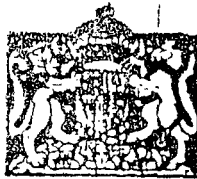


THE TRADE MARKS RULES



SUPPLEMENT No. 3
TO
THE CYPRUS GAZETTE No. 3583 OF 30TH OCTOBER, 1951.
SUBSIDIARY LEGISLATION.

No. 552. THE TRADE MARKS LAW, 1951.

RULES AND FEES MADE AND PRESCRIBED UNDER SECTIONS 38 AND 39.

A. B. WRIGHT,
Governor.

In exercise of the powers vested in me by sections 38 and 39 of the Trade Marks Law, 1951, I, the Governor, with the advice of the Executive Council, do hereby make the following rules:—

Short Title and Commencement.

1. These rules may be cited as the Trade Marks Rules, 1951, and shall come into operation on the 1st day of November, 1951, hereinafter called "the appointed day." Short title and commencement.

Interpretation.

2.—(1) In these rules, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:— Interpretation.

"the Law" means the Trade Marks Law, 1951;

"agent" means an agent duly authorized to the satisfaction of the Registrar;

"the Office" means the Office of the Official Receiver and Registrar, Nicosia, Cyprus;

"Schedule" means one of the Schedules appended to these rules and numbered I, II, III and IV;

"Section" means a section of the Law, a sub-section being indicated by a number enclosed in brackets immediately following the number of the section;

"Specification" means the designation of goods in respect of which a trade mark, or a registered user of a trade mark, is registered or proposed to be registered;

(2) The Interpretation Law shall apply to the interpretation of these rules as it applies to the interpretation of a Law. Cap. 1

Fees.

3. The fees to be paid in relation to trade marks shall be those prescribed in Schedule I, and shall be payable in such manner as the Registrar may from time to time direct by notice in the *Gazette*. Fees. 20/1/51
Eq. 2523

* *Note.*—Definitions in the Interpretation Law include the following:—

"Month" means a calendar month.

"Person", unless the contrary intention appears, includes any company, partnership, association, society, institution or body of persons, corporate or unincorporate.

Words in the singular include the plural, and words in the plural include the singular.

(647)

10.12.1971
21.12.1984.

Τροποποίηση των βασικών κανονισμών.

2. Οι βασικοί κανονισμοί τροποποιούνται με την προσθήκη των λέξεων «ή υπηρεσιών» μετά τη λέξη «εμπορευμάτων» οπουδήποτε συναντάται.

Eq. 2551
9. 11. 52

Αριθμός 2333

Ο ΠΕΡΙ ΕΜΠΟΡΙΚΩΝ ΣΗΜΑΤΩΝ
ΚΑΝΟΝΙΣΜΟΣ 1951

Ειδοποίηση σύμφωνα με τον Κανονισμό 3

Σύμφωνα με τις εξουσίες που μου παρέχει ο Κανονισμός 3 των περί Εμπορικών Σημάτων Κανονισμών 1951, με την ειδοποίηση αυτή δίδω οδηγίες όπως η πληρωμή των τελών σε σχέση με τα Εμπορικά Σήματα γίνεται τοις μετρητοίς.

Η ειδοποίηση αυτή θα θεωρείται ότι ισχύει από την 1η Αυγούστου, 1990.

ΜΑΡΙΑ Α. ΚΥΡΙΑΚΟΥ,
Έφορος Εταιρειών και
Επίσημος Παραλήπτης.

Forms.

4. The forms herein referred to are those contained in Schedule II and such forms shall be used in all cases to which they are applicable, and may be modified as directed by the Registrar to meet other cases.

Classification of Goods.

Classification of goods.

5. For the purposes of trade marks registrations dated before the appointed day, and of registrations of registered users thereunder, goods are classified in the manner appearing in Schedule III, unless any specification has been converted to Schedule IV in accordance with rule 6.

For the purposes of trade marks registrations dated on or after the appointed day, and of registrations of registered users thereunder, and for the purposes of any registrations dated before that day whereof the specifications have been converted in accordance with rule 6, goods are classified in the manner appearing in Schedule IV.

Reclassification of Goods of old Registrations.

Application by registered proprietors for conversion of specification. Registrar's proposal.

6. Where the specification of a registered trade mark is founded on Schedule III the registered proprietor may apply to the Registrar on Form TM—No. 38 for the conversion of that specification so that it may be founded on Schedule IV, whether with or without the striking-out of goods therefrom, but so that the registration retains its original date, and shall include in the application a request for the like conversion of the specification of the goods of any registered users under that registration. Thereupon the Registrar in accordance with section 37 (3) shall notify in writing to the registered proprietor a proposal showing the form which, in the Registrar's view, the amendment of the register should take. Two or more registrations of a trade mark in respect of goods falling within the same class of Schedule IV, having the same date of registration, may be amalgamated upon conversion in accordance with this rule.

Advertisement of proposal. Opposition.

7. The advertisement of a proposal for amendment under section 37 (3) shall be made in the Gazette, and notice of any opposition shall be given on Form TM—No. 39 within two months from the date of the advertisement, and shall be accompanied by a duplicate of the notice and by a statement in duplicate showing how the proposed conversion would be contrary to section 37 (2). The Registrar shall forthwith send the duplicate copies to the registered proprietor who may, within two months from the receipt of such duplicates, send to the Registrar a counter-statement setting out fully the grounds on which the opposition is contested and if he does so he shall deliver to the opponent a copy thereof. The Registrar may thereupon require or admit evidence directed to the questions in issue, and if so desired by either party he shall, before deciding the matter, give the parties an opportunity of being heard thereon.

Conversion of specifications; resulting registrations.

8. When a proposal for the conversion of a specification in accordance with rule 6 has been advertised and has not been opposed and the time for notice of opposition has expired, or having been opposed the opposition has been determined and a conversion allowed, the Registrar shall make all the entries in the register necessary to give effect to the conversion in accordance with the proposal as advertised, or the proposal as amended after opposition or appeal thereon and published subsequently in the Gazette, and shall enter in the register the date when such entries were made. The expression "the expiration of the last registration" shall have regard to the same date in the case of all the resulting entries for the purpose of determining the next renewal thereof in accordance with section 23 as it had with regard to the registration before conversion.

for whom it is entered, by letter addressed to his trade or business address in the register, to confirm the address for service, and if within three months of making such a request the Registrar receives no confirmation of that address, he may strike it off the register.

Agents.

Agency.

14. Except as otherwise required by these rules, any application, request or notice which is required or permitted by the Law or these rules to be made or given to the Registrar, and all other communications between an applicant or a person making such a request or giving such a notice and the Registrar, and between the registered proprietor or a registered user of a trade mark and the Registrar or any other person, may be signed, made or given by or through an agent.

Any such applicant, person making request or giving notice, proprietor, or registered user may appoint an agent to act for him in any proceeding or matter before or affecting the Registrar under the Law and these rules by signing and sending to the Registrar an authority to that effect in the Form TM - No. 1, or in such other written form as the Registrar may deem sufficient. In case of such appointment, service upon the agent of any document relating to the proceeding or matter shall be deemed to be service upon the person so appointing him, all communications directed to be made to such person in respect of the proceeding or matter may be addressed to such agent, and all attendances upon the Registrar relating thereto may be made by or through such agent. In any particular case the Registrar may require the personal signature or presence of an applicant, opponent, proprietor, registered user or other person.

The Registrar shall not be bound to recognize as such agent any person who has been proved to him, or, on appeal, to the Court, to have been guilty of conduct discreditable to a trade mark agent or who has been convicted criminally or whose name has been struck off the Roll of Advocates, and not since restored or (during the term of his suspension) any person who has been suspended from acting as an advocate.

Registrable Trade Marks and Preliminary Advice (Section 40).

Registrable

15. The Registrar may refuse to accept any application for the registration of a trade mark if the following appear:—

2. Οι Κανονισμοί 15 και 16 τῶν βασικῶν Κανονισμῶν διαγράφονται καὶ ἀντικαθίστανται διὰ τῶν ἀκολουθῶν Κανονισμῶν ἀντιστοίχως :

Ἐμπορικὰ
σήματα
ἐπιβληθέντα ἐπὶ
ἐγγράφῳ.

15. Ὁ Ἔφορος δύναται νὰ ἀπαρρήρη οἰκονομήσῃ αἰτήσεις δι' ἐγγράφην σήματος ἐπὶ τοῦ ὀνόμου ἐμφανίζεται ὄνομα δῆμοτε τῶν ἀκολουθῶν :

- (α) αἱ λέξεις Προνόμιον Ἑὐρωπαιτεχνίας, «Προστατευόμενον διὰ Προνόμιου Ἑὐρωπαιτεχνίας», «Ἐγγεγραμμένον», «Ἐγγεγραμμένον Σχέδιον», «Πνευματικὴ Ἰδιοκτησία» (copyright), «Ἡ ἀνομιμηνσις τοῦ πιαρόντος ἀποτελεῖ πλάστογραφίαν» ἢ λέξεις τοῦ αὐτοῦ νοήματος.
- (β) αἱ λέξεις «Ἐρυθρὸς Σταυρὸς» ἢ «Σταυρὸς τῆς Γενεύης», καὶ παραστάσις τοῦ Σταυροῦ τῆς Γενεύης καὶ ἄλλων σταυρῶν ἐρυθροῦ χρώματος, ἢ τοῦ λευκοῦ Ἑλβετικοῦ Ὄμοσπονδιακοῦ Σταυροῦ ἐπὶ ἐρυθρᾶς ἐπιφανείας ἢ ἀργυροῦ ἐπὶ ἐρυθρᾶς ἐπιφανείας ἢ τοιαῦται παραστάσις παρομοίου χρώματος ἢ χρωμάτων.

Ὅσακις ἐν ἔμπορικῷ σήματι, διὰ τὴν ἐγγράφην τοῦ ὀνόμου υποβάλλεται αἴτησις, ἐμφανίζεται παράπτωσις σταυροῦ ἐν οἰκονομήσῃ χρώματι πλὴν τῶν μνημονευθέντων

ἐν τῇ τελευταίᾳ ὑποπαραγράφῳ, ὁ Ἔφορος δύναται νὰ ἀπαυτήσῃ παρὰ τοῦ αἰτητοῦ ὡς ὄρον ἀποδοχῆς νὰ ἀναλάβῃ ὅπως μὴ χρησιμοποίησῃ τὸ ἐμβλημα τοῦ σταυροῦ ἐν ἐρυθρῷ χρώματι ἢ ἐν λευκῷ ἐπὶ ἐρυθρᾶς ἐπιφανείας ἢ ἐν ἀργυρῷ ἐπὶ ἐρυθρᾶς ἐπιφανείας ἢ ἐν οἰκονομήσῃ παρομοίῳ χρώματι.

Ἡ λέξις
"Anzani"
δὲν δύναται
νὰ ἐμφανισθῇ
ἐπὶ ἔμπορικοῦ
σήματος.

16. Ἡ λέξις "Anzani" δὲν θὰ ἐμφανίζεται ἐπὶ ἔμπορικῶν σημάτων διὰ τὴν ἐγγράφην τῶν ὀνόμων υποβάλλεται αἴτησις.

