



सत्यमेव जयते

INFORMATION BOOKLET FOR APPLICANTS FOR REGISTRATION OF DESIGNS

*Department of Industrial Policy & Promotion
Ministry of Commerce and Industry,
Government of India*

*Prepared by Office of the Controller General of Patents,
Designs and Trade Marks,*

The Patent Office
Intellectual Property Office
CP-2, Sector-V, Salt Lake, Kolkata-700091,

Disclaimer

This information booklet provides basic information and guidance to potential users of the Design registration system in the Design Office, Kolkata, Information provided in this document is not exhaustive and may be read in conjunction with the designs Act, 2000 and Rules, 2001 and as amended in 2008. The guidelines in this document relating to the prescription of time limits, procedures, etc, are meant for guidance of the staff and members of the public. The provisions of the Design Act, 2000 and the Designs rules, 2001 will, in all cases of disagreement, prevail. Instructions of the Government of India issued from time to time will also receive precedence over the guidelines in this document.

What is a Design? A Design refers to the features of shape, configuration, pattern, ornamentation or composition of lines or colours applied to any article, whether in two or three dimensional (or both) forms. This may be applied by any industrial process or means (manual, mechanical or chemical) separately or by a combined process, which in the finished article appeals to and judged solely by the eye. Design does not include any mode or principle of construction or anything which is mere mechanical device. It also does not include any trade mark or any artistic work.

Benefits of Design Registration The registration of a design confers upon the registered proprietor the exclusive right to apply a design to the article in the class in which the design has been registered.

A registered proprietor of the design is entitled to a better protection of his intellectual property. He can sue for infringement, if his right is infringed by any person. He can license or sell his design as legal property for a consideration or royalty. Registration initially confers this right for ten years from the date of registration. It is renewable for a further period of five years. If the fee for extension is not paid for the further period of registration within the period of initial registration, this right will cease. There is provision for the restoration of a lapsed design if the application for restoration is filed within one year from the date of cessation in the prescribed manner.

Essential requirements for registration A design should :

- Be new or original
- Not be disclosed to the public any where by publication in tangible form or by use or in any other way prior to the filling date, or, where applicable, the priority date of the application for registration.

- Be significantly distinguishable from known designs or combination of known designs.
- Not comprise or contain scandalous or obscene matter.
- Not be a mere *mechanical* contrivance.
- Be applied to an article and should appeal to the eye.
- Not be contrary to public order or morality.

Exclusion from scope of design.

Designs that are primarily literary or artistic in character are not protected under the Designs Act. These will include :

- books, jackets, calendars, certificates, forms-and other documents, dressmaking patterns, greeting cards, leaflets, maps and plan cards, postcards, stamps, medals.
- labels, tokens, cards, cartoons.
- any principle or mode of construction of an article.
- mere *mechanical* contrivance.
- buildings and structures.
- parts of articles not manufactured and sold separately.
- variations commonly used in the trade.
- mere workshop alterations of components of an assembly.
- mere change in size of article.
- flags, emblems or signs of any country.
- layout designs of integrated circuits.

Who can apply for registration of a Design ?

Any person or the legal representative or the assignee can apply separately or jointly for the registration of a design. The term “person” includes firm, partnership

and a body corporate. An application may also be filed through an agent in which case a power of attorney is required to be filed.

Who can assist in registration of Design?

The Design Wing of the Patent Office may be approached for finding out whether a design has been previously registered or not on prescribed form. An Application for registration of design may be prepared either by the applicant or with the professional help of attorneys. A list of patent attorneys is available in the Register of Patent agents maintained by the Patent Office and also available in www.pindia.nic.in

Findings out whether any registration already exists.

The Design Wing of the Patent Office can assist if an application for search is made or an applicant can inspect the Register of Designs. To request for a search by the Design Wing of the Patent Office, the following documents should be filed to find out whether any registration exists in respect of any design :

- (1) If the registration number is known, Form No. 6 alongwith the prescribed fee of Rs. 500/-
- (2) If the representation of the article or the specimen of the article is filed (in duplicate), Form No. 7 alongwith the prescribed fees of Rs. 1,000/-

Note :Before filing an application, the applicant can also obtain information whether the design has already been registered or not, by filing a request in Form 7.

