

## DESIGN RULES

1. SHORT TITLE.—  
cited as the Designs Rules.

## INTERPRETATIO

2. INTERPRETATION.—In these rules, unless the context otherwise requires—

“agent” means an agent resident or having a place of business in Israel, duly authorised to the satisfaction of the registrar;

“lodged” means left at the office or sent through the post by a prepaid letter addressed to the registrar at the office;

“office” means the office of the registrar;

“specimen” means an article of manufacture or a substance with the design applied to it.

## FEES

3. FEES.—The fees to be paid under the Ordinance, so far as they relate to designs, shall be those specified in the first Schedule to these rules and such fees shall, in all cases, be paid before or at the time of the doing of the matter in respect of which they are to be paid.

## FORMS

4. FORMS.—(1) The forms referred to in these rules are the forms contained in the second Schedule to these rules, and such forms shall be used in all cases to which they are applicable and shall be modified as directed by the registrar to meet other cases.

(2) All applications to the registrar shall be in writing and, where not particularly specified, shall be as nearly as

possible in accordance with designs form No. 7.

## SETS OF ARTICLES

5. SETS OF ARTICLES.—(1) number of articles of the same general character ordinarily on sale together or intended to be used together, all bearing the same design with or without modifications not sufficient to alter the character or not substantially affecting the identity thereof.

(2) Where there is any doubt whether given articles do or do not constitute a set, the doubt shall be determined by the registrar.

## CLASSIF

6. CLASSIFICATION the purposes of the registration of designs and of these rules, goods are classified in the manner appearing in the third Schedule to these rules.

(2) If any doubt arises as to the class to which any particular description of goods belongs, it shall be determined by the registrar.

## DOCUMENTS

7. SIZE, any other directions that may be given by the registrar, all applications, notices, papers having representations affixed and other documents required by the Ordinance or by these rules to be lodged shall be upon strong paper and, except where otherwise required, on one side only, inches by eight inches, and having on the left-hand part thereof a margin of approximately two inches.

Date of basic Rules: January 30, 1925; of amendatory Regulations: August 7, 1952, and August 13, 1959.

Official text published in “Government of Palestine: Proclamations, Regulations, Rules, Orders and Notices, Annual Volume for 1935”, page 113 (in English); “Kovetz Hatakanot”, No. 291, page 1263; No. 934, page 1811 (in Hebrew).

8. SIGNATURE OF DOCUMENTS.—(1) A document lodged by a firm or partnership may be signed in the firm's name or for and on behalf of the firm or partnership by any one or more members thereof.

(2) A document lodged by a company or cooperative society may be signed by a director or by the secretary or other principal officer of such company or society.

9. SERVICE OF DOCUMENTS.—Any application, statement, notice or other document authorised or required to be lodged or to be left, made or given with or to any person under the Ordinance or these rules may be sent through the post by a prepaid letter and any document so sent shall be deemed to have been delivered at the time when the letter containing it would be delivered in the ordinary course of post and, in proving such service or sending, it shall be sufficient to prove that the letter was properly addressed and put into the post.

#### ADDRESS

10. ADDRESS.—Where any person is by the Ordinance 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 business of the person whose address is given.

11. ADDRESS FOR SERVICE.—(1) Where a registered proprietor of a design lives out of Israel he may furnish the registrar with an address for service within Israel, which shall be entered in the register: such address for service shall be that of a person duly authorised to the satisfaction of the registrar.

(2) All notices and documents, which under these rules are required to be sent to the registered proprietor, shall be deemed duly sent if sent to him at his registered address if that address be within Israel or, where the registered proprietor lives outside Israel, to his address for service, if any, on the register.

(3) Where a registered proprietor lives out of Israel and has not furnished such address for service, the registrar need not send to him any notice which, under these rules, the registrar is required to send.

(4) Where an applicant lives out of Israel, he shall furnish the registrar with an address for service within Israel and, until he does so, the registrar need not proceed with the examination of the application.

(5) When such address for service is furnished, it shall, on the registration of the design, be entered in the register as the address for service of the proprietor.