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Handwritten notes in Greek, including "15 κανονισμοί 15 και 16" and "Επὶ ἐγγράφῳ".

Επ. Εγ. 910

10.12.71

Documents.

9. Subject to any other directions that may be given by the Registrar, all applications, notices, statements, papers having representations affixed, or other documents authorized or required by the Law or these rules to be made, left or sent at or to the Office with or to the Registrar, shall be upon strong paper and, except in the case of affidavits, on one side only, of a size of approximately 13 inches by 8 inches, and shall have on the left-hand part thereof a margin of not less than one inch and a half.

Size, etc., of documents.

10. A document purporting to be signed for or on behalf of a partnership shall contain the names of all the partners in full and shall be signed by all the partners or by any qualified partner stating that he signs on behalf of the partnership, or by any other person who satisfies the Registrar that he is authorized to sign the document. A document purporting to be signed for or on behalf of a body corporate shall be signed by a director or by the secretary or other principal officer of the body corporate, or by any other person who satisfies the Registrar that he is authorized to sign the document. A document purporting to be signed for or on behalf of an association of persons may be signed by any person who appears to the Registrar to be duly qualified.

Signature of documents by partnerships, companies and associations.

11. All applications, notices, statements, papers having representations affixed, or other documents authorized or required by the Law or these rules to be made, left or sent, at or to the Office or with or to the Registrar, or any other person may be sent through the post by a prepaid letter; any application or any document so sent shall be deemed to have been made, left or sent at the time when the letter containing the same would be delivered in the ordinary course of post. In proving such sending, it shall be sufficient to prove that the letter was properly addressed and put into the post.

Service of documents.

Address.

12. Where any person is by the Law or these rules bound to furnish the Registrar with an address, the address given shall in all cases be as full as possible, for the purpose of enabling any person easily to find the place of trade or business of the person whose address is given.

Address.

The Registrar may require the address to include the name of the street, and the number in the street or name of the premises, if any.

13. The Registrar may require an applicant, opponent or agent, or a registered proprietor or registered user of a trade mark, who does not reside or carry on business within Cyprus to give an address for service within Cyprus, and such address may be treated as the actual address of that person for all purposes connected with the matter in question.

Address for service.

Any registered proprietor or registered user of a trade mark, or any person about to be registered as such, may, if he so desires, give upon Form TM—No. 32 an address for service for entry in the register, and such address may be entered by the Registrar.

All applications on Form TM—No. 32 under this rule shall be signed by the applicant for registration or the registered proprietor or registered user, as the case may be, or by an agent expressly authorized by him for the purpose of such an application, unless in exceptional circumstances the Registrar otherwise allows.

In any case in which no address for service is entered in the register, the Registrar may treat the trade or business address of the registered proprietor or registered user as therein entered as his address for service for all purposes connected with the registration.

Any written communication addressed to a party or person as aforesaid at an address given by him, or treated by the Registrar, as his address for service shall be deemed to be properly addressed.

The Registrar, at any time that a doubt arises as to the continued availability of an address for service entered in the register, may request the person

word "Arms" may not appear on trade marks the registration of which is applied for.

17. Where a representation of the armorial bearings, insignia, orders of chivalry, decorations or flag of any State, city, borough, town, place, society, body corporate, institution or person appears on a mark, the Registrar, before proceeding to register the mark, shall, if he so require, be furnished with a consent to the registration and use of such emblems from such official or other person as appears to the Registrar to be entitled to give consent, and in default of such consent he may refuse to register the mark.

Arms of city, etc.

you of the...

18. Where the name or representation of any person appears on a trade mark, the Registrar shall, if he so require, before proceeding to register the mark be furnished with consent from him or, in the case of a person recently dead, from his legal representatives, and in default of such consent he may refuse to register the mark.

Living persons or persons recently dead.

19. Where the name or description of any goods appears on a trade mark the Registrar may refuse to register such mark in respect of any goods other than the goods so named or described.

Name or description of goods on a trade mark.

Where the name or description of any goods appears on a trade mark, which name or description in use varies, the Registrar may permit the registration of the mark for those and other goods, and in that case the applicant shall state in his application that the name or description will be varied when the mark is used upon goods covered by the specification other than the named or described goods.

20. Any person who proposes to apply for the registration of a trade mark in Part A or Part B of the register in respect of any goods may apply to the Registrar on Form TM—No. 29, or on Form TM—No. 28 in a case where he is also making an application under rule 106, for advice as to whether the trade mark, of which duplicate representations shall accompany the Form, appears to the Registrar *prima facie* to be inherently adapted to distinguish within the meaning of section 11 or inherently capable of distinguishing within the meaning of section 12 as the case may be in relation to those goods, and shall apply separately in relation to goods comprised within different classes of goods in Schedule IV.

Preliminary advice by Registrar as to distinctiveness.

A notice of withdrawal of an application for the registration of a trade mark given under section 40 (3) for the purpose of obtaining repayment of any fee paid on the filing of the application shall be given in writing within two months from the date of the notice of the Registrar's objection.

Application for Registration of a Trade Mark—Specification.

3. Ο Κανονισμός 21 των βασικών Κανονισμών διαγράφεται και αντικαθίσταται διά του ακόλουθου Κανονισμού :

Form of Application. Specification.

«21--(1) Η αίτησις πρὸς τὸν Ἐφόρον διὰ τὴν ἐγγραφήν ἐμπορικοῦ σήματος υποβάλλεται ἐπὶ τοῦ Τύπου Ε. Σ. ἀρ. 2 καὶ υπογράφεται ὑπὸ τοῦ αἰτητοῦ ἢ τοῦ ἀντιπροσώπου αὐτοῦ. Ἐκάστη αἴτησις θὰ ἀφορᾷ εἰς ἐγγραφήν σχετικῶς πρὸς ἐμπορεύματα μὴς μόνον τάξεως τοῦ Πίνακος IV.

Η ἐν λόγῳ πρὸς διαγράψαν Διδάκτ. Ζώσην υπ. βλ. μετὰ ἀρ. 3 20 πρὸς Ἐ.φ. Συρ. (Τ.π.α. Καν. 1971)

(2) Πᾶσα αἴτησις ἀξιούσα προτεραιότητα δυνάμει τῆς παραγράφου Δ-1 τοῦ ἀρθροῦ 4 τῆς Διεθνoῦς Συμβάσεως ἐπὶ τῆς Προστασίας τῆς Βιομηχανικῆς Ἰδιοκτησίας τῆς ἐκτιθεμένης ἐν τῷ Παραρτήματι τοῦ περὶ τῆς Συμβάσεως ἐπὶ τῆς Προστασίας τῆς Βιομηχανικῆς Ἰδιοκτησίας (Κυρωτικῶδ) Νόμου τοῦ 1965, λόγω τῆς ὑποβολῆς αἰτήσεως δι' ἐγγραφήν ἐμπορικοῦ σήματος γενομένης ἢ λογιζομένης ὡς γενομένης ἐν χώρα εἰς ἣν ἢ ρηθεῖσα Σύμβασις ἐφαρμόζεται (ἢ ὁποῖα χώρα δέον ὅπως κατονομάζηται), θὰ ἀναφέρει τὴν ἡμερομηνίαν τῆς ἐν τῇ ἐν λόγω χώρα αἰτήσεως καὶ ὁ αἰτητὴς θὰ προσκομίῃ πιστοποιητικὸν τοῦ Ἐφόρου τῶν Ἐμπορικῶν Σημάτων ἢ ἐτέρας ἀρμοδίας διὰ τὴν ἐγγραφήν ἀρχῆς τῆς χώρας ταύτης ἢ θὰ ἀποδείξῃ κατ' ἄλλον τρόπον τὴν γενομένην ἢ λογιζομένην ὡς γενομένην ἐν τῇ ἐν λόγω χώρα αἰτησὶν πρὸς ἱκανοποίησιν τοῦ Ἐφόρου.

Representation of mark.

Ἔως εὐθὺς

63 τοῦ 1965.

(3) Ἐν τῇ περιπτώσει αἰτήσεως δι' ἐγγραφήν ἐν σχέσει πρὸς αἰτάντα τὰ ἐμπορεύματα τὰ περιλαμβανόμενα ἐν μιᾷ τάξει ἢ ἐν σχέσει πρὸς μεγάλην ποικιλίαν ἐμπορευμάτων, ὁ Ἐφορος δύναται νὰ ἀπορρίψῃ τὴν αἴτησιν ἐκτός ἐάν μείνῃ ἱκανοποιημένος διὰ τῆς περιγραφῆς τῶν ἐμπορευμάτων δικαιολογεῖται ὑπὸ τῆς χρήσεως τοῦ σήματος τῆς ὁποῖαν ὁ αἰτητὴς ἔχει κάμει, ἢ προτίθεται νὰ κάμῃ, ἐάν καὶ ὅταν τὸ σῆμα ἐγγραφῇ.»

ὡς ἐμπορικοῦ Τύπου τῶν παραρ. 3.

ἢ αἰτήσεως ἢ αἰτήσεως τὴν χρησιζόντων αἰτη-

ἐπαρκείας καὶ ὁ αἰτητούτων. Ὁ οἶον ἰθυελε

ἢ ἐγκριτοῦ μετὰ τοῦ κοι-

Additional forms and representations. 23. There shall be sent with every application for registration of a trade mark four additional representations of the mark on Form TM—No. 3. The representation of the mark on the application and the additional representations shall correspond exactly. The additional representations shall in all cases be noted with all such particulars as may from time to time be required by the Registrar. Such particulars shall, if required, be signed by the applicant or his agent.

Representations to be durable. 24. All representations of marks must be of a durable nature, but the applicant may in case of need supply, in place of representations on Form TM—No. 3, representations on sheets of strong paper of the size prescribed in rule 9 and noted as aforesaid.

Separate applications. 25. Applications for the registration of the same mark in different classes shall be treated as separate and distinct applications, and in all cases where a trade mark is registered under the same official number for goods in more than one class, whether on conversion of the specification under rule 6 or otherwise, the registration in respect of the goods included in each separate class shall be deemed to be a separate registration for all the purposes of the Law.

Representations to be satisfactory. 26. The Registrar, if dissatisfied with any representation of a mark, may at any time require another representation satisfactory to him to be substituted before proceeding with the application.

Specimens of trade marks in exceptional cases. 27. Where a drawing or other representation or specimen cannot be given in manner aforesaid, a specimen or copy of the trade mark may be sent either of full size or on a reduced scale, and in such form as the Registrar may think most convenient.

The Registrar may also, in exceptional cases, deposit in the Office a specimen or copy of any trade mark which cannot conveniently be shown by a representation, and may refer thereto in the register in such manner as he may think fit.

Series of trade marks. 28. Where application is made for the registration of a series of trade marks under section 23 (2), a representation of each trade mark of the series shall be included, all as aforesaid, in the application form, and in each of the accompanying Forms TM—No. 3.

Transliteration and translation. 29. Where a trade mark contains a word or words in characters other than Roman, there shall, unless the Registrar otherwise directs, be indorsed on the application form, and on each of the accompanying Forms TM—No. 3, a sufficient transliteration and translation to the satisfaction of the Registrar of each of such words, and every such indorsement shall state the language to which the word belongs and shall be signed by the applicant or his agent.