Priority Date in case of Convention Application

Any person who has applied for protection for any design in the convention countries or group of countries or countries which are members of intergovernmental organizations, or his legal

representative or assignee, either alone or jointly with any other person, is entitled to claim registration of the said design citing a priority date in India. This date is the date of filing of the application in any of the countries mentioned above. However, the application should be made in India within six months from the date of the earliest application for registration in those countries.

Cancellation of Registered Design

Any interested person can file a petition to the Controller seeking the cancellation of a registered design at any time after the registration of the design. An application for cancellation is admissible on the following grounds :

- that the design has been previously registered in India ; or
- that it has been published in India or in any other country prior to the date of registration ; or
- that the design is not a new or original design ; or
- that the design is not registrable under this Act ; or
- it is not a design as defined under of section 2(d).

Statutory time for the acceptance of an application?

An application for registration of a design should be accepted within six months from the date of application which may be extended up to three months on F-18 by the applicant with the prescribed fee.

Inspection of the Register of Design

Any person can inspect the Register of Designs upon request to the Controller with prescribed fee. This will enable an applicant to find out whether a design has been previously registered or not.

Fees

The fees for the registration and renewal of a design are :

- Application for registration of design Rs. 1,000/-
- Extension of copy right Rs. 2,000/-

(A detailed schedule of fee is available on page 21).

Application Procedure

Any person who desires to register a design is required to submit the following documents to the Design Wing of the Patent Office at “Intellectual Property Office”, CP-2, Sector V, Salt Lake, Kolkata - 700 091 or any of the Branch Offices of the Patent Office at Delhi, Mumbai and Chennai. The applications received by the Branch Offices shall be transmitted to the Head Office for processing and prosecuting.

- (i) Application duly filed in on the prescribed form (Form-1) along with the prescribed fees, stating name in full, address, nationality, name of the article, class number, address for service in India. The application shall also be signed either by the applicant or by his authorized agent.
- (ii) Representation (in quarduplicate of size 33 cm x 20.5 cm with a suitable margin) of the article. Drawings \ sketches should clearly show the features of the design from different views and state the view (e.g. front or side).
- (iii) A statement of novelty and disclaimer (if any) in respect of mechanical action, trademark, work, letter, numerals should be endorsed on each representation sheet which should be duly signed and dated.

(Please see guidelines for preparation of representation sheet on page 13-14)

- (iv) Power of attorney (if necessary).
- (v) Priority documents (if any) in case of convention application claimed under Section 44 of the Designs Act, 2000.

**Procedure for
Registration
of designs**

(List of countries under Paris Conversation and WTO may be seen on page 17-20).

An application accompanied by the prescribed fee and four copies of the representation of the design, on receipt at the office, are numbered and dated in the The Patent Office and taken up for examination.

The number accorded to an application is in the order of its receipt and the date accorded to an application is the actual date of its receipt in the office.

Note : Applications unaccompanied with the prescribed fee or copies of the representation of the design will not be numbered and dated until the receipt of the fee or copies of the representation of the designs. The date allocated for such applications is the actual date of the receipt of all the documents in the office, and not the earlier date on which the application was first received in the office.

Defects in the application, if any, noticed on examination of the application are communicated to the applicant or to his agent at the address for service. The defects should be corrected and the application resubmitted to the Design of the Patent Office for acceptance within six months or within the extended period from the official date of the application.

Acceptance & Notification :- An application is accepted when all the shortcomings have been rectified. It is then notified in the Patent Office journal which is published on every Friday.

Refusal :- In case the defects as required by the Controller are not rectified, a personal hearing will be provided to the applicant. After hearing the controller will decide whether the application should be accepted or not.

The decision of the Controller will be communicated in writing to the applicant or his agent stating the reasons for the decision.

Appeal :- Any person aggrieved by the decision of the Controller refusing to register a design may appeal to the High Court. The appeal should be made within three months from the date of the Controller's decision.