#### AGENTS

12. AGENCY.—(1) An application for registration and all other communications between an applicant and the registrar, and between the registered proprietor of a design and the registrar or any other person, may be made by or through an agent.

(2) Any such applicant or proprietor may appoint an agent to represent him in the matter of the design by signing and sending to the registrar an authority in writing to that effect on designs form No. 1, or in such other form as the registrar may deem sufficient.

(3) In case any registered proprietor of a design shall appoint such an agent, service upon such agent of any document relating to such design shall be deemed to be service upon the person so appointing him, and all communications directed to be made to such person in respect of such design may be addressed to such agent.

(4) The registrar shall not be bound to recognise as such agent, or to receive further communications in respect of any business under the Ordinance relating to designs from, any person whose name, by reason of his having been adjudged guilty of conduct discreditable to a patent agent, has been erased from the register of patent agents kept under the provisions of the Ordinance and has not since been restored, or any

person who is proved to the satisfaction of the registrar to have been convicted of such an offence or to have been guilty of such misconduct as would have rendered him liable, if his name had been on the register of patent agents, to have his name erased therefrom, or any company which if it had been an individual, the registrar could refuse to recognise as agent, or any company or firm, if any person whom the registrar could refuse to recognise as an agent acts as director or manager of the company or is a partner in the firm.

(5) In any particular case, the registrar may, if he thinks fit, require the personal signature or presence of an applicant or other person.

#### APPLICATION FOR REGISTRATION

13. SIGNATURE OF APPLICATION.—An application for registration of a design shall be signed by the applicant for registration or by his agent.

14. FORM OF APPLICATION.—An application for registration of a design shall be lodged at the office and shall be on designs form No. 2.

15. CLASS.—An application shall state the class in which the design is to be registered and, where it is desired to register the same design in more than one class, a separate application shall be made in each class: in that case each application shall be numbered separately and shall be treated as a separate and distinct application, except in the case of an application made under the provisions of section 31 of the Ordinance. :

16. APPLICATION OF DESIGN.—Every application shall state the article or articles to which the design is to be applied and, where the registrar so requires, the applicant shall further state for what purpose the article to which the design is to be applied is used and the material or the predominating material of which the article is made.

17. STATEMENT OF NOVELTY.—The applicant may, and shall, if required by the registrar in any case so to do, endorse on the application and each of the representations a brief statement of the novelty he claims for his design.

18. APPLICATION UNDER SECTION 31.—When an application is made under the provisions of section 31 of the Ordinance for the registration of a design which has already been registered in one or more classes, the application shall contain the number or numbers of the registration or registrations already effected.

19. REPRESENTATION.—There shall be furnished in connection with an application for the registration of a design to be applied to a single article, three exactly similar representations of the design, in a form satisfactory to the registrar, or three specimens.

20. REPRESENTATIONS FOR SET.—When the design is to be applied to a set, each of the representations accompanying the application shall show all the various arrangements in which it is proposed to apply the design to the articles included in the set.

21. NATURE OF REPRESENTATIONS.—

(1) Each representation of the design, whether to be applied to a single article or to a set of articles, shall be upon paper of the prescribed size and not on cardboard and shall appear on one side only of the paper.

(2) The figure or figures shall be placed in an upright position on the sheet.

(3) When more figures than one are shown, these shall, where possible, be on one and the same sheet, and each shall be designated as "perspective view", "front view", "side view", or as the case may be.

22. DRAWINGS ETC., TO BE IN INK.—

When drawings or tracings are furnished, they shall be in ink and, if on tracing cloth or tracing paper, shall be mounted on paper of the prescribed size.

23. SPECIAL REPRESENTATIONS.—When the specimens are not, in the registrar's opinion, of a kind which can be conveniently pasted into books, representations shall be furnished in place thereof.

24. WORDS, ETC., ON DESIGNS.—Where words, letters or numerals are not of the essence of the design, they shall be removed from the representations or specimens and, where they are of the essence of the design, the registrar may require the insertion of a disclaimer of any right to their exclusive use.

25. REPEAT OF PATTERN.—Each representation of a design which consists of a repeating surface pattern shall show the complete pattern and a sufficient portion of the repeat in length and width and shall not be of less size than seven inches by five inches.

