m. and 4 p.m.

(a) 1 & 2 Geo. 6. c. 22. (b) S.R. & O. 1938/661 (Rev. XXIII, p. 3: 1938 II, p. 3257).
(c) S.I. 1955/461, 1956/1844, 1959/1925, 1961/127 (1955 II, p. 2677; 1956 II, p. 2385; 1959 II, p. 2669; 1961 I, p. 180).

(3) Notwithstanding that the Office shall be closed to the public on Saturday in each week, applications for the registration of trade marks, forms and other documents received at the Office up to 1 p.m. on that day shall (unless it is one of the days mentioned in the foregoing proviso) be recorded as having been received on that day.".

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

**3.**—(1) These Rules may be cited as the Trade Marks (Amendment) Rules 1963 and shall come into operation on 20th February 1963.

(2) These Rules and the Trade Marks Rules 1938 to 1961 may be cited together as the Trade Marks Rules 1938 to 1963.

Dated 13th February 1963.

*David Price,*
Parliamentary Secretary
to the Board of Trade.

## EXPLANATORY NOTE

*(This Note is not part of the Rules, but is intended to indicate their general purport.)*

These Rules amend the Trade Marks Rules 1938 to 1961. Applications for the registration of trade marks, forms and other documents may now be filed at the Patent Office, Trade Marks Registry, London, until 6 p.m. on the days on which that Office is open. Hitherto that Office has closed at 4 p.m. The Manchester Branch and the office of the Cutlers' Company will continue to close at 4 p.m.

(a) 52 & 53 Vict. c. 63.