STATUTORY INSTRUMENTS

2000 No. 137

TRADE MARKS

The Trade Marks (Fees) Rules 2000

Made - - - -	*23rd January 2000*
Laid before Parliament	*26th January 2000*
Coming into force	*17th February 2000*

The Secretary of State, in exercise of the powers conferred by sections 54 and 79 of the Trade Marks Act 1994**(a)** ("the Act"), of the power conferred on him by the Department of Trade and Industry (Fees) Order 1988**(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 (Fees) Rules 2000 and shall come into force on 17th February 2000.

2. These Rules shall be construed as one with the Trade Marks Rules 2000**(c)** and the Trade Marks (International Registration) Order 1996**(d)**.

3. The fees to be paid in respect of any matters arising under the Act, the Trade Marks Rules 2000 and the Trade Marks (International Registration) Order 1996 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 specified in the Trade Marks Rules 2000 or the Trade Marks (International Registration) Order 1996 that form shall be accompanied by the fee, if any, specified in respect of that matter (unless the Rules or the Order otherwise provide).

4. Where a fee has been paid in error, the registrar shall repay the same; and where a fee is paid in excess of the amount specified hereunder, the registrar shall remit the amount paid in excess.

5. The Trade Mark (Fees) Rules 1998**(e)** are hereby revoked.

Sainsbury of Turville,
Parliamentary Under Secretary of State for
Science and Innovation,
Department of Trade and Industry

23rd January 2000

(a) 1994 c. 26.
(b) S.I. 1988/93, as amended by S.I. 1990/1473, which was made under section 102 of the Finance (No. 2) Act 1987 (c. 51). The relevant provisions of that Order are article 5 and Part II of Schedule 1.
(c) S.I. 2000/136.
(d) S.I. 1996/714 as amended by S.I. 2000/138.
(e) S.I. 1998/1776.

SCHEDULE

Rule 3

FEES PAYABLE

(In this section references to a rule are references to that rule in the Trade Marks Rules 2000 and references to an article are references to that article in the Trade Marks (International Registration) Order 1996)

Number of corresponding form	*Item*	*Amount* £
TM3	Application for registration of a trade mark (rule 5) or a series of trade marks (rule 21)	200
	Class fee (rule 5), for each class over one	50
	Transformation application (articles 19–20)	—
TM3A	Application for additional classes following examination of a mark (rule 8(3)), for each additional class	50
TM5	Request to the registrar for a statement of the reasons for his decision (rule 62(2))	100
TM7	Notice of opposition to the registration of a mark (rule 13(1)), to the amendment of an application (rule 18(2)), or to the amendment of the regulations relating to a certification or collective trade mark (rule 23(4)), to the alteration of a registered trade mark (rule 25(3)), to the removal of matter from the register (rule 45(2)(a)), to the reclassification of a mark from Schedule 2 to Schedule 3 (rule 47(1))	200
	Notice of opposition on the conferring of protection to the international registration (article 10)	200
TM9	Request for extension of time (rule 68(2))	50
TM9c	Request for extension to cooling off period (rule 13(4))	—
TM11	Renewal of registration (rule 28)	200
	Class fee for each class over one	50
	Delayed renewal of registration (rule 29(1))	50
TM12	Request for division of an application (rule 19(1))	100
TM13	Request for the restoration and renewal of a registration removed from the register for failure to renew (rule 30(1))	100
TM16	Request to enter details of an assignment (rule 41(1)(a))	50
TM17	Request to merge either applications or registrations (rule 20(1))	—

Number of corresponding form	*Item*	*Amount* £
TM23	Request by the registered proprietor for the partial surrender of a registered trade mark (rule 26(1)(b))	—
TM24	Application to record or cancel a registrable transaction other than an assignment or licence (rule 41(1)(d))	—
	Application to record or cancel a notifiable transaction (article 6)	—
TM26 (N)	Request for the revocation of a registration (on grounds of non-use) (rule 31)	200
	Request for the revocation of a protected international trade mark (UK) (on grounds of non-use) (article 13)	200
TM26 (O)	Request for the revocation of a registration (on grounds other than non-use) (rule 32)	200
	Request for the revocation of a protected international trade mark (UK) (on grounds other than non-use) (article 13)	200
TM26 (I)	Request for the invalidation of a registration (rule 33)	200
	Request for the invalidation of a protected international trade mark (UK) (article 13)	200
TM26 (R)	Request for the rectification of a registration (rule 34)	—
	Request for the rectification of the supplementary register (article 15)	—
TM28	Recordal of concurrent registration (article 21)	—
TM31C	Request for information about applications and registered trade marks (rule 48)	20
TM31M	Request for information in relation to an international trade mark (UK) (article 25)	20
TM31R	Request for certified copy of an entry on the register (rule 43), per certificate	20
TM35	Filing of regulations governing the use of a certification or collective mark (rule 22)	200
TM36	Request to amend regulations governing the use of a certification or collective mark (rule 23(1))	100
TM50	Application for the registration of a licence under registered trade mark (rule 41(1)(b))	—
	Submission fee for an application for international registration to the International Bureau by the Patent Office (article 22)	40
	Handling fee for the transmission by the Patent Office of monies payable to the International Bureau for renewal of an international registration (article 31)	20

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules revoke and replace the Trade Mark (Fees) Rules 1998 (S.I. 1998/1776).

The changes reflect the provision made in the Trade Mark Rules 2000 for separate rules dealing with the procedure on applications for revocation (on grounds of non-use), revocation (on grounds other than non-use), invalidation and rectification, and the introduction of separate forms for each of these proceedings. No change has been made to the level of fees nor to the circumstances in which a fee is payable.

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