26. SPECIMENS OF DESIGNS.—Where representations are supplied, may at any time require specimens or additional representations.

27. REPRESENTATIONS OF LIVING PERSONS OR PERSONS RECENTLY DEAD.—(1) Where the names or representations of living persons appear on a design, the registrar shall, consents from such persons before proceeding to register the design.

(2) In the case of persons recently dead, the registrar may call for consents from their legal representatives before proceeding with the registration of a design on which their names or representations appear.

#### PROCEDURE ON RECEIPT OF APPLICATION

28. OBJECTIONS.—If after consideration of the application by the registrar any objections appear, a statement of these objections shall be sent to the applicant in writing and, unless within one month the applicant applies for a hearing, he shall be deemed to have withdrawn his application.

29. DECISION OF REGISTRAR.—The decision of the registrar at such hearing as aforesaid shall be communicated to the applicant in writing and, if he objects to such decision and desires to appeal, he shall within one month apply, requiring the registrar to state in writing the grounds of his decision and the materials used by him in arriving at such decision.

30. DATE FOR APPEAL.—Upon receipt of application, the registrar shall send to the applicant such statement in writing, and the date when such statement is sent shall be deemed to be the date of the registrar's decision for the purpose of appeal.

#### NON-COMPLETION

31. NON-COMPLETION WITHIN TWELVE MONTHS.—(1) Where an application for registration of a design is not completed within twelve months from the date of the application by reason of default on the part of the applicant, shall give notice to the applicant in writing of such non-completion or, if the applicant has an agent, notice to such agent.

(2) If after fourteen days from the date when such notice was sent the application is not completed, be deemed to be abandoned, unless application is made on designs form No. 7 for an extension of time, not exceeding three months, within which the application for registration may be completed.

#### DEATH OF APPLICANT

32. DEATH APPLICANT BEFORE REGISTRATION.—In case of the death of any applicant for the registration of a design after the date of his application and before the design applied for has been entered in the register, the registrar 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 nationality of the person owning the design, on such ownership being proved to the satisfaction of the registrar.

EXTENSION OF PERIOD OF -  
COPYRIGHT

33. EXTENSION OF PERIOD OF COPYRIGHT BEYOND FIVE YEARS.—(1) If the proprietor of a registered design intends to apply for an extension of the period of copyright beyond the first or second period of five years he shall apply, before the expiration of the preceding period of five years, on designs form No. 3.

(2) An application for an enlargement of time, not exceeding three months, for payment of any fee under this rule shall be made on designs form No. 7.

34. PAYMENT OF FEES IN ADVANCE.—The proprietor of any registered design may pay all or any of the prescribed fees for obtaining an extension of the period of copyright in advance.

ASSIGNMENTS, ETC.

35. JOINT REQUEST FOR ENTRY OF ASSIGNMENT, ETC.—Where a person becomes entitled by assignment, transmission or other operation of law to the copyright in a registered design or as mortgagee, licensee or otherwise to any interest in a design, he may, conjointly with the registered proprietor, make application to the registrar on designs form No. 4 to register his title.

36. APPLICATION FOR ENTRY OF ASSIGNMENT BY SUBSEQUENT PROPRIETOR.—Where a person becomes entitled to the copyright in a design or to any interest therein in the manner referred to in rule 35 and no conjoint application as therein mentioned is made, he shall make application to the registrar on designs form No. 4 suitably amended to register his title.

37. PARTICULARS IN APPLICATION.—An application under rule 35 or rule 36 shall contain the name, address and nationality 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.

38. COPIES FOR OFFICE.—The registrar may, in any case, require an attested copy of any instrument produced for inspection in proof of title.

39. PRODUCTION OF CERTIFICATE OF REGISTRATION.—The registrar, if he thinks fit, require the production of the original certificate of registration in connection with an application made in pursuance of rule 35 or of rule 36.

40. ENTRY IN REGISTER.—When the registrar is satisfied as to the applicant's title, he shall cause the applicant to be registered as proprietor, mortgagee, licensee or as otherwise entitled to an interest in the design and shall record in the register such particulars as he may consider necessary of the instrument, if any, under which the title was acquired.