Abandonment :- An application which owing to any neglect or default on the part of the applicant has not been completed so as to enable registration to be effected within six months or within extended period will be treated as abandoned. Such an application cannot be revived and no further action will be taken on it by the Design Wing of the Patent Office.

The following statement of novelty should be mentioned on the representation of a design as per the Act. :

“The novelty resides in the shape and configuration of the article as illustrated.”

“The novelty resides in the portion marked as ‘A’ and ‘B’ of the article as illustrated.”

“The novelty resides in the ornamentation or surface pattern of the article as illustrated.”

Example : The novelty resides in the floral ornamentation of the carpet as illustrated.

If the ornamental pattern on an article is likely to be confused with a trade mark, a disclaimer may be made in the following manner :-

No claim is made by virtue of this registration to any right to the use as a trade mark of what is shown in the representations.

**Standard Form
of the statement
of novelty**

Form of disclaimers

If the representation suggests any mechanical action of the article a disclaimer may be inserted in the following manner :-

No claim is made by virtue of this registration in respect of any mechanical or other action of the mechanism whatever or in respect of any mode or principle of construction of the article.

If the representation contains words, letters, numerals, etc., a disclaimer may be inserted in the following manner :-

No claim is made by virtue of this registration to any right to the exclusive use of the words, letters, numerals, flags, crowns, etc. appearing in the design.

Guidelines for the preparation of representation sheet

A representation sheet of an article is an important document required to be filed in quadruplicate along with the application for registration. Representation means the exact representation of the article on which the design has been applied. It should be prepared on white A4 size paper of durable quality but should not be prepared on card board or should not be mounted on other paper.

The following points should be considered while preparing a representation.

- The article must be shown in isolation and features of the design must be clearly and accurately visible.
- The article shown in the drawing should be consistent with the name of the article mentioned in the application form. The name of the article should be such that is known in the trade.
- The margin of the representation sheet should be one and half inch on all sides.

- The figure shown should be of sufficient scale in order to visualize all the details of the features of the design applied to the article.
- The figure should be shown in upright position with respect to top and bottom position of the sheet.
- The name of the applicant should be mentioned in left hand top corner of the sheet.
- The total number of sheets and sheet number should be mentioned in the right hand top corner of the sheet.
- The signature of the applicant \ agent should be made in the right hand bottom corner mentioning the name of the signatory thereunder.
- No descriptive matter or denoting the components by reference letter/numerals should be included other than showing the particular portion of the article where novelty resides.
- A sufficient number of views should be incorporated in the representation sheet in order to show the article completely and to visualize the exact nature of the design clearly.
- No sectional view should be incorporated in the representation sheet.
- No dimensions or engineering symbol etc. should be mentioned in the representation sheet. The representation is not to be regarded as engineering drawing of the article.
- Unnecessary matter not being the feature of the design such as Trade Marks, Letters, Numerals etc. should not be included. However, if it is integral with the article so represented a disclaimer to that effect should be provided.
- Photographs should be covered with cellophane paper in order to prevent it from sticking to other pages.

- Drawings should be clear and should be prepared in a manner that clear reproduction of the views is possible on imaging and are reproduceable by photocopying.
- A clear photocopy of the original representation sheet may be filed for other copies of the representation sheet except when a photograph of the original representation has been filed.
- No extraneous matter or background support surface, shadows, brick walls, trees etc. should appear in the representation sheet.
- Hidden parts that are not visible in the finished article should not be shown. Exploded view should be avoided.
- In order to represent a set, the whole set should be shown clearly with different views as required.
- Perspective views are most preferable. Odd angle views which distort the shape should not be filed.
- A brief statement of novelty, claim of features of design, which is new and original, are required to be mentioned on each set of representation sheet. No description stating the features of the design should be incorporated.
- If there is any other mater appearing in the representation not being the feature (s) of the design, a statement of disclaimer is required to be mentioned in each set of the representation sheet as required.

Designs are required to catagorize in separate classes in order to provide for systematic registration. An International classification of Industrial Designs

Classification of designs in classes

according to the Locarno Agreement has been introduced in the Design Rule 2001 & as in (Amendment) Rules 2008 . The classification of goods is based upon the function of the classification of goods is applied. There are classes and most of the classes are further divided into sub-classes. These classes and sub-classes are mainly function oriented. In some specific cases, the function of the article is required to be mentioned along with the name article in the application form for the purpose of classification.

