STATUTORY INSTRUMENTS

1967 No. 1366

TRADE MARKS

The Trade Marks (Amendment) Rules 1967

Made - - - -	15*th September* 1967
Laid before Parliament	22*nd September* 1967
Coming into Operation—	
Rule 2 - - - -	29*th September* 1967
Rule 1 - - - -	29*th November* 1967

Whereas, in pursuance of the requirements of section 40(3) of the Trade Marks Act 1938(a), the Board of Trade have, before making the following Rules under that Act, published notice of their intention to make such Rules and of the place where copies of the draft Rules might be obtained by advertising such notice in the Trade Marks Journal and the Official Journal (Patents) on the 9th and 16th August 1967, 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 sections 40 and 41 of the Trade Marks Act 1938 and of all other powers enabling them in that behalf, and with the sanction of the Treasury, hereby make the following Rules:—

1. The fee payable by virtue of Rule 3 of the Trade Marks Rules 1938(b), as amended (c), in respect of any of the matters specified in the Schedule hereto shall on and after 29th November 1967 be the amount specified in relation to that matter in that Schedule; and, accordingly, in respect of any such matter, the said Rules, as amended, shall have effect on and after that date as if for the amount specified in relation to that matter in Schedule 1 there were substituted the amount specified in relation thereto in the Schedule to these Rules.

2. Where, on or after 29th September 1967 but before 29th November 1967, Form TM-No. 11 is filed in respect of the renewal of registration of a trade mark or a series of trade marks the last registration of which mark or series of marks is due to expire after 28th November 1967, the fee payable in respect of such renewal shall be that which would be payable if the said form were filed on or after 29th November 1967.

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

(a) 1938 c. 22.
(b) S.R. & O. 1938/661 (Rev. XXIII, p. 3: 1938 II, p. 3257).
(c) The relevant amending instruments are S.I. 1964/227, 1835 (1964 I, p. 408; 1964 III, p. 3993).
(d) 1889 c. 63.

4. These Rules may be cited as the Trade Marks (Amendment) Rules 1967 and shall come into operation as respects Rule 2 on 29th September 1967 and as respects Rule 1 on 29th November 1967.

15th September 1967.

Anthony Crosland,
President of the
Board of Trade.

We sanction the making of these Rules.

14th September 1967.

Joseph Harper,
B. K. O'Malley,
Two of the Lords Commissioners
of Her Majesty's Treasury.

SCHEDULE

Matter or Proceeding	Amount	Corresponding Form
	£ s. d.	
1 On application not otherwise charged to register a trade mark for a specification of goods included in one class	5 0 0	T.M.–No. 2 Textile–No. 2
1a On application to register a series of trade marks under Section 21(2) for a specification of goods included in one class ...	5 0 0	T.M.–No. 2 Textile–No. 2
1b On application to register a defensive trade mark for a specification of goods included in one class	6 0 0	T.M.–No. 32
1c On application under Section 37 to register a certification trade mark for a specification of goods included in one class ...	5 0 0	T.M.–No. 6
1d On applications made at the same time under Section 37 to register one certification trade mark for specifications of goods not all included in one class— In respect of every class ... ... Total fee in no case to exceed £100 for any number of classes.	5 0 0	T.M.–No. 6
11 For renewal of registration of a trade mark at expiration of last registration ...	13 0 0	T.M.–No. 11
11a For renewal of registration of a series of trade marks under Section 21(2) at expiration of last registration— For the first mark of the series ... And for every other mark of the series	13 0 0 0 6 0	T.M.–No. 11
11b For renewal of registrations of the same certification trade mark with the same date for goods in more than one class— In respect of every class ... ... Total fee in no case to exceed £260 for any number of classes	13 0 0	T.M.–No. 11

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules further amend the Trade Marks Rules 1938 by increasing the fees payable in respect of applications and renewals.

The new fees become payable generally on and after 29th November 1967, except in the case of renewal fees paid in advance. Such fees in respect of any period beginning on or after 29th November 1967 are increased on 29th September 1967.