



STATUTORY INSTRUMENTS

1995 No. 2913
DESIGNS

The Registered Designs (Fees) (No. 2) Rules 1995

<i>Made</i>	<i>7th November 1995</i>
<i>Laid before Parliament</i>	<i>13th November 1995</i>
<i>Coming into force</i>	<i>4th December 1995</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 36, 40 and 44(1) of the Registered Designs Act 1949¹, of the power conferred upon him by the Department of Trade and Industry (Fees) Order 1988², and of all other powers enabling him in that behalf, after consultation with the Council on Tribunals pursuant to section 8(1) of the Tribunals and Inquiries Act 1992³ and with the consent of the Treasury pursuant to the said section 40, hereby makes the following Rules:

1.—

(1) These Rules may be cited as the Registered Designs (Fees) (No. 2) Rules 1995 and shall come into force on 4th December 1995.

(2) The Registered Designs (Fees) Rules 1995⁴ are hereby revoked.

2. These Rules shall be construed as one with the Registered Designs Rules 1995⁵.

3. The fees to be paid in respect of any matters arising under the Registered Designs Act 1949 shall be those specified in the Schedule to these Rules; and in any case where a form specified in the Schedule as the corresponding form in relation to any matter is required by the Registered Designs Rules 1995 to be used, that form or any alternative form accepted by the registrar under rule 4(2) of those Rules shall be accompanied by the fee, if any, specified in respect of that matter.

Ian Taylor,
Parliamentary Under-Secretary of
State for Science and Technology,
Department of Trade and Industry

2nd November 1995

¹ 1949 c.88; sections 36 and 40 of the Registered Designs Act 1949 were amended by the Copyright, Designs and Patents Act 1988 (c.48), section 272 and Schedule 3, paragraphs 26 and 30.

² S.I. 1988/93, as amended by S.I. 1990/1473, which was made under section 102 of the Finance (No. 2) Act 1987 (c.51). The relevant provisions of that Order are article 6 and Part III of Schedule 1.

³ 1992 c.53.

⁴ S.I. 1995/2165.

⁵ S.I. 1995/2912.



We consent to the making of these Rules.

Derek Conway,
D. L. Willetts,
Two of the Lords Commissioners of
Her Majesty's Treasury

7th November 1995

Rule 3

SCHEDULE FEES PAYABLE

(In this Schedule references to a section are to that section of the Registered Designs Act 1949 and references to a rule are to that rule in the Registered Designs Rules 1995.)

<i>Number of corresponding Designs Form</i>	<i>Item</i>	<i>Amount</i>
		£
1A	Appointment or change of agent	—
2A	On application to register one design to be applied to a single article not falling within the next item	60
2A	On application to register one design to be applied to a single article made substantially of lace or a design consisting substantially of checks or stripes to be applied to a single textile article	35
2A	On application to register one design to be applied to a set of articles	90
7	On request to the registrar for statement of grounds of decision under rule 31	65
8	On request for extension of time to complete an application for the registration of a design:	
	by one month	18
	by two months	36
	by three months	54
9A	On application to extend period of protection:	
	for second period	130
	for third period	210
	for fourth period	310
	for fifth period	450
9A	Additional fee payable under section 8(4) in respect of extra time for making application for extension of period of protection:	
	Additional time not exceeding one month	24
	Each succeeding month (not exceeding six months)	24
12A	On application under rule 42 to enter subsequent proprietorship, etc and on application under rule 45 by mortgagee or licensee for entry that he no longer claims to be such:	
	One design and any additional design similarly affected	50
16A	On application to record alteration of name	—
	On request under section 21 for correction of error:	
	One design and any additional design—same error	55
19A	On request by proprietor of design to cancel registration	—



<i>Number of corresponding Designs Form</i>	<i>Item</i>	<i>Amount</i>
	On application for grant of a compulsory licence under section 10 or for cancellation of the registration under section 11(2) or (3)	50
	On application for settlement of the terms of a licence of right	50
21	On request for search when registration number is not supplied	25
23	On request for certificate of the registrar: Sealed and attached to document	22
	By impression on document	16
29	On application for restoration of a lapsed right in a design	120
30	On provision of fee for restoration of a registered design	120
	Inspection in person of register without provision of copy	5
	Inspection in person of material available for inspection pursuant to section 22	—
	On request for uncertified copy or extract under rule 73: In respect of each design	5
	On application for a copy of certificate of registration of a design	22
	On request for information under section 23 on supply of registration number	5
	On notification of order of the court	—

EXPLANATORY NOTE

(This note is not Part of the Rules)

These Rules revoke and replace the Registered Designs (Fees) Rules 1995 (S.I. 1995/2165). These Rules refer to fewer Registered Designs Forms than previously because their number is reduced by the Registered Designs Rules 1995 (S.I. 1995/2912) (rule 4 and Schedule 1). Fees in respect of several matters have been further aligned with fees prescribed for corresponding matters under the Patents (Fees) Rules 1995 (S.I. 1995/2164). Any increases or changes take effect on 4 December 1995.

The changes in the fees are as follows:

- (a) provision is made for applying on Form 9A to extend the period of protection into a fourth and fifth 5-year period, the fees being £310 and £450 respectively;
- (b) the additional fee payable in respect of extra time for making application to extend the period of protection is increased from £18 to £24 for each extra month up to a maximum of 6 months;
- (c) the fee, when applying on Form 19A for settlement of the terms of a licence of right, is £50.

It is estimated that the total amount of fees collected per annum under these Rules will be about 0.5% greater than the amount collected per annum under the Registered Designs (Fees) Rules 1992 (S.I. 1992/617) and under the Registered Designs (Fees) Rules 1995 (S.I. 1995/2165).