41. REMOVAL OF NAME.—Whether the name of a person is entered in the register as mortgagee or licensee, such person may, on lodging designs form No. 7, have a note entered in the register that he no longer claims to be mortgagee or licensee, as the case may be.

42. CHANGE OF NAME.—When the registered proprietor of a design changes his name, he shall make application for entry of such change of name on designs form No. 7.

ALTERATION OF ADDRESS

43. ALTERATION OF ADDRESS IN REGISTER.—Every registered proprietor of a design who alters his address or his address for service shall forthwith apply to the registrar on designs form No. 7 and the registrar shall alter the register accordingly.

CORRECTIONS OF CLERICAL ERRORS

44. CORRECTION BY APPLICANT.—Where an applicant desires to correct a clerical error in his application, he shall lodge a designs form No. 7.

45. CORRECTION BY PROPRIETOR.—Where the registered proprietor of a design desires to correct a clerical error under section 42 of the Ordinance, he shall lodge a designs form No. 7.

CANCELLATIONS UNDER  
SECTION 42(b)

46. CANCELLATION OF DESIGN.—Where the registered proprietor of a design desires to cancel his registration, he shall lodge a designs form No. 7.

47. CANCELLATION BY TRUSTEE IN BANKRUPTCY, ETC.—Cancellation may also be effected by the trustee in bankruptcy of the registered proprietor or, where the registered proprietor is a company in liquidation, by the liquidator or in any other case, where the request is made by a person whom the registrar may decide to be entitled to act in the name of the registered proprietor.

DISCRETIONARY POWER

48. HEARING.—Before exercising any discretionary power given to the registrar by the Ordinance or these rules adversely to any person, the registrar shall, if so required, hear the person who will be affected by the exercise of such power.

49. APPLICATION FOR HEARING.—An application for a hearing shall be made within one month from the date when the matter on which the registrar is called on to exercise discretionary power has arisen.

50. NOTICE OF HEARING.—(1) Upon receiving such application, the registrar shall give the person applying ten days' notice of a time when he may be heard by himself or his agent.

(2) Within five 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.

51. NOTIFICATION OF DECISION.—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

52. DISPENSING WITH EVIDENCE.—Where

under these rules any person is required to do any act or thing, or to sign any document, or to make any declaration on behalf of himself or any body, 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 make such declaration, or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the registrar and 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, document, declaration or evidence.

AMENDMENTS

53. AMENDMENT OF DOCUMENTS.—Any document or drawing or other representation of a design may be amended, and any irregularity in procedure, which in the opinion of the registrar, may be obviated without detriment to the interests of any person, may be corrected, if the registrar think fit, and such terms as he may direct.

ENLARGEMENT OF TIME

54. ENLARGEMENT OF TIME.—The time prescribed by these rules for doing any act or taking any proceeding thereunder may be enlarged by the registrar if he think fit, and upon such notice to other parties, and proceedings thereon, and upon such terms, as he may direct, and such enlargement may be granted though the time has expired for doing such act or taking such proceeding.

CERTIFICATE BY REGISTRAR

55. CERTIFICATE FOR USE IN LEGAL PROCEEDINGS OR OTHER PURPOSE.—Where a certificate is required for the purpose of any legal proceeding, or other special purpose, as to any entry, matter, or other thing which the registrar is authorised by the Ordinance or these rules to make

or do, the registrar may, on the lodging of a designs form No. 7, give such certificate, which shall also specify on the face of it the purpose for which it has been issued as aforesaid.

56. *{Repealed by the Designs (Amendment) Rules, 5712-1952.}*

REGISTER OF DESIGNS AND  
INSPECTION OF REGISTERED  
DESIGNS

57. REGISTERING DESIGN.—When is accepted, there shall be entered in the register, in addition to the particulars prescribed by the Ordinance, such other particulars as the registrar may deem necessary.

58. INSPECTION OF REGISTERED DESIGN.—The period under section 35 of the Ordinance during which a design shall not be open to inspection, except as provided in that section, shall be two years from the date of the original registration thereof.

