STATUTORY INSTRUMENTS

1975 No. 229

TRADE MARKS

The Trade Marks (Amendment) Rules 1975

Made - - - -	*25th February* 1975
Laid before Parliament	*5th March* 1975
Coming into Operation	*1st April* 1975

Whereas, in pursuance of the requirements of section 40(3) of the Trade Marks Act 1938(a), the Secretary of State has, before making the following Rules under that Act, published notice of his 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 8th January 1975 and 15th January 1975, being the manner which he considered most expedient so as to enable persons affected to make representations to him before the Rules were finally settled:

Now, therefore, the Secretary of State in exercise of powers conferred by section 40 of the Trade Marks Act 1938, and now vested in him (b), and of all other powers enabling him in that behalf, hereby makes the following Rules:—

1. These Rules may be cited as the Trade Marks (Amendment) Rules 1975 and shall come into operation on 1st April 1975.

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.

3. The Trade Marks Rules 1938(d), as amended(e), shall have effect as if—

(*a*) for Rule 9 there were substituted the following:—

"**9.** Subject to any other directions that may be given by the Registrar, all applications, notices, statements, papers having representations affixed, or other documents authorised or required by the Act or these Rules to be made, left or sent, at or to the Office or the Manchester Branch, or with or to the Board of Trade, the Registrar, the Keeper or the Cutlers' Company, shall be upon strong paper and, except in the case of statutory declarations and affidavits, on one side only, of a size of approximately 330 mm by 200 mm to 210 mm (13 inches by 8 inches to 8¼ inches) or approximately 297 mm by 210 mm (11¾ inches by 8¼ inches), and shall have on the left-hand part thereof a margin of not less than 25 mm (1 inch).";

(*b*) for Classes 16, 21 and 27 in Schedule 4 to the Rules there were substituted the following:—

(a) 1938 c. 22. (b) S.I. 1970/1537 (1970 III, p. 5293).
(c) 1889 c. 63.
(d) S.R. & O. 1938/661 (Rev. XXIII, p. 3: 1938 II, p. 3257).
(e) The relevant amending instruments are S.I. 1964/227, 1974/1314 (1964 I, p. 408; 1974 II, p. 4998).

"**16.** Paper, cardboard, articles of paper or of cardboard (not included in other classes); printed matter, newspapers and periodicals, books; book-binding material; photographs; stationery, adhesive materials (stationery); artists' materials; paint brushes; typewriters and office requisites (other than furniture); instructional and teaching material (other than apparatus); playing cards; printers' type and cliches (stereotype)."

"**21.** Small domestic utensils and containers (not of precious metals or coated therewith); combs and sponges; brushes (other than paint brushes); brush-making materials; instruments and material for cleaning purposes; steel wool; unworked or semi-worked glass (excluding glass used in building); glassware, porcelain and earthenware, not included in other classes."

"**27.** Carpets, rugs, mats and matting; linoleums and other materials for covering existing floors; wall hangings (non-textile)."

S. Clinton Davis,
Parliamentary Under-Secretary of State
for Companies, Aviation and Shipping,
Department of Trade.

25th February 1975.

EXPLANATORY NOTE

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

These Rules further amend the Trade Mark Rules 1938. They permit documents to be lodged under the Act or the Rules upon A4 size paper as well as foolscap and replace with minor modifications three of the classifications of goods under which trade marks may be registered.

SI 1975/229
ISBN 0-11-050229-9