Normally, the name of the article should be such that is common / familiar in the trade or Industries. The name of the article as mentioned in the application form should correspond with the representation of the article as filed.

Example : If the article relates to 'chair' or sofa-cum-bed', the name should be provided accordingly and should be classified under Class 06 and sub-class -01 where it is stated as BEDS AND SEATS since it is classified in function\purpose oriented manner.

(Details of Locarno Classification may be seen at page 23).

(SPECIMEN OF REPRESENTATION SHEETS)

Name of the Applicant
XYZ PVT. LTD. CO.

No. of Sheets-1
SHEET No. -1



[TOP VIEW]

The novelty resides in the surface ornamentation of the "DISH" as illustrated.

No claim is made by virtue of this registration in respect of any mechanical or other action of the mechanism whatever or in respect of any mode or principle of construction of the article.

No claim is made by virtue of the registration to any right to the exclusive use of the words, letters, numbers, colour, colour combination or Trade Marks as appearing in the representation.

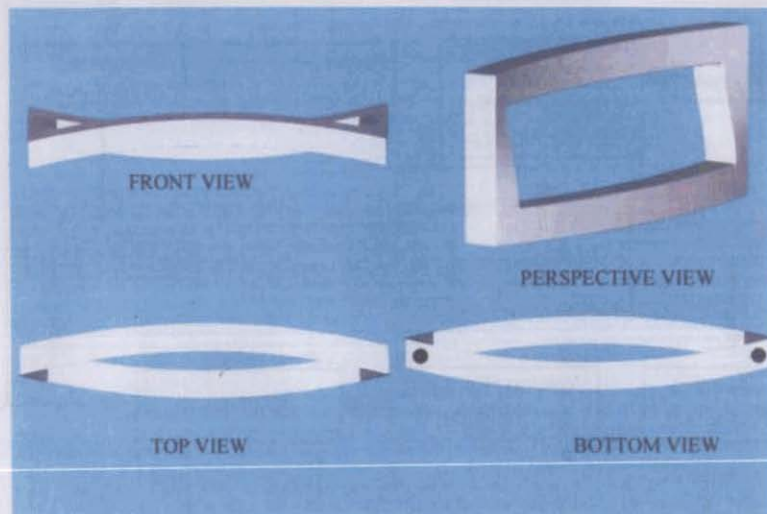
Date :

Signature of the Applicant / Agent
(Name of the Signatory)

(SPECIMEN OF REPRESENTATION SHEETS)

Name of the Applicant
XYZ PVT. LTD. CO.

No. of Sheets-1
SHEET No. -1



The novelty resides in the Shape & configuration of the "HANDLE" as illustrated.

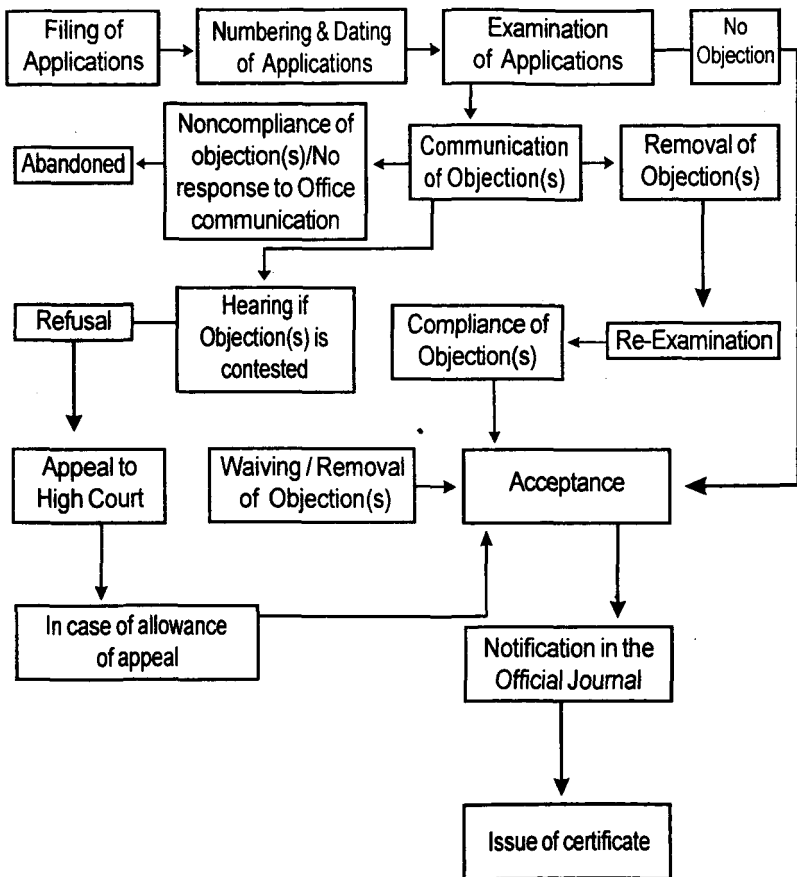
No claim is made by virtue of this registration in respect of any mechanical or other action of the mechanism whatever or in respect of any mode or principle of construction of the article.