CANCELLATION OF REGISTRATION  
OF DESIGNS UNDER SECTION 36

59. CANCELLATION OF REGISTRATION OF DESIGNS

application for the cancellation of the registration of a design under section 36 of the Ordinance shall be made on designs form No. 5.

(2) Such application shall be accompanied by a copy and a statement in duplicate setting out fully the nature of the applicant's interest and the facts upon which he bases his case and the relief which he seeks.

(3) Copies of the application and the statement of case shall be transmitted by the registrar to the registered proprietor.

60. COUNTERSTATEMENT.—If the registered proprietor is desirous of opposing the application, he shall, within one month of the receipt of such copies or such further time as the registrar may allow, leave at the office a counter-sta-

tement fully setting out the grounds on which the application is to be opposed and, on so leaving, shall deliver to the applicant a copy thereof.

61. APPLICANT'S EVIDENCE.—The applicant shall, within one month from the delivery of such copy or within such further time as the registrar may allow, leave at the office evidence by way of a sworn declaration in support of his case and, on so leaving, shall deliver to the registered proprietor a copy thereof.

62. PROPRIETOR'S EVIDENCE AND EVIDENCE IN REPLY.—(1) Within one month from the delivery of such copy or such further time as the registrar may allow, the proprietor may leave at the office sworn declarations in answer and, on so leaving, shall deliver to the applicant a copy thereof.

(2) Within one month from such delivery or within such further time as the registrar may allow, the applicant may leave at the office sworn declarations in reply and, on so leaving, shall deliver to the proprietor a copy thereof.

(3) Such last mentioned declarations shall be confined to matters strictly in reply.

62A. PERIODS IN RESPECT OF FOREIGN RESIDENTS.—If the proprietor or applicant is a foreign resident, the periods mentioned in section 60, 61 and 62 shall, in his respect, be two months.

63. CLOSING OF EVIDENCE.—No further evidence shall be left on either side except by leave or requisition of the registrar.

64. HEARING.—(1) On completion of the evidence, or at such other time as he may see fit, the registrar shall appoint a time for the hearing of the case and give the parties ten days' notice at least of such appointment and, in the event of his deciding to take evidence viva voce in lieu of, or in addition to, the evidence by declaration or to allow any declarant to be cross-examined on his declaration, he may require the attendance

19. For certifying copies, for each page . . . . .
20. For certifying office copies, manuscript or printed, for each page . . . . .
21. On submission of a notice of appeal under rule 2 of the Patents and Designs (Procedure before Appeals Committee) Rules, 5712-1952 . . . . .
22. On submission of a claim under rule 2 of the Patents and Designs (Procedure before Compensation and Royalty Committee) Rules, 5712-1952 . . . . .

### THE THIRD SCHEDULE (Rule 6)

#### CLASSIFICATION OF GOODS

*Class 1.* Articles composed wholly of metal or in which metal predominates, and jewellery.

*Class 2.* Books and bookbinding of all materials.

*Class 3.* Articles composed wholly of wood, bone, ivory, papier maché or other solid substances not included in other classes or of materials in which such substances predominate.

*Class 4.* Articles composed wholly of glass, earthenware, or porcelain, clay (burnt or baked), or cement or in which such materials predominate.

*Class 5.* Articles composed wholly of paper, card-board, mill-board or straw-board (except articles included in Class 2, and paperhangings), or in which such materials predominate.

*Class 6.* Articles composed wholly of leather or in which leather predominates, not included in other classes.

*Class 7.* Paperhangings.

*Class 8.* Carpets, rugs and floor coverings in all materials.

*Class 9.* Lace.

*Class 10.* Boots and shoes.

*Class 11.* Millinery and wearing apparel, except boots and shoes.

*Class 12.* Goods not included in other classes.

*Class 13.* Printed or woven designs on textile piece goods, other than checks or stripes.

*Class 14.* Printed or woven designs on handkerchiefs and shawls, other than checks or stripes.

*Class 15.* Printed or woven designs on textile piece goods or on handkerchiefs or shawls, being checks or stripes.