Where a trade mark contains a word or words in a language other than English, the Registrar may ask for an exact translation thereof together with the name of the language, and such translation and name, if he so requires, shall be indorsed and signed as aforesaid.

Procedure on Receipt of Application for Registration of a Trade Mark.

Search. 30. Upon receipt of an application for the registration of a trade mark in respect of any goods the Registrar shall cause a search to be made, amongst the registered marks and pending applications, for the purpose of ascertaining whether there are on record in respect of the same goods or description of goods any marks identical with the mark applied for, or so nearly resembling it as to render the mark applied for likely to deceive or cause confusion, and the Registrar may cause the search to be renewed at any time before the acceptance of the application, but shall not be bound to do so.

Acceptance, absolute or conditional objection. 31. After such search, and consideration of the application, and of any evidence of use or of distinctiveness or of any other matter which the applicant may or may be required to furnish, the Registrar may accept the application absolutely, or he may object to it, or he may express his willingness

to accept it subject to such conditions, amendments, disclaimer, modifications or limitations as he may think right to impose.

32. If the Registrar objects to the application, he shall inform the applicant of his objections in writing, and unless within two months the applicant applies for a hearing or makes a considered reply in writing to those objections he shall be deemed to have withdrawn his application.

Registrar's objections. Hearing.

33. If the Registrar is willing to accept the application subject to any conditions, amendments, disclaimer, modifications or limitations, he shall communicate such willingness to the applicant in writing, and, if the applicant objects to such conditions, amendments, disclaimer, modifications or limitations he shall within two months from the date of the communication apply for a hearing or communicate his considered objections in writing, and if he does not do so he shall be deemed to have withdrawn his application. If the applicant does not object to such conditions, amendments, disclaimer, modifications or limitations, he shall forthwith notify the Registrar in writing, and alter his application accordingly.

Registrar's conditions, etc. Hearing.

34. The decision of the Registrar, at a hearing as in rule 32 or rule 33, or without a hearing if the applicant has duly communicated his considered objections or considered reply, in writing, and has stated that he does not desire to be heard, shall be communicated to the applicant in writing, and if the applicant objects to such decision he may within two months by applying upon Form T.M.—No. 4 require the Registrar to state in writing the grounds of, and the materials used by him in arriving at, his decision.

Decision of Registrar.

In a case where the Registrar makes any requirements to which the applicant does not object, the applicant shall comply therewith before the Registrar issues such statement in writing. The date when such statement is sent to the applicant shall be deemed to be the date of the Registrar's decision for the purpose of appeal.

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Disclaimer
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35. The Registrar may call on an applicant to insert in his application such disclaimer as the Registrar may think fit, in order that the public generally may understand what the applicant's rights, if his mark is registered, will be.

Advertisement of Application.

36. An application for the registration of a trade mark required or permitted to be advertised by section 20 (1), shall be advertised in the Gazette during such times and in such manner as the Registrar may direct. In the case of an application with which the Registrar proceeds only after the applicant has lodged the written consent to the proposed registration of the registered proprietor of another trade mark or another applicant, the words "By Consent" shall appear in the advertisement.

Advertisement of application.

If no representation of the trade mark be included in the advertisement of the application, the Registrar shall refer in such advertisement to the place or places where a specimen or representation of the trade mark is deposited for exhibition.

37. For the purposes of such advertisement the applicant may, at the appropriate time, supply or be required to supply a printing block (or more than one, if necessary) of the trade mark satisfactory to the Registrar, of such dimensions as may from time to time be approved or directed by the Registrar, or shall supply such information or other means of advertising the trade mark as may be required by the Registrar; and the Registrar, if dissatisfied with the printing block supplied by the applicant or his agent, may require a fresh block before proceeding with the advertisement.

Wood block or electrotype printing.

38. When an application relates to a series of trade marks differing from one another in respect of the particulars mentioned in section 23 (2), the applicant may be required to supply a printing block (or more than one if necessary) satisfactory to the Registrar of any or of each of the trade marks

Advertisement of series.

constituting the series; or the Registrar may, if he thinks fit, insert with the advertisement of the application a statement of the manner in which the several trade marks differ from one another.

Advertisement under section 20 or section 36. 39. Advertisements under sections 20 (10), 36 (2) and 36 (4) shall *mutatis mutandis* be made in the same manner as advertisements relating to an application for registration.

Opposition to Registration.

Opposition. 40. Any person may within two months from the date of any advertisement in the *Gazette* of an application for registration of a trade mark give notice on Form TM—No. 5 to the Registrar of opposition to the registration.

Notice of opposition. 41. The notice shall include a statement of the grounds upon which the opponent objects to the registration. If registration is opposed on the ground that the mark resembles marks already on the register, the numbers of such trade marks and the numbers of the *Gazettes* in which they have been advertised shall be set out. The notice shall be accompanied by a duplicate which the Registrar will forthwith send to the applicant.

Counter-statement. 42. Within two months from the receipt of such duplicate the applicant shall send to the Registrar a counter-statement on Form TM—No. 6 setting out the grounds on which he relies as supporting his application. The applicant shall also set out what facts, if any, alleged in the notice of opposition he admits. The counter-statement shall be accompanied by a duplicate.

Evidence in support of opposition. 43. Upon receipt of the counter-statement and duplicate the Registrar will forthwith send the duplicate to the opponent and within two months from the receipt of the duplicate the opponent shall leave with the Registrar such evidence by way of affidavit as he may desire to adduce in support of his opposition and shall deliver to the applicant copies thereof.

Evidence in support of application. 44. If an opponent leaves no evidence, he shall, unless the Registrar otherwise directs, be deemed to have abandoned his opposition but, if he does leave evidence, then, within two months from the receipt of the copies of affidavits, the applicant shall leave with the Registrar such evidence by way of affidavit as he desires to adduce in support of his application and shall deliver to the opponent copies thereof.

Evidence in reply by opponent. 45. Within one month from the receipt by the opponent of the copies of the applicant's affidavits the opponent may leave with the Registrar evidence by affidavit in reply, and shall deliver to the applicant copies thereof. This evidence shall be confined to matters strictly in reply.

Further evidence. 46. No further evidence shall be left on either side but, in any proceedings before the Registrar, he may at any time if he thinks fit give leave to either the applicant or the opponent to leave any evidence upon such terms as to costs or otherwise as he may think fit.

Exhibits. 47. Where there are exhibits to affidavits filed in an opposition, copies or impressions of such exhibits shall be sent to the other party on his request and at his expense, or, if such copies or impressions cannot conveniently be furnished, the originals shall be left with the Registrar in order that they may be open to inspection. The original exhibits shall be produced at the hearing unless the Registrar otherwise directs.

Hearing. 48. Upon completion of the evidence the Registrar shall give notice to the parties of a date when he will hear the arguments in the case. Such appointment shall be for a date at least one month after the date of the notice, unless the parties consent to a shorter notice. Within fourteen days from the receipt of the notice any party who intends to appear shall so notify the Registrar on Form TM—No. 7. A party who receives notice as aforesaid

2. Οι βασικοί κανονισμοί τροποποιούνται διά της ενθέσεως ευθύς μετά τον Κανονισμόν 48 του ακολούθου νέου Κανονισμού:

«48Α. Καθ' οιονδήποτε στάδιον της διαδικασίας ενώπιόν του, ο Έφορος δύναται, εάν το θεωρήση αρμόζον, να διατάξη την καταχώρισιν και ανταλλαγὴν μεταξύ των διαδίκων εγγράφου επιχειρηματολογίας εντός καθορισμένων χρονικῶν ορίων, επιπροσθέτως ἢ εἰς αντικατάστασιν προφορικῆς επιχειρηματολογίας.»

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and who does not, within fourteen days from the receipt thereof, so notify the Registrar on Form TM—No. 7, may be treated as not desiring to be heard and the Registrar may act accordingly.

49. Where in opposition proceedings any extension of time is granted to any party, the Registrar may thereafter, if he thinks fit, without giving the said party a hearing, grant any reasonable extension of time to any other party in which to take any subsequent step.

4 B. P. G. C. 2-2
Extension of time. 2.12.50

50. Where a party giving notice of opposition or an applicant sending a counter-statement after receipt of a copy of such a notice neither resides nor carries on business in Cyprus, the Registrar may require him to give security, in such form as the Registrar may deem sufficient, for the costs of the proceedings before the Registrar, for such amount as to the Registrar may seem fit, and at any stage in the opposition proceedings may require further security to be given at any time before giving his decision in the case.

Security for costs.

51. In the event of an opposition being uncontested by the applicant, the Registrar is deciding whether costs should be awarded to the opponent shall consider whether proceedings might have been avoided if reasonable notice had been given by the opponent to the applicant before the notice of opposition was lodged.

Costs in uncontested case.

Non-Completion.

52. Where registration of a trade mark is not completed within twelve months from the date of the application by reason of default on the part of the applicant, the Registrar shall on Form TM—No. 8 give notice in writing to the applicant at his trade or business address of the non-completion, but if the applicant has authorized an agent for the purpose of the application he shall instead send the notice to the agent and shall send a duplicate thereof to the applicant. If after one month from the date when the notice was sent, or such further time as the Registrar may allow, the registration is not completed, the application shall be deemed to be abandoned.

Non-completion within 12 months.

Entry in the Register, and Associated Marks.

53. As soon as may be after the expiration of two months from the date of the advertisement in the *Gazette* of any application for the registration of a trade mark, the Registrar shall, subject to any opposition and the determination thereof, and subject to the provisions of section 21 (1), and upon payment of the prescribed fee on Form TM—No. 9, enter the trade mark in the register. In those cases where the applicant has supplied a printing block in accordance with rule 37, he shall send with his fee a representation of the trade mark agreeing in all respects with the representation then appearing on the form of application, to be affixed by the Registrar to the certificate of registration as required by rule 56. The entry of a trade mark in the register shall give the date of the registration, the goods in respect of which it is registered, and all particulars named in section 3 (1), including both the trade or business address and the address for service (if an application on Form TM—No. 32 for the entry thereof has been approved), particulars of the trade, business, profession, occupation, or other description of the proprietor, particulars of any undertakings by the proprietor entered on the form of application, particulars affecting the scope of the registration or the rights conferred by the registration, and such other particulars as are prescribed.

Entry in register.

In the case of an application as aforesaid which the Registrar accepts only after the applicant has lodged the written consent to the proposed registration of the registered proprietor of another trade mark or another applicant for registration, the aforesaid entry in the register shall state that it is "By Consent" and shall give the number of the previous registration or the application for registration.

Associated marks. / 54. Where a mark is registered as associated with any other mark or marks the Registrar shall note in the register in connection with the first-mentioned mark the numbers of the marks with which it is associated and shall also note in the register in connection with each of the associated marks the number of the first-mentioned mark as being a mark associated therewith.

An application by a registered proprietor under section 25 (5) to the Registrar to dissolve the association between two or more associated trade marks shall be made on Form TM—No. 19, and shall include a statement of the grounds of the application.

Death of applicant before registration. / 55. In case of the death of any applicant for the registration of a trade mark after the date of his application, and before the trade mark applied for has been entered in the register, the Registrar, after the expiration of the prescribed period of advertisement and the determination of any opposition to the application, may, on being satisfied of the applicant's death, enter in the register, in place of the name of such deceased applicant, the name, address, and description of the person owning the trade mark, on such ownership being proved to the satisfaction of the Registrar.