No claim is made by virtue of the registration to any right to the exclusive use of the words, letters, numbers, colour, colour combination or Trade Marks as appearing in the representation.

Date :

Signature of the Applicant / Agent
(Name of the Signatory)

FLOW CHART OF DESIGN APPLICATION UP TO ACCEPTANCE



Prescribed times under the Designs Act, 2000 and Rules, 2001

Sl. No.		Section/Rules	Form	Prescribed time
01.	(a) Application for registration of Design claiming priority date under Paris Convention / WTO	Section 44(1)(a)	Form 1	Within 6 months from date of earliest filing in the country (s) under Paris Convention /WTO
	(b) Application for extension of time for filing.	Rule 15(2) 44(1)(a)	Form 18	Alongwith application or within 3 months from the day of filing
02.	Application for registration of assignment or of instrument for change of ownership	Section 43(3)	Form 10	Within 6 months from the date of execution of assignment/instrument. Further extension of 6 months available.
03.	Compliance of all requirements for making application in order for acceptance	Rule 18(1)	--	Within 6 months or within extended period upto 3 months from the date of filing.
04.	Application for extension of period of copyright for 5 years	Section 11(2)	Form 3	Before the expiry of initial period of 10 years
05.	Application for restoration of lapsed design due to non payment of fee for extension of copyright	Section	Form 4	Within one year from date of cessation.
06.	(a) Petition for cancellation for the registration	Rule 29	Form 8	Any time during existence of copyright.
	(b) Appeal/reference to High Court against the order of the Controller.	Section 19(1)		Any time during existence of copyright.
07.	Application for registration of design after first exhibiting the design.	Section 21(b)	--	Within 6 months from the date of exhibition.
08.	Appeal to High Court against the decision of Controller regarding	Section 21(b)	--	Within 3 months from the date of decision of the Controller.
09.	Substitution of applicants before registration.	Section 8(1)	--	During the period before registration

Sl. No.		Section/Rules	Form	Prescribed time
10.	Filing of original documents where the corresponding document already sent by e-mail/Telefax.	Rule 3(1)		Within 15 days from date of Telefax/e-mail.
11.	Request for alteration of name, address and address for service in the register of Designs.	Rule 31	Form 22	No time has been prescribed.
12.	<i>Petition for enlargement of time</i> as prescribed under the Rules.	Rule 47		

No time limit has been prescribed for the following procedures :

- (1) Application for inspection of Registered Design / Register of Designs
- (2) Application for certified copy of any document required for legal purpose.
- (3) Request for information after conduct of search.

