



27 April 2023

(23-2986)

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**Council for Trade-Related Aspects of  
Intellectual Property Rights**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS  
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

IRELAND: TRADE MARKS (AMENDMENT) RULES 2018  
(S.I. NO. 562/2018)

<b>Notifying Member</b>	<b>IRELAND</b>
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**Details of the notified legal text**

<b>Title</b>	TRADE MARKS (AMENDMENT) RULES 2018 (S.I. NO. 562/2018)
<b>Subject matter</b>	Trademarks
<b>Nature of notification</b>	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
<b>Link to legal text*</b>	<a href="https://ip-documents.info/2023/IP/IRL/23_9310_00_e.pdf">https://ip-documents.info/2023/IP/IRL/23_9310_00_e.pdf</a>
<b>Notification status</b>	<input type="checkbox"/> First notification <input checked="" type="checkbox"/> Amendment or revision to notified legal text <input type="checkbox"/> Replacement or consolidation of notified legal text(s)
<b>Previous notification(s) referred to</b>	<a href="#">IP/N/1/IRL/2, IP/N/1/IRL/T/2</a>

**Brief description of the notified legal text**

The amendments to Rules 32 and 37 and the inclusion of new Rules 12A and 28A of the Trade Marks Rules 1996 are necessary to give effect to Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 amending Directive 2008/95/EC relating to trademarks. Rule 12A lays down specific rules and requirements for the representation of certain types of trademark, in accordance with the trademark's specific nature and attributes; Rule 32(2) is amended to provide that amendments to regulations governing Collective Marks, should be recorded in the register; the amendment to Rule 37 changes the time-frame within which the Controller shall send the registered proprietor a notice that the registration may be renewed, in line with Article 49 of the Directive; and new Rule 28A provides for the division of a registration in line with Article 41 of the Directive.

The amendment to Rule 4 is for the purpose of updating practice and procedure relating to fee payments.

The amendment to Rule 6 corrects a typographical error.

The amendment to Rule 13 provides for a more up-to-date and flexible approach relating to the submission of priority documents.

The inclusion of new Rule 18A and the amendments to Rules 21 and 25 are for the purposes of setting out general powers of the Controller relating to opposition proceedings and further clarifying certain procedural steps regarding the filing of evidence, exchanges of written submissions and hearings in opposition proceedings. In particular, amendments to Rules 25 and 61 remove references to the payment of a prescribed fee by applicants for hearings as a fee is no longer prescribed.

The amendment to Rule 41 is for the purpose of clarifying certain procedural steps around oppositions to the filing of an application for revocation or invalidity.

<b>Language(s) of notified legal text</b>	English
<b>Entry into force</b>	14 January 2019
<b>Other date</b>	Adoption: 18 December 2018

#### Notification details

<b>Submission date of notification</b>	3 April 2023
<b>Other information</b>	See also:  <a href="#">IP/N/1/EU/T/10</a> ( <i>Council Regulation (EU) 2017/1001</i> )  <a href="#">IP/N/1/EU/T/5</a> ( <i>Directive (EU) 2015/2436 amending Directive 2008/95/EC</i> )
<b>Agency or authority responsible</b>	Intellectual Property Unit Department of Enterprise, Trade & Employment  Email: <a href="mailto:trademarks@enterprise.gov.ie">trademarks@enterprise.gov.ie</a>

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\* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.