

## **The Registered Designs (Fees) Rules 1998**

*Made* 16th July 1998

*Laid before Parliament* 22nd July 1998

*Coming into force* 1st October 1998

The Secretary of State, in exercise of powers conferred upon her by sections 36, 40 and 44(1) of the Registered Designs Act 1949<sup>(a)</sup>, of the power conferred upon her by the Department of Trade and Industry (Fees) Order 1988<sup>(b)</sup>, and of all other powers enabling her in that behalf, after consultation with the Council on Tribunals pursuant to section 8(1) of the Tribunals and Inquiries Act 1992<sup>(c)</sup>, 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) Rules 1998 and shall come into force on 1st October 1998.

(2) The Registered Designs (Fees) (No. 2) Rules 1995<sup>(d)</sup> are hereby revoked.

2. These Rules shall be construed as one with the Registered Designs Rules 1995<sup>(e)</sup>.

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 McCartney*

Minister of State,

9th July 1998 Department of Trade and Industry

We consent to the making of these Rules.

*Graham Allen*

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<sup>(a)</sup> 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.

<sup>(b)</sup> 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.

<sup>(c)</sup> 1992 c.53.

<sup>(d)</sup> S.I. 1995/2913.

<sup>(e)</sup> S.I. 1995/2912.

Two of the Lords Commissioners of Her Majesty's Treasury

16th July 1998

**SCHEDULE**  
**Rule 3**

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 Item corresponding form</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	—
	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	—
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	—
	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	—
	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	—
	On notification of order of the court	—

#### EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules revoke the Registered Design (Fees) (No. 2) Rules 1995.

They also modify a number of fees as follows:

- (a) the additional fee for extensions of time not exceeding one month is reduced from £24 to no fee (Form 9A);
- (b) the fee for entries concerning change of proprietorship, mortgagee or licensee (Form 12A) is reduced from £50 to no fee;
- (c) the fee for inspection of the register in person and a request for information are both reduced from £5 to no fee.

A compliance cost assessment is available, copies of which have been placed in the libraries of both Houses of Parliament. Copies are available also from the Legal Division, Patents and Designs Directorate, the Patent Office, Newport, Gwent, NP9 1RH.