**Member Countries of World Trade Organisation
As on 31st December 2009**

Albania	Costa Rica	Guatemala
Angola	Cote d'Ivoire	Guinea Bissau
Antigua and Barbuda	Croatia	Guinea
Argentina	Cuba	Guyana
Armenia	Cyprus	Haiti
Australia	Czech Republic	Honduras
Austria	Democratic Republic of Congo	Hong Kong, China
Bahrain	Denmark	Hungary
Bangladesh	Djibouti	Iceland
Barbados	Dominica	India
Belgium	Dominican Republic	Indonesia
Belize	Ecuador	Ireland
Benin	Egypt	Israel
Bolivia	El Salvador	Italy
Botswana	Estonia	Jamaica
Brazil	European Communities	Japan
Burndi Darusslam	Fiji	Jordan
Bulgaria	Finland	Keneya
Burkina Faso	Former Yugoslav Republic of Masidonia	Korea, Republic of
Burundi	France	Kuwait
Cambodia	Gabon	Kyrgyz Republic
Cameroon	The Gambia	Latvia
Canada	Georgia	Lesotho
Central African Republic	Germany	Liechtenstein
Chad	Ghana	Lithuania
Chile	Greece	Luxembourg
China	Grenada	Macao, China
Colombia		Madagaskar
Congo		Malawi

Malaysia	Papua New	South Africa
Maldives	Guinea	Spain
Mali	Paraguay	Srilanka
Malta	Peru	Surinam
Mauritania	Philippines	Swaziland
Mauritius	Poland	Sweden
Mexico	Portugal	Switzweland
Maldova	Qatar	Chinese Taipei (Taiwan)
Mongolia	Romania	Tanzania
Morocco	Rwanda	Thailand
Mozambique	Saint Kitts and	Togo
Myanmar	Nevis	Trinidad and Tobaggo
Namibia	Saint Lucia	Tunisia
Nepal	Saint Vincent &	Turkey
Netherlands	the	Uganda
New Zealand	Grenadines	United Arab Emirates
Nicaragua	Saudi Arabia	United kingdom
Niger	Senegal	United States of
Nigeria	Seirra Leone	America
Norway	Singapore	Uruguay
Oman	Slovak Republic	Vinezuela
Pakistan	Slovenia	Vietnam
Panama	Solomon Islands	Zambia
		Zimbabwe

(Total : 150 Countries are members)

Countries party to the Paris Convention

Albenia	China	Guatemala
Algeria	Colombia	Guinea Bissau
Andorra	Comoros	Guinea
Antigua and Barbuda	Congo	Guyana
Argentina	Costarica	Haiti
Armenia	Cot d'Ivoire	Holy See
Austria	Croatia	Honduras
Australia	Cuba	Hungary
Azerbaijan	Cyprus	Iceland
Bahamas	Czech Republic	India
Behrain	Domestic People's	Iran (Islamic Repub-
Bangladesh	Republic of Korea	lic of)
Barbados	Democratic Republic of	Iraq
Belarus	the Congo	Ireland
Belgium	Denmark	Israel
Belize	Djibouti	Italy
Benin	Dominica	Jamaica
Bhutan	Dominican Republic	Japan
Bolivia	Ecuador	Jordan
Bosnia and Herzegovina	Egypt	Kazakhstan
Botswana	El Salvador	Keneya
Brazil	Estonia	Kyrgyzstan
Bulgaria	Finland	Lao People's
Burkina Faso	France	Democratic Republic
Burundi	Gabon	Latvia
Combodia	Gambia	Lebanon
Cameroon	Georgia	Lesotho
Canada	Germany	Lyberia
Central African Republic	Ghana	Libyan Arab
Chad	Greece	Jamahiriya
Chile	Grenada	Liechtenstein

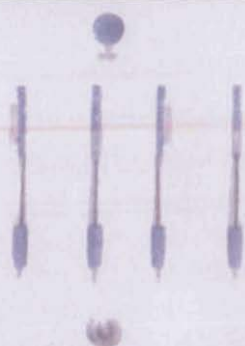
The Patent Office (Design Wing)