Certificate of registration. / 56. Upon the registration of a trade mark the Registrar shall issue to the applicant a certificate in the Form TM—No. 10, and shall affix thereto a copy of the mark, which may be a representation thereof supplied by the applicant under rule 53.

Renewal.

Renewal of registration. / 57. At any time not more than three months before the expiration of the last registration of a trade mark any person may leave at the Office a fee for the renewal of the registration of the mark upon Form TM—No. 11, and, if he is not the registered proprietor, shall sign a statement on the form that he is directed by the registered proprietor to pay the fee (if such be the case) and shall give his address. Before taking any further step the Registrar may either (a) require the person leaving the fee to furnish within twenty days an authority to pay the fee signed by the registered proprietor, and if he does not furnish such authority may return the fee and treat it as not received, or (b) communicate with the registered proprietor stating that the fee has been received and that the registration will in due course be renewed.

Notification of receipt of renewal fee.

Notice before removal of trade mark from register. / 58. At a date not less than two months and not more than three months before the expiration of the last registration of a mark, if no fee upon Form TM—No. 11 has been received, the Registrar shall notify the registered proprietor in writing of the approaching expiration.

Second notice.

59. At a time not less than one month and not more than two months before the expiration of the last registration of a mark the Registrar may, if no fee as aforesaid has been received, send a notice in writing to the registered proprietor at his trade or business address as well as at his address for service, if any.

Advertisement of non-payment.

/ 60. If at the date of the expiration of the last registration of a mark the renewal fee has not been paid, the Registrar shall advertise the fact (forthwith) in the *Gazette*, and if within two months of that advertisement the renewal fee upon Form TM—No. 11, together with an additional fee upon Form TM—No. 12, is received, he may renew the registration without removing the mark from the register.

Removal of trade mark from register.

61. Where, at the expiration of two months from the advertisement mentioned in rule 60 the fees therein mentioned have not been paid, the Registrar may remove the mark from the register as of the date of the expiration of the last registration, but may, upon payment of the renewal fee upon Form TM—No. 11 together with a restoration fee upon Form TM—No. 13, restore the mark to the register if satisfied that it is just so to do, and upon such conditions as he may think fit to impose.

Restoration.

62. Where a trade mark has been removed from the register, the Registrar shall cause to be entered in the register a record of the removal and of the cause thereof.

Record of removal of mark.

63. Upon the renewal or restoration and renewal of a registration, a notice to that effect shall be sent to the registered proprietor and the renewal or restoration and renewal shall be advertised in the *Gazette*.

Notice and advertisement of renewal and restoration.

Assignments and Transmissions.

64. Where a person becomes entitled by assignment or transmission to a registered trade mark he may, conjointly with the registered proprietor, make application to the Registrar on Form TM—No. 15 to register his title.

Joint application for entry of assignment or transmission.

65. Where a person becomes entitled to a registered trade mark in the manner referred to in rule 64, and no conjoint application as therein mentioned is made, he shall make application to the Registrar on Form TM—No. 16 to register his title.

Application for entry of assignment or transmission by subsequent proprietor.

66. An application under rule 64 or rule 65 shall contain the name, trade or business address and description of the person claiming to be entitled, together with full particulars of the instrument, if any, under which he claims, and such instrument shall be produced for inspection by the Registrar, preferably at the time of application. The full names of all the partners in a partnership shall be given in the body of the application. The Registrar may in any case require and retain an attested copy of any instrument produced for inspection in proof of title, but such copy shall not be open to public inspection.

Particulars to be stated in application.

Copies of documents.

67. Where in the case of an application of Form TM—No. 15 or Form TM—No. 16 the person applying for registration of his title does not claim under any document or instrument which is capable in itself of furnishing proof of his title, he shall, unless the Registrar otherwise directs, either upon or with the application, state a case setting forth the full particulars of the facts upon which his claim to be proprietor of the trade mark is based, and showing that the trade mark has been assigned or transmitted to him. If the Registrar so require, the case shall be verified by an affidavit on Form TM—No. 17.

Case accompanying application.

68. The Registrar may call on any person who applies to be registered as proprietor of a registered trade mark for such proof or additional proof of title as he may require for his satisfaction.

Proof of title.

69. An application under rule 64 or rule 65 relating to an assignment on or after the appointed day, of a trade mark in respect of any goods shall state (a) whether the trade mark was, at the time of the assignment, used in a business in any of those goods and (b) whether the assignment was made otherwise than in connection with the entire or the remainder goodwill of that business, and, if both those circumstances subsisted, then the applicant shall leave with the Registrar a copy of the Registrar's directions to advertise the assignment, obtained upon application under section 24 (7) and rule 73, and such proof, including copies of advertisements or otherwise, as the Registrar may require that his directions have been fulfilled; and if the Registrar is not satisfied that the directions have been fulfilled, he shall not proceed with the application.

Application for entry of assignment without goodwill.

For the purposes of section 30 (4), the period within which a corporation may be registered as the subsequent proprietor of a registered trade mark upon application made under rule 64 or rule 65, shall be six months from the date of advertisement in the *Gazette* of the registration of the trade mark.

such further period not exceeding six months as the Registrar may allow, on application being made to him on Form TM—No. 14 by the applicant for registration of title or the registered proprietor, as the case may be, at any time before or during the period for which the extension can be allowed.

Entry in register.

70. When the Registrar is satisfied as to the title of the person claiming to be registered, he shall cause him to be registered as proprietor of the trade mark in respect of the relevant goods, and shall enter in the register his name, trade or business address and description and particulars of the assignment or transmission.

Separate registrations.

71. Where pursuant to an application under rule 64 or rule 65, and as the result of a division and separation of the goods of a registration or a division and separation of places or markets, different persons become registered separately under the same official number as subsequent proprietors of a trade mark, each of the resulting separate registrations in the names of those different persons shall be deemed to be a separate registration for all the purposes of the Law.

Registrar's certificate or approval as to certain assignments and transmissions.

72. Any person who desires to obtain the Registrar's certificate under section 24 (5), or his notification of approval under section 24 (6), or under paragraph 1 of the Schedule to the Law, shall send to the Registrar, with his application on Form TM—No. 33, or No. 34, or No. 35, as the case may be, a statement of case in duplicate setting out the circumstances, and a copy of any instrument or proposed instrument effecting the assignment or transmission. The Registrar may call for any evidence or further information that he may consider necessary, and the statement of case shall be amended if required to include all the relevant circumstances and shall if required be verified by an affidavit. The Registrar, after hearing if so required the applicant and any other person whom the Registrar may consider to be interested in the transfer, shall consider the matter and issue a certificate thereon or a notification in writing of approval or disapproval thereof, as the case may be. Where a statement of case is amended, two fair copies thereof in its final form shall be left with the Registrar. The Registrar shall seal a copy of the statement of case in its final form to the certificate or notification.

Registrar's directions for advertisement of assignment without goodwill of trade mark in use.

73. An application to the Registrar under section 24 (7) shall be made by the assignee on Form TM—No. 36 and shall state the date on which the assignment was made. The application shall give particulars of the registration in the case of a registered trade mark, and, in the case of an unregistered trade mark, shall show the mark and give particulars of the registered trade mark that has been assigned therewith in accordance with section 24 (3). The Registrar may call for any evidence or further information, and if he is satisfied with regard to the various matters he shall issue directions in writing with respect to the advertisement of the assignment.

The Registrar may refuse to consider such an application in a case to which section 24 (6) applies unless his approval has been obtained under the said sub-section and a reference identifying the Registrar's notification of approval is included in the application.

A request to the Registrar for an extension of the period within which the application may be made, which shall be on Form TM—No. 37, may be made at any time before or during the period for which extension can be allowed. The extension of the period which the Registrar may allow shall not exceed three months.

Alteration of Address.

74. A registered proprietor or registered user of a trade mark whose or business address is changed so that the entry in the register is proved incorrect shall forthwith request the Registrar on Form TM—No. 38 to make the appropriate alteration of the address in the register, and the Registrar shall alter the register accordingly if he is satisfied in the matter

A registered proprietor or registered user of a trade mark whose address for service in Cyprus entered in the register is changed, whether by discontinuance of the entered address or otherwise, so that the entry in the register is rendered incorrect, shall forthwith request the Registrar on Form TM—No. 32 to make the appropriate alteration of the address in the register, and the Registrar shall alter the register accordingly if he is satisfied in the matter.

A registered proprietor or registered user of a trade mark whose registered trade or business address or address for service is altered by a public authority, so that the changed address designates the same premises as before, may make the aforesaid request to the Registrar on Form TM—No. 18 or Form TM—No. 32, as the case may be, free of any fee, and if he does so he shall leave therewith a certificate of the alteration given by the said authority. If the Registrar is satisfied as to the facts of the case, he shall alter the register accordingly, but shall not require the payment of any fees.

In case of the alteration of the address of a person entered in the register as the address for service of more than one registered proprietor or registered user of trade marks, the Registrar may, on proof that the said address is the address of the applicant and if satisfied that it is just to do so, accept an application from that person on a Form TM—No. 32 amended so as to suit the case for the appropriate alteration of the entries of his address as the address for service in the several registrations, particulars of which shall be given in the form, and may alter the entries accordingly.

All applications under this rule on Form TM—No. 32 shall be signed by the registered proprietor or the registered user, as the case may be, or by an agent expressly authorized by him for the purpose of such an application, unless in exceptional circumstances the Registrar otherwise allows.

Applications to the Registrar for Rectification (Sections 28, 33 and 34).

75. An application to the Registrar under any of the sections 28, 33 or 34 for the making, expunging or varying of any entry in the register shall be Application to rectify, or

5. Οι βασικοί Κανονισμοί τροποποιούνται διά της ένθεσεως εϋθϋς μετά τον Κανονισμόν 75 του ακόλουθου νέου Κανονισμού :

«75Α. Λίτησις ἐφ' οιοδὴποτε τῶν ἐν τῇ παραγράφῳ 4 τοῦ Πρώτου Πίνακος τοῦ Νόμου ἀναφερομένων λόγων, ὑποβαλλομένη ὑφ' οιοδὴποτε ἐπιφερομένου προσώπου πρὸς τὸν Ἐφερορὸν δι' ἐκδοσὶν διατάγματος διατάττοντος τὴν ἀπάλειψιν ἢ τροποποίησιν καταχωρήσεως πιστοποιήσαντος ἐμπορικοῦ σήματος ἐν τῷ μητρώῳ ἢ ἀναφερομένου εἰς πιστοποιεῖν ἐμπορικὸν σήμα ἢ τροποποιήσαντος τοῦς κατατεθέντας σχετικοὺς κανονισμοὺς ὑποβάλλεται ἐπὶ τοῦ Τύπου Ε.Σ. Ἀρ. 47Β καὶ περιλαμβάνει πλήρη στοιχεῖα τῶν λόγων δι' οὓς ἢ αἰτήσις ὑποβάλλεται.»

6. Ὁ Κανονισμὸς 76 τῶν βασικῶν Κανονισμῶν τροποποιεῖται διά της ἐν αὐτῷ ἐνθεσεως, εϋθϋς μετά τὰς λέξεις «ἄμα τῇ ὑποβολῇ αἰτήσεως» (1η γραμμὴ) τῶν λέξεων «δυνάμει τῶν Κανονισμῶν 75 καὶ 75Α.»

TM—No. 26 may apply to the Registrar on Form TM—No. 27 to leave parties.
to intervene, stating thereon the nature of his interest, and the Registrar may refuse or grant such leave, after hearing (if so required) the parties concerned, upon such conditions and terms as he may deem fit. Before dealing in any way with the application for leave to intervene the Registrar may require the applicant to give an undertaking to pay such costs as in the circumstances he may award to any party.

Applications for alteration of the Register by correction, change, cancellation or striking out goods, or for entry of disclaimer, memorandum or note (Section 35 (1)).

Application under section 35 (1). 78. An application to the Registrar under section 35 (1) for the alteration of the register by correction, change, cancellation, or striking out goods, or for the entry of a disclaimer or memorandum, may be made by the registered proprietor of the trade mark or by such person as may satisfy the Registrar that he is entitled to act in the name of the registered proprietor. Such applications shall be made on Form TM—No. 18, TM—No. 20, TM—No. 21, TM—No. 22, TM—No. 23, TM—No. 24 or TM—No. 32 as may be appropriate; but an application on Form TM—No. 22, or TM—No. 23, or TM—No. 32 shall be signed by the registered proprietor or other person entitled under this rule unless in exceptional circumstances the Registrar otherwise allows, or, in the case of Form TM—No. 32 only, it is signed by an agent expressly authorized for the purpose of such an application.

Evidence. 79. In the case of an application as in rule 78, the Registrar may require such evidence by affidavit or otherwise as he may think fit as to the circumstances in which the application is made.

Advertisement of certain applications. 80. Where application is made, on Form TM—No. 24, to enter a disclaimer or memorandum relating to a trade mark, the Registrar, before deciding upon such application, shall advertise the application in the *Gazette* in order to enable any person desiring so to do to state, within two months of the advertisement, any reasons in writing against the making of the entry of the disclaimer or memorandum.

Certificates of validity to be noted. 81. Where the Court has certified as provided in section 45 with regard to the validity of a registered trade mark, the registered proprietor thereof may request the Registrar on Form TM—No. 42 to add to the entry in the register a note that the certificate of validity has been granted in the course of the proceedings, which shall be named in the Form. An Office copy of the certificate shall be sent with the request, and the Registrar shall so note the register and publish the note in the *Gazette*.

Applications to alter Registered Trade Marks.

Alteration of registered mark. 82. Where a person desires to apply under section 36 that his registered trade mark may be added to or altered, he shall make his application in writing on Form TM—No. 25, and shall furnish the Registrar with four copies of the mark as it will appear when so added to or altered.

Advertisement before decision. 83. The Registrar shall consider the application and shall, if it appears to him expedient, advertise the application in the *Gazette* before deciding it. Within two months from the date of such advertisement any person may give notice of opposition to the application, on Form TM—No. 40 accompanied by a duplicate of the notice, and may also send therewith a further statement of his objections in duplicate. The Registrar shall send the duplicate notice, and the duplicate of any further statement of objections, to the applicant, and the provisions of rules 42 to 51 shall apply *mutatis mutandis* to the further proceedings thereon. In any case of doubt any party may apply to the Registrar for directions.

Decision. Advertisement. Notification. 84. If the Registrar decides to allow the application he shall add to or alter the mark in the register, and if the mark so added to or altered has not been advertised under rule 83, he shall advertise it in the *Gazette* and in any case shall insert in the *Gazette* a notification that the mark has been altered.

Advertisement illustration. 85. In connection with an application to alter a registered trade mark the Registrar may at any time call on the applicant to supply a printing block satisfactory to the Registrar and suitable for advertising the mark with the addition or alteration as aforesaid, if in the opinion of the Registrar an advertisement describing the addition or alteration in words would not be likely to be understood by persons interested in the matter.

7. Οι βασικοί Κανονισμοί τροποποιούνται διά της ενθάρσεως εϋθους μετά τον Κανονισμόν 85 του ακόλουθου νέου Κανονισμού :

*85Α. Λίτησις υπό του εγγεγραμμένου ιδιοκτήτου πιστοποιημένου εμπορικού σήματος διά τροποποίησιν των κατατεθέντων κανονισμών και την προς τοϋτο συναίνεσιν του Έφορου υποβάλλεται επί του τύπου Ε.Σ. Άρ. 47Γ. Όσάκις δ Έφορος προβαίνει εις την δημοσίευσιν της αιτήσεως, ο χρόνος εντός του οποίου οίονδήποτε πρόσωπον δύναται να δώση εις τον Έφορον είδοποίησιν περί ενστάσεως εναντίον της αιτήσεως θα είναι δύο μήνες από της ημερομηνίας της δημοσίευσως.

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Registered Users.

86. An application to the Registrar for the registration under section 29 of a person as a registered user of a registered trade mark shall be made by that person and the registered proprietor on Form TM—No. 43.

Application for entry of Registered User.

87. The entry of a registered user in the register shall state the date on which it was made. In addition to the trade or business address of the registered user it may include an address for service, if an application by him on Form TM—No. 32 therefor has been approved. A notification in writing of the registration of a registered user shall be sent to the registered proprietor of the trade mark, and to the registered user, and shall be inserted in the *Gazette* for the information of any other registered user of the trade mark.

Entry and notification.

88. An application by the registered proprietor of a trade mark for the variation of the registration of a registered user of that trade mark under paragraph (a) of section 29 (8) shall be made on Form TM—No. 44, and shall be accompanied by a statement of the grounds on which it is made and, where the registered user in question consents, by the written consent of that registered user.

Registered proprietor's application to vary entry.

89. An application by the registered proprietor or any registered user of a trade mark for the cancellation of the registration of a registered user of that trade mark under paragraph (b) of section 29 (8) shall be made on Form TM—No. 45, and shall be accompanied by a statement of the grounds on which it is made.

Application by registered proprietor or user to cancel entry.

90. An application by any person for the cancellation of the registration of a registered user under paragraph (c) of section 29 (8) shall be made on Form TM—No. 46 and shall be accompanied by a statement of the grounds on which it is made.

Application under section 29 (8) para. (c) to cancel entry.

91. A notification in writing of an application under rules 88, 89 and 90 shall be sent by the Registrar to the registered proprietor (not being the applicant) and shall be inserted in the *Gazette* for the information of all registered users of the trade mark. Any person who intends to intervene in the proceedings shall within two months from the publication of such notification give notice to the Registrar on Form TM—No. 47 to that effect and shall send therewith a statement of the grounds of his intervention. The Registrar shall thereupon send copies of such notice and statement to the other parties, so that the intervention may be known to the applicant, the registered proprietor, the registered user whose registration is in suit, and any other registered user who intervenes. Any such party may, within two months, leave evidence in support of his case, and the Registrar after giving the parties an opportunity of being heard may accept or refuse the application or accept it subject to any conditions, amendments, modifications or limitations he may think right to impose.

Notification and hearing.

92. Applications under section 35 (2) shall be made on Form TM—No. 18, or TM—No. 20, or TM—No. 21, or TM—No. 32 as may be appropriate, by a registered user of a trade mark, or by such person as may satisfy the Registrar that he is entitled to act in the name of a registered user; and the Registrar may require such evidence by affidavit or otherwise as he may think fit as to the circumstances in which the application is made.

Registered user's application under section 35 (2).

In case of the registration of a registered user for a period, in accordance with paragraph (d) of section 29 (4), the Registrar shall cancel the entry of the registered user at the end of the period. Where some or all of the goods are struck out from those in respect of which a trade mark is registered, the Registrar shall at the same time strike them out from those specifications of registered users of the trade mark in which they are comprised. The Registrar shall notify every cancellation or striking out under this paragraph to the registered users whose permitted use is affected thereby and the registered proprietor of the trade mark.

Cancellation by Registrar.

Extension of Time.

Extension of time. 93. If in any particular case the Registrar is satisfied that the circumstances are such as to justify an extension of the time for doing any act or taking any proceeding under these rules, not being a time expressly provided in the Law or prescribed by rule 69 or rule 73, he may extend the time upon such notice to other parties, and proceedings thereon, and upon such terms as he may direct, and the extension may be granted though the time has expired for doing the act or taking the proceeding.

Excluded days. 94. Whenever the last day fixed by the Law, or by these rules, for doing any act or thing at the Office shall fall on a day when the Office is not open or on a Saturday, which days shall be excluded days for the purposes of the Law and these rules, it shall be lawful to do the act or thing on the first day following such excluded day which is not an excluded day.

Discretionary Power.

Hearing. 95. Before exercising adversely to any person any discretionary power given to the Registrar by the Law, or these rules, the Registrar shall, if so required, hear such person thereon.

Application for hearing. 96. An application for a hearing shall be made within two months from the date of notification by the Registrar of any objection to an application or the date of any other indication that he proposes to exercise a discretionary power.

Notice of hearing. 97. Upon receiving such application the Registrar shall give the person applying twenty days' notice of a time when he may be heard, unless he consents to a shorter notice.

Within ten days from the date when such notice would be delivered in the ordinary course of post the person applying shall notify the Registrar whether or not he intends to be heard on the matter.

Notification of decision. 98. The decision of the Registrar in the exercise of any such discretionary power as aforesaid shall be notified to the person affected.

Power to dispense with Evidence.

Dispensing with evidence. 99. Where under these rules any person is required to do any act or thing, or to sign any document, or to make any affidavit on behalf of himself or of any body corporate, or any document or evidence is required to be produced to or left with the Registrar, or at the Office, and it is shown to the satisfaction of the Registrar that from any reasonable cause such person is unable to do such act or thing, or to sign such document, or to make such affidavit, or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the Registrar, upon the production of such other evidence, and subject to such terms as he may think fit, to dispense with any such act or thing, signature, affidavit, document or evidence.

Amendments.

Amendment of documents. 100. Any document or drawing or other representation of a trade mark may be amended, and any irregularity in procedure which in the opinion of the Registrar may be excused without detriment to the interests of any person may be corrected, if the Registrar think fit, and on such terms as he may direct.

Certificates.

Certificates by Registrar. 101. The Registrar may give a certificate, other than a certificate under section 21 (2), as to any entry, matter or thing which he is authorized or required by the Law or these rules to make or do, upon receipt of a request therefor on Form TM—No. 31 from any person who, if the Registrar thinks fit so to require, can show an interest in the entry, matter or thing to his

satisfaction. Except in a case falling under rule 103 the Registrar shall not be obliged to include in the certificate a copy of any mark, unless he is furnished by the applicant with a copy thereof suitable for the purpose.

102. Where a mark is registered without limitation of colour the Registrar may grant a certificate of its registration, for the purpose of obtaining registration abroad, either in the colour in which it appears upon the register or in any other colour or colours; but in the last-mentioned case the certificate shall be marked: "For use in obtaining registration abroad only."

Marks registered without limitation of colour.

103. Where a certificate of registration of a trade mark is desired for use in obtaining registration abroad, the Registrar shall include in the certificate a copy of the mark and may require the applicant for the certificate to furnish him with a copy of the mark suitable for the purpose and, if the applicant fails to do so, may refuse to issue the certificate. The Registrar may state in the certificate such particulars concerning the registration of the mark as to him may seem fit, and may omit therefrom reference to any disclaimers appearing in the register; but in the last-mentioned case the certificate shall be marked: "For use in obtaining registration abroad only."

Certificates for use in obtaining registration abroad.

Affidavits.

104. The affidavits required by the Law and these rules, or used in any proceedings thereunder, shall be made and subscribed as follows:—

Manner in which, and person before whom, affidavit is to be taken.

- (a) In Cyprus before a Registrar or Assistant Registrar of any District Court.
- (b) In the United Kingdom, before any justice of the peace, or any commissioner or other officer authorized by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceeding.
- (c) In any other part of His Majesty's dominions, before any court, judge, justice of the peace, or any officer authorized by law to administer an oath there for the purpose of a legal proceeding; and
- (d) If made out of His Majesty's dominions, before a British Minister, or person exercising the functions of a British Minister, or a Consul, Vice-Consul, or other person exercising the functions of a British Consul, or a notary public, or before a judge or magistrate.

105. Any document purporting to have affixed, impressed, or subscribed thereto or thereon the seal or signature of any person authorized by rule 104 to take an affidavit in testimony that the affidavit was made and subscribed before him, may be admitted by the Registrar without proof of the genuineness of the seal or signature or of the official character of the person or his authority to take the affidavit.

Notice of seal of officer taking declaration to prove itself.

Search.

106. Any person may request the Registrar, on Form TM—No. 28, to cause a search to be made in respect of specified goods classified in any one class of Schedule IV, to ascertain whether any mark is on record at the date of the search which resembles a trade mark of which duplicate representations accompany the form. The Registrar shall cause such a search to be made and the person making the request to be informed of the result thereof.

Searches.

Days and Hours of Business.

107. The Office shall be open to the public and the register shall be open to inspection, on payment of the fee specified in Schedule I, every weekday, except public holidays, during Government Office hours.

Days and hours.

Appeals to the Court.

Preliminary to appeal. 108. Before an appeal is made by any person to the Court, in a case in which an appeal is given by the Law, he shall (a) apply to the Registrar for a hearing or (b) state that he does not desire to be heard and submit his case to the Registrar in writing. In either event he shall obtain a decision in writing from the Registrar on the point raised, and in the case of an application within rules 30 to 34, a statement of grounds and materials under rule 34. Within two months from the date of the decision he shall, if he desires to appeal, leave at the Office a notice on Form TM—No. 30 of his intention so to do.

Notice of appeal. 109. The notice on Form TM—No. 30 shall be accompanied—
 (1) In case the appeal concerns an application within rules 30 to 34, by two copies of the form of application each containing a representation of the mark applied for and two copies of the grounds of the Registrar's decision.
 (2) In other cases by two copies of the decision of the Registrar.

Grounds of appeal to be stated. 110. The notice shall also be accompanied by a statement in writing of the appellant's grounds for appealing, and of his case in support of the appeal.

Appeal to Court. 111. An appeal to the Court under the Law shall be made in the usual way and on filing a notice of such appeal the Court may give such directions, if any, as it may think fit, with respect to parties and evidence or otherwise for the purpose of hearing and determining the appeal.

No appeal unless notice duly given. 112. No appeal shall be entertained of which notice has not been given within two months from the date of the decision appealed against, or such farther time as the Registrar may allow.

Withdrawal of appeal. 113. Where under section 19 (6) an appellant becomes entitled and intends to withdraw his appeal to the Court, he shall give notice of his intention to the Registrar and to the other parties, if any, to the appeal within fourteen days after the leave referred to in that sub-section has been obtained.

Applications to and Orders of the Court.

Application to Court. 114. Every application to the Court under the Law shall be served on the Registrar.

Order of Court. 115. Where an order has been made by the Court in any case under the Law, the person in whose favour such order has been made, or such one of them, if more than one, as the Registrar may direct, shall forthwith leave at the Office an Office copy of such order, together with Form TM—No. 4 if required. The register may, if necessary, thereupon be rectified or altered by the Registrar.

Publication of Order of Court. 116. Whenever an order is made by the Court under the Law the Registrar may, if he thinks that the order should be made public, publish it in the *Gazette*.

Repeal.

Repeal. 117. The Trade Marks Rules, 1921, shall be, and they are, hereby repealed without prejudice nevertheless to anything done under such rules before the appointed day or to the pendency of any application or other matter then pending.

Notification No. 644, in the *Cyprus Gazette* No. 1504 of the 23rd December, 1921, is hereby cancelled.

SCHEDULES.

SCHEDULE I.

Fees.

The following fees shall be paid in respect of applications, registrations and other matters under the Law. Such fees must in all cases be paid immediately before or at the time of doing the matter in respect of which they are to be paid or at the time they are

8. Ο Πίναξ Ι των βασικών Κανονισμών διαγράφεται και αντικαθίσταται διά του ακόλουθου Πίνακος :

*ΠΙΝΑΞ Ι.

Τέλη.

Τα κάτωθι τέλη θα καταβάλλονται εν σχέσει με αιτήσεις, έγγραφας και άλλα θέματα δι'αίματι του Νόμου. Τα τοιαύτα τέλη δέον εις απάσας τας περιπτώσεις να καταβάλλονται εθώς πρό ή κατά τον χρόνον της πράξεως αναφορικώς προς την όποιαν δέον να καταβληθώσιν ή κατά τον χρόνον καθ' όν ταύτα όφείλονται :

included in one class	1 0 0	TM—No. 2.
2. On a request to the Registrar to state grounds of decision relating to an application to register a trade mark and materials used	1 0 0	TM—No. 4.
3. On notice of opposition before the Registrar under section 20, for each application opposed, by opponent	2 0 0	TM—No. 5.
3a. On lodging a counter-statement in answer to a notice of opposition under section 20, for each application opposed, by the applicant ; or in answer to an application under any of the sections 28, 33 and 34, by the proprietor in respect of each trade mark ; or in answer to a notice of opposition under section 36 or section 37, for each application or conversion opposed, by the proprietor	1 0 0	TM—No. 6.
3b. On the hearing of each opposition under section 20, by applicant and by opponent respectively ; or on the hearing of an application under any of the sections 28, 33 and 34, by applicant and by proprietor respectively ; or on the hearing of an opposition under section 36 or section 37, by proprietor and by opponent respectively	2 0 0	TM—No. 7.
4. For one registration of a trade mark not otherwise charged for a specification of goods included in one class	2 0 0	TM—No. 9.
X 4a. For one registration of a series of trade marks under section 23 (2) for a specification of goods included in one class— For the first mark	2 0 0	TM—No. 9.
X And for every other mark of the series	- 5 0	
5. Upon each addition to the registered entry of a trade mark of a note that the mark is associated with a newly registered mark	- 2 0	TM—No. 9.
5a. On an application to dissolve the association between registered trade marks	2 0 0	TM—No. 19.
6. On application to register a registered user of a registered trade mark in respect of goods within the specification thereof	2 0 0	TM—No. 43.

3. Ο Πρώτος Πίνακας των βασικών κανονισμών τροποποιείται με την προσθήκη στη στήλη «θέμα ή διαδικασία» των λέξεων «ή υπηρεσιών» μετά τη λέξη «εμπορευμάτων» οπουδήποτε συναντάται.

Τροποποίηση
του Πρώτου
Πίνακα των
Βασικών

Επ. Γ. 2551
9. 11. 92

Matter or Proceeding	Amount	Corresponding Form
6a. On application to register the same registered user of more than one registered trade mark of the same registered proprietor in respect of goods within the respective specifications thereof and subject to the same conditions and restrictions in each case—	£ s. p.	
For the first mark	2 0 0	TM—No. 43.
And for every other mark of the proprietor included in the application and statement of case	- 2 0	
6b. On application by the proprietor of a single trade mark, under paragraph (a) of section 29 (8), to vary the entry of a registered user thereof	2 0 0	TM—No. 44.
6c. On application by the proprietor of more than one trade mark under paragraph (a) of section 29 (8) to vary the entries of a registered user thereof—		
For the first mark	2 0 0	TM—No. 44.
And for every other mark of the proprietor for which the same user is registered, included in the application	- 2 0	
6d. On application by the proprietor or registered user of a single trade mark, under paragraph (b) of section 29 (8), for cancellation of the entry of a registered user thereof	2 0 0	TM—No. 45.
6e. On application by the proprietor or registered user of more than one trade mark under paragraph (b) of section 29 (8), for cancellation of the entries of a registered user thereof—		
For the first mark	2 0 0	TM—No. 45.
And for every other mark of the proprietor for which the same user is registered, included in the application	- 2 0	
6f. On application, under paragraph (c) of section 29 (8), to cancel the entry of a registered user of a single trade mark	2 0 0	TM—No. 46.
6g. On application, under paragraph (c) of section 29 (8), to cancel the entries of a registered user of more than one trade mark—		
For the first mark	2 0 0	TM—No. 46.
And for every other mark of the same proprietor for which the same user is registered, included in the application	- 2 0	
6h. On notice under section 29 (9) and rule 91, of intention to intervene in one proceeding for the variation or cancellation of entries of a registered user of trade marks	- 10 0	TM—No. 47.
7. On request to enter in the register and advertise a certificate of validity, under section 45 and rule 81—		
For the first registration certified	1 0 0	TM—No. 42.
And for every other registration certified in the same certificate	- 1 0	

Matter or Proceeding	Amount	Corresponding Form
7a. On application under section 30 (4) and rule 69 for extension of time for registering a corporation as subsequent proprietor of trade marks on one assignment—	£ s. p.	
Not exceeding two months	1 0 0	TM—No. 14.
Not exceeding four months	2 0 0	"
Not exceeding six months	3 0 0	"
8. On application for certificate of the Registrar, under section 24 (5) and rule 72—		
For the first mark proposed to be assigned	2 0 0	TM—No. 33.
And for every other mark of the same proprietor included in that assignment	- 2 0	
8a. On application for approval of the Registrar, under section 24 (6) or paragraph 1 of the Schedule of the Law, and rule 72—		
For the first mark	2 0 0	TM—No. 34
And for every other mark of the same proprietor included in the same transfer	- 2 0	or 35.
8b. On application for directions by the Registrar for advertisement of assignment of trade marks in use, without goodwill—		
For one mark assigned	1 0 0	TM—No. 36.
And for every other mark assigned with the same devolution of title	- 2 0	
8c. On application for extension of time for applying for directions for advertisement of assignment of trade marks in use, without goodwill, in respect of one devolution of title—		
Not exceeding one month	1 0 0	TM—No. 37
Not exceeding two months	2 0 0	"
Not exceeding three months	3 0 0	"
9. On application to register a subsequent proprietor in a case of assignment or transmission of a single trade mark—		
If made within six months from the date of acquisition of proprietorship or the coming into force of these rules	2 0 0	TM—No. 15
If made after expiration of six months but within twelve months from the date of acquisition of proprietorship or the coming into force of these rules	2 10 0	"
If made after expiration of twelve months from the date of acquisition or proprietorship or the coming into force of these rules	3 0 0	"
9a. On application to register a subsequent proprietor of more than one trade mark standing in the same name, the devolution of title being the same in each case—		
If made within six months from the date of acquisition of proprietorship or the coming into force of these rules—		
For the first mark	2 0 0	TM—No. 15
And for every other mark	- 3 0	or 16.

Matter or Proceeding	Amount	Corresponding Form
9a. On application— <i>cont.</i>		
If made after expiration of six months but within twelve months from the date of acquisition of proprietorship or the coming into force of these rules—	£ s. p.	
For the first mark	2 10 0	TM—No. 15
And for every other mark	- 3 0	or 16.
If made after expiration of twelve months from the date of acquisition of proprietorship or the coming into force of these rules—		
For the first mark	3 0 0	TM—No. 15
And for every other mark	- 3 0	or 16.
10. On application to change the name or description of a proprietor or a registered user of a single trade mark where there has been no change in the proprietorship or in the identity of the user	- 10 0	TM—No. 21.
10a. On application to change the name or description of a proprietor or a registered user of more than one trade mark standing in the same name, where there has been no change in the proprietorship or in the identity of the user, the change being the same in each case—		
For the first mark	- 10 0	TM—No. 21.
And for every other mark	- 2 0	
11. For renewal of registration of a trade mark at expiration of last registration	2 0 0	TM—No. 11.
11a. For renewal of registration of a series of trade marks under section 23 (2) at expiration of last registration—		
For the first mark of the series	2 0 0	TM—No. 11.
And for every other mark of the series	- 3 0	
11b. Additional fee under rule 60	1 0 0	TM—No. 12.
11c. Restoration fee under rule 61	2 0 0	TM—No. 13.
12. On an application to the Registrar for leave to add to or alter a single registered trade mark	2 0 0	TM—No. 25.
12a. On an application to the Registrar for leave to add to or alter more than one registered trade mark of the same proprietor, being identical marks, the addition or alteration to be made, in each case, being the same—		
For the first mark	2 0 0	TM—No. 25.
And for every other mark	1 0 0	
12b. On notice of opposition to application for leave to add to or alter registered trade marks, for each application opposed	2 0 0	TM—No. 40.
13. For altering one or more entries of the trade or business address of a registered proprietor or a registered user of a trade mark where the address in each case is the same and is altered in the same way (unless exempted from fee under rule 74)—		
For the first entry	- 10 0	TM—No. 18.
And for every other entry	- 2 0	

Matter or Proceeding	Amount	Corresponding Form
14. For every entry in the register of a rectification thereof or an alteration therein, not otherwise charged	£ s. p. 1 0 0	TM—No. 41.
15. For cancelling the entry or part of the entry of a trade mark upon the register on the application of the registered proprietor of the trade mark . .	— 10 0	TM—No. 22 or 23.
16. On application, under any of the sections 28, 33 and 34, for rectification of the register or removal of trade mark from the register . . .	3 0 0	TM—No. 26.
16a. On application for leave to intervene in proceedings under any of the sections 28, 33 and 34, for rectification of the register or removal of trade mark from the register	2 0 0	TM—No. 27.
17. On request, not otherwise charged, for correction of clerical error or for permission to amend application	— 10 0	TM—No. 20.
18. On request by registered proprietor of a trade mark for entry of disclaimer or memorandum in the register	— 10 0	TM—No. 24.
19. On application by registered proprietor under rule 6, for conversion of specification	— 5 0	TM—No. 38.
19a. On notice of opposition to a conversion of the specification or specifications of a registered trade mark or registered trade marks— For one mark	2 0 0	TM—No. 39.
For every other mark of the same proprietor having the same specification	— 2 0	
20. On appeal from the Registrar to Court, in respect of each decision appealed against, by Appellant	2 0 0	TM—No. 30.
21. For a search under rule 106 in respect of one class—		
Without application for the Registrar's advice under rule 20	— 15 0	TM—No. 28.
With application for the Registrar's advice under rule 20	1 0 0	TM—No. 28.
22. On request for the Registrar's preliminary advice under rule 20, for each trade mark submitted in respect of one class	— 5 0	TM—No. 29.
23. For certificate of the Registrar (other than certificate under section 21 (2)) of the registration of a trade mark	— 10 0	TM—No. 31.
23a. For certificate of the Registrar (other than certificate under section 21 (2)) of the registration of a series of trade marks under section 23 (2)	1 0 0	TM—No. 31.
24. For cancelling or making one or more entries of an address for service of a registered proprietor or a registered user of a trade mark where the address in each case is the same, on application made after the registration in each case— For the first entry	— 5 0	TM—No. 32.
And for every other entry included in the application	— 1 0	

Matter or Proceeding	Amount	Corresponding Form
24a. For altering one or more entries of an address for service in the register included in one application for alteration, where the address and the alteration in each case are the same—	£ s. p.	
For the first entry	- 5 0	TM—No. 32.
And for every other entry	- 1 0	
Total fee in no case to exceed £25 for any number of entries.		
25. For inspecting register or notice of opposition, counter-statement or decision in connection with any opposition or application for rectification of the register relating to any particular trade mark, for every quarter of an hour . . .	- 1 0	—
26. For permission to search amongst the classified representations of trade marks, for every quarter of an hour	- 1 0	—
27. For office copy of documents, for every 72 words (but never less than 11.)	- - 4½	—
28. For certifying Office copies M.S. or printed matter	- 10 0	—
29. For extra space in the <i>Gazette</i> advertisement, in cases where the printing block for the trade mark exceeds 2 inches in breadth or depth, or in breadth and depth—		
For every inch or part of an inch over 2 inches in breadth	- 4 0	—
For every inch or part of an inch over 2 inches in depth	- 4 0	—

For the purpose of these fees (except as specially provided above) every mark of a series under section 23, or any preceding similar enactment, shall be deemed to be mark separately registered.

SCHEDULE II.

Forms.

Form		Page	Corresponding Fee
			No.
TM—No. 1	Authorization	27	—
TM—No. 2	Application for registration of Trade Mark ..	28	1, 1a.
TM—No. 3	Additional Representation of Trade Mark ..	29	—
TM—No. 4	Request for statement of grounds of decision ..	29	2.
TM—No. 5	Opposition before Registrar to application for registration of Trade Mark	30	3.
TM—No. 6	Counter-statement to opposition before Registrar to application for registration of Trade Mark, or in certain other proceedings	30	3a.
TM—No. 7	Application for hearing in opposition matter, or in rectification, removal or certain other proceedings	31	3b.
TM—No. 8	Notice of non-completion of registration of Trade Mark	31	—
TM—No. 9	Fee for registration of a Trade Mark	32	4, 4a & 5.
TM—No. 10	Certificate of registration of Trade Mark under section 21 (2)	32	—
TM—No. 11	Renewal of registration of Trade Mark	33	11, 11a.
TM—No. 12	Additional fee to accompany renewal fee within two months after advertisement of non-payment of renewal fee	33	11b.
TM—No. 13	Restoration of Trade Mark where removed for non-payment of fee	34	11c.
TM—No. 14	Application under section 30 (4) and rule 69 for extension of time to request entry of corporation-assignee as subsequent proprietor	34	7a.
TM—No. 15	Request by registered proprietor and transferee to register transferee as subsequent proprietor	35	9, 9a.
TM—No. 16	Request to enter name of subsequent proprietor	36	9, 9a.
TM—No. 17	Affidavit in support of request to enter name of subsequent proprietor	36	—
TM—No. 18	Application for alteration of trade or business address on Register	37	13, or nil.
TM—No. 19	Application to Registrar to dissolve association between registered Trade Marks	38	5a.
TM—No. 20	Correction of clerical error in the Register, or amendment of Application	38	17.
TM—No. 21	Request to enter change of name or description of registered proprietor or user	39	10, 10a.
TM—No. 22	Application by registered proprietor for cancellation of entry of Trade Mark in Register	39	15.
TM—No. 23	Request by registered proprietor to strike out goods from those for which a Trade Mark is registered	40	15.
TM—No. 24	Request by registered proprietor to enter disclaimer or memorandum in Register	41	18.
TM—No. 25	Application to add to or alter a Registered Trade Mark	41	12, 12a.

Form		Page	Corresponding Fee
TM—No. 26	Application for rectification of Register or removal of Trade Mark from Register ..	42	No. 1b.
TM—No. 27	Application for leave to intervene in proceedings for rectification of Register, or removal of Trade Mark from Register	42	16a.
TM—No. 28	Request for search under rule 106	43	21.
TM—No. 29	Request for Registrar's advice on registrability..	44	22.
TM—No. 30	Appeal from Registrar to Court	45	20.
TM—No. 31	Request for general certificate	45	23, 23a.
TM—No. 32	Request for entry, alteration or cancellation in the register of address for service	46	24, 24a. or nil.
TM—No. 33	Application for certificate of Registrar upon proposed assignment of registered Trade Mark ..	47	8.
TM—No. 34	Application for approval by Registrar of transfer of Trade Mark (section 24 (6))	47	8a.
TM—No. 35	Application for approval by Registrar of transfer of registered Trade Mark before appointed day (Schedule of Law, para. 1)	48	8a.
TM—No. 36	Application for directions for advertisement of assignment of Trade Mark in use, without goodwill	49	8b.
TM—No. 37	Application for extension of time for applying for directions for advertisement of assignment of Trade Mark in use, without goodwill ..	50	8c.
TM—No. 38	Application by registered proprietor for conversion of specification of a registration	51	19.
TM—No. 39	Opposition to Registrar's proposal for conversion	51	19a.
TM—No. 40	Opposition to application to add to or alter a Trade Mark	52	12b.
TM—No. 41	Notice of Order of Court for alteration of Register	53	14.
TM—No. 42	Request for entry and advertisement of Certificate of Validity	53	7.
TM—No. 43	Application for registration of registered user ..	54	6, 6a.
TM—No. 44	Application by registered proprietor for variation of entry of registered user	55	6b, 6c.
TM—No. 45	Application by registered proprietor or user for cancellation of entry of registered user ..	55	6d, 6e.
TM—No. 46	Application under paragraph (c) of section 29 (8) for cancellation of entry of registered user ..	56	6f, 6g.
TM—No. 47	Notice of intention to intervene in registered user proceedings	57	6h.

TRADE MARKS LAW, 1951.

Form of Authorization of Agent in a matter or proceeding under the Law
(Rule 14)

(a) I (or We).....

 have appointed (b).....
 of.....

 to act as my (or our) agent for (c).....
 No.
 and request that all notices, requisitions and communications relating
 thereto may be sent to such agent at the above address.

(a) The full name of all the partners in a firm must be inserted, and the kind and country of incorporation of bodies corporate stated.

(b) Here insert name and address of agent.

(c) Here state the particular matter or proceeding for which the agent is appointed, giving the reference number, if known.

(d) Here state nationality.

(e) To be signed by the person appointing the agent.

(f) Here insert the full trade or business address of the person appointing the agent.

I (or We) hereby revoke all previous authorizations, if any, in respect of the same matter or proceeding.

I (or We) hereby declare that I am (or we are) a

(d)

Dated this day of, 19

(e)

Address (f)

[To be struck out if the person appointing the Agent desires his own address to be treated as the address for service after registration.]

I (or We) also authorize the said (b).....
 to complete Form TM—No. 32 requesting the entry of
 an address for service as part of any registration obtained under the above
 authorization.

Dated this..... day of....., 19.....

(e)

Address (f)

To the Registrar of Trade Marks,
 Nicosia, Cyprus.

of (c).....

as the registered user thereof in respect of (d).....

The grounds of this application, particulars of which are given in detail in the accompanying statement of case, are (e).....

Dated this day of, 19.....

(f)

To the Registrar of Trade Marks,
Nicosia, Cyprus.

(c) Here insert the name, trade or business address and description of the registered user as entered in the register.
(d) Here insert the goods in respect of which the registered user is entered.
(e) Here insert one or more of the subparagraphs of paragraph (c) of section 29 (8) numbered (i), (ii), (iii).
(f) Signature.

FORM TM—No. 47.

Fee : 10s.

TRADE MARKS LAW, 1951.

Notice to the Registrar under section 29 (9) and rule 91 of intention to intervene in proceedings for the variation or cancellation of an entry of a Registered User of a Trade Mark.

[To be accompanied by a Statement of the grounds for intervention].

IN THE MATTER OF a Trade Mark No..... registered in Class..... in the name of (a).....

and

IN THE MATTER OF a registration of (b)..... thereunder as a Registered User of the Mark.

(a) Insert here the name of the Registered Proprietor.
(b) Insert here the name and trade or business address of the Registered User.

In reply to the Registrar's Notification or Advertisement dated the day of, 19....., notice is hereby given of my intention to intervene in the proceedings in the above matter.

My address for service in Cyprus for the purpose of these proceedings is

Dated the day of, 19.....

(c)

To the Registrar of Trade Marks,
Nicosia, Cyprus.

(c) Signature.

CLASSIFICATION OF GOODS.

- Class 1.*
- Chemical substances used in manufactures, photography or philosophical research, and anti-corrosives.
- Class 2.*
- Chemical substances used for agricultural, horticultural, veterinary and sanitary purposes.
- Class 3.*
- Chemical substances prepared for use in medicine and pharmacy.
- Class 4.*
- Raw, or partly prepared, vegetable, animal, and mineral substances used in manufactures, not included in other Classes.
- Class 5.*
- Unwrought and partly wrought metals used in manufacture.
- Class 6.*
- Machinery of all kinds, and parts of machinery, except agricultural and horticultural machines included in Class 7.
- Class 7.*
- Agricultural and horticultural machinery, and parts of such machinery.
- Class 8.*
- Philosophical instruments, scientific instruments, and apparatus for useful purposes; instruments and apparatus for teaching.
- Class 9.*
- Musical instruments.
- Class 10.*
- Horological instruments.
- Class 11.*
- Instruments, apparatus and contrivances, not medicated, for surgical or curative purposes, or in relation to the health of men or animals.
- Class 12.*
- Cutlery and edge tools.
- Class 13.*
- Metal goods, not included in other Classes.
- Class 14.*
- Goods of precious metals (including aluminium, nickel, Britannia-metal, etc.) and jewellery, and imitations of such goods and jewellery.
- Class 15.*
- Glass.
- Class 16.*
- Porcelain and earthenware.
- Class 17.*
- Manufactures from mineral and other substances for building or decoration.
- Class 18.*
- Engineering, architectural and building contrivances.
- Class 19.*
- Arms, ammunition and stores, not included in Class 20.
- Class 20.*
- Explosive substances.

- Naval architectural contrivances and naval equipments not included in Classes 19 and 20.
- Class 21.
- Carriages. Class 22.
- (a) Cotton yarn. Class 23.
(b) Sewing cotton.
- Cotton piece goods of all kinds. Class 24.
- Cotton goods not included in Classes 23, 24 or 38. Class 25.
- Linen and hemp yarn and thread. Class 26.
- Linen and hemp piece goods. Class 27.
- Linen and hemp goods not included in Classes 26, 27 and 50. Class 28.
- Jute yarns and tissues, and other articles made of jute, not included in Class 50. Class 29.
- Silk, spun, thrown, or sewing. Class 30.
- Silk piece goods. Class 31.
- Other silk goods not included in Classes 30 and 31. Class 32.
- Yarns of wool, worsted, or hair. Class 33.
- Cloths and stuffs of wool, worsted, or hair. Class 34.
- Woollen and worsted and hair goods, not included in Classes 33 and 34. Class 35.
- Carpets, floor-cloth and oil-cloth. Class 36.
- Leather, skins unwrought and wrought, and articles made of leather not included in other Classes. Class 37.
- Articles of clothing. Class 38.
- Paper (except paper hangings), stationery, and bookbinding. Class 39.
- Goods manufactured from india-rubber and gutta-percha not included in other Classes. Class 40.
- Furniture and upholstery. Class 41.
- Substances used as food or as ingredients in food. Class 42.
- Fermented liquors and spirits. Class 43.
- Mineral and aerated waters, natural and artificial, including ginger beer. Class 44.

Class 45.
Tobacco, whether manufactured or unmanufactured.

Class 46.
Seeds for agricultural and horticultural purposes.

Class 47.
Candles, common soap, detergents; illuminating, heating, or lubricating oils; matches; and starch, blue, and other preparations for laundry purposes.

Class 48.
Perfumery (including toilet articles, preparations for the teeth and hair, and perfumed soap).

Class 49.
Games of all kinds and sporting articles not included in other Classes.

Class 50.
Miscellaneous:—

- (1) Goods manufactured from ivory, bone or wood, not included in other Classes.
- (2) Goods manufactured from straw or grass, not included in other Classes.
- (3) Goods manufactured from animal and vegetable substances, not included in other Classes.
- (4) Tobacco pipes.
- (5) Umbrellas, walking sticks, brushes and combs.
- (6) Furniture cream, plate powder.
- (7) Tarpaulins, tents, rick-cloths, rope, twine.
- (8) Buttons of all kinds other than of precious metal or imitations thereof.
- (9) Packing and hose of all kinds.
- (10) Goods not included in the foregoing Classes.

SCHEDULE IV.

CLASSIFICATION OF GOODS.

Μέρος I — Εμπορεύματα
Names of the classes.

η νηγορεσιών

4. Ο Τέταρτος Πίνακας των βασικών κανονισμών τροποποιείται ως ακολούθως:

- (α) Με την προσθήκη στον τίτλο του Παραρτήματος των λέξεων «ή υπηρεσιών» μετά τις λέξεις «Κατάταξη εμπορευμάτων»
- (β) με την προσθήκη, μετά τον τίτλο του Παραρτήματος, της ακόλουθης φράσης «Μέρος I — Εμπορεύματα»
- (γ) με την προσθήκη μετά το τέλος της Κλάσης 34, του ακόλουθου νέου Μέρους:

«Μέρος II — Υπηρεσίες.

35. Διαφημίσεις και επιχειρήσεις
36. Ασφαλιστικές και χρηματικές υπηρεσίες
37. Οικοδομικές υπηρεσίες και επιδιορθώσεις
38. Επικοινωνίες
39. Συγκοινωνίες και αποθήκευση — φύλαξη
40. Επεξεργασία υλικών
41. Εκπαίδευση και ψυχαγωγία
42. Άλλες υπηρεσίες.»

κανονισμών.
Τροποποίηση
του Τέταρτου
Πίνακα των
βασικών
κανονισμών.

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6. Unwrought and partly wrought common metals and their alloys ; anchors, anvils, bells, rolled and cast building materials ; rails and other metallic materials for railway tracks ; chains (except driving chains for vehicles) ; cables and wires (non-electric) ; locksmiths' work ; metallic pipes and tubes ; safes and cash boxes ; steel balls ; horse-shoes ; nails and screws ; other goods in non-precious metal not included in other classes ; orca.

7. Machines and machine tools ; motors (except for vehicles) ; machine couplings and belting (except for vehicles) ; large size agricultural implements ; incubators.

8. Hand tools and instruments ; cutlery, forks and spoons ; side arms.

9. Scientific, nautical, surveying and electrical apparatus and instruments (including wireless), photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments ; coin or counter-freed apparatus ; talking machines ; cash registers ; calculating machines ; fire-extinguishing apparatus.

10. Surgical, medical, dental and veterinary instruments and apparatus (including artificial limbs, eyes and teeth).

11. Installations for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.

12. Vehicles ; apparatus for locomotion by land, air, or water.

13. Firearms ; ammunition and projectiles ; explosive substances ; fireworks.

14. Precious metals and their alloys and goods in precious metals or coated therewith (except cutlery, forks and spoons) ; jewellery, precious stones ; horological and other chronometric instruments.

15. Musical instruments (other than talking machines and wireless apparatus).

16. Paper and paper articles, cardboard and cardboard articles ; 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).

17. Gutta percha, india rubber, balata and substitutes, articles made from these substances and not included in other classes ; materials for packing, stopping, or insulating ; asbestos, mica and their products ; hose pipes (non metallic).

18. Leather and imitations of leather, and articles made from these materials, and not included in other classes ; skins, hides ; trunks and travelling bags ; umbrellas, parasols and walking sticks ; whips, harness and saddlery.

19. Building materials, natural and artificial stone, cement, lime, mortar, plaster and gravel ; pipes of earthenware or cement ; road-making materials ; asphalt, pitch and bitumen ; portable buildings ; stone monuments ; chimney pots.

20. Furniture, mirrors, picture frames ; articles (not included in other classes) of wood, cork, reeds, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum, celluloid, and substitutes for all these materials.

21. Small domestic utensils and containers (not of precious metal, nor coated therewith) ; combs and sponges ; brushes (other than paint brushes) ; brush making materials ; instruments and material for cleaning purposes ; steelwool ; glassware, porcelain and earthenware not included in other classes.

22. Ropes, string, nets, tents, awnings, tarpaulins ; sails, sacks ; padding and stuffing materials (hair, capoc, feathers, seaweed, etc.) ; raw fibrous textile materials.

23. Yarns, threads.

24. Tissues (piece goods) ; bed and table covers ; textile articles not included in other classes.

25. Clothing, including boots, shoes and slippers.

26. Lace and embroidery, ribands and braid ; buttons, press buttons, hooks and eyes, pins and needles ; artificial flowers.

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

28. Games and playthings; gymnastic and sporting articles (except clothing); ornaments and decorations for Christmas trees.

29. Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and other dairy products; edible oils and fats; preserves, pickles.

30. Coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes; flour and preparations made from cereals; bread, biscuits, cakes, pastry and confectionery, ices; honey, treacle; yeast, baking powder; salt, mustard; pepper, vinegar, sauces; spices; ice.

31. Agricultural, horticultural and forestry products and grains not included in other classes; living animals; fresh fruits and vegetables; seeds; live plants and flowers; foodstuffs for animals, malt.

32. Beer, ale and porter; mineral and aerated waters and other non-alcoholic drinks; syrups and other preparations for making beverages.

33. Wines, spirits and liquors.

34. Tobacco, raw or manufactured; smokers' articles; matches.

Mapas II - Yampelica

*C. C. 2517
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Ordered in Council, this 27th day of October, 1951.

(M.P. 1385/51.)

D. A. SHEPHERD,
Clerk of the Executive Council.