Lithuania	Pippines	Surinam
Luxembourg	Poland	Swaziland
Madagaskar	Portugal	Sweden
Malawai	Qatar	Switzerland
Malaysia	Republic of	Congo
Mali	Korea	Syrian Arab Republic
Malta	Romania	Tajikistan
Mauritania	Russian	The former Yugoslav
Mauritius	Federation	Republic of Macedonia
Mexico	Rwanda	Togo
Maldova	Saint Kitts and	Tonga
Monaco	Nevis	Trinidad and Tobago
Mongolia	Saint Lucia	Tunisia
Montenegro	Saint Vincent &	Turkey
Morocco	the Grenadines	Turkmenistan
Mozambique	San Marino	Uganda
Namibia	Sao Tome and	Ukraine
Nepal	principe	United Arab Emirates
Netherlands	Saudi Arabia	United Kingdom
New Zealand	Senegal	United Republic of
Nicaragua	Serbia	Tanzania
Niger	Seychelles	United States of
Nigeria	Sierra Leone	America
Norway	Singapore	Uruguay
Oman	Slovakia	Uzbekistan
Pakistan	Slovenia	Venezuela
Panama	South Africa	Vietnam
Papua New Guinea	Spain	Yemen
Paraguay	Sri Lanka	Zambia
Peru	Sudan	Zimbabwe

(Total : 171 Countries)



Carpet . Regn. No.199392



Pen . Regn. No.198790



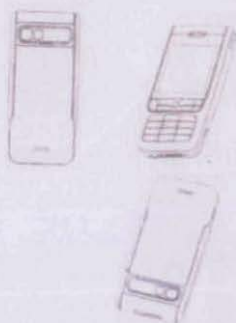
Motor Cycle . Regn. No.198588



Tooth Brush . Regn. No. 191353



Storage Box . Regn. No. 203597



Mobile . Regn. No. 199275

The Patent Office (Design Wing)

FEES

S. No.	On What payable	Form No.	Fee
1.	On application for registration of Design under Section 5 and 44	1	1000.00
2.	On claim under Section 8(1) to proceed as an applicant or joint applicant	2	500.00
3.	On application for extension of copyright under Section 11(2)	3	2000.00
4.	On Application for Restoration of lapsed design under Section 12(2)	4	1000.00
5.	Additional fee for Restoration	-	1000.00
6.	Inspection of Registered design under Section 17(1)	5	500.00
7.	On request for information of design when registration no. given	6	500.00
8.	On request for information design when registration no. not given	7	1000.00
9.	On application for cancellation of design under Section 19	8	1500.00
10.	Notice of intended exhibition or publication of an unregistered design under Section 21	9	500.00
11.	Application for registration of a document in Register of Designs under Section 30 (3)	10	
	In respect of one Design		500.00
	For each additional Design		200.00
12.	One application for entry of name of proprietor or part in Register of Designs under Section 30	11	
	In respect of one Design		500.00
	For each additional Design		200.00
13.	On application for entry of mortgage or licence in Register of designs under Section 30	12	
	In respect of one Design		500.00
	For each additional Design		200.00
14.	Application for entry of notification of a document in the Register of designs under Section 30 and Rules 37 respect of one Design	13	
	For each additional Design		500.00
			200.00
15.	On request for correction of clerical error under Section 29.	14	500.00
16.	On request for certificate under Section 26 and Rule 41	15	500.00
17.	On application for certified copy of Registered design Under Section 17(2)	16	500.00
18.	On application for rectification of Register of design Under Section 31.	17	500.00

The Patent Office (Design Wing)

19. On application for extension of time for filing priority Document under Rule 15.	18	200.00 per month
20. On Notice of opposition under Rule 40.	19	100.00
21. Notice of intention to attend hearing under Rule 29 & 40	20	500.00
22. Form for authorization of agent or other person	21	
23. On request to alter name or address or address for Service in the Register of design under Rule 31.	22	200.00
24. On request for entries of two address in the Register of Design.	23	200.00
25. On petition under Rule 46 for amendment of any document.	-	500.00
26. On petition under Rule 47 for enlargement of time	-	500.0
27. Inspection of Register of Design under Rule 38 (in respect of each Design)-		250.00

LIST OF CLASSES (LOCARNO CLASSIFICATION)

- Class 1 FOODSTUFFS
- Class 2 ARTICLES OF CLOTHING AND HABERDASHERY
- Class 3 TRAVEL GOODS, CASES, PARASOLS AND
PERSONAL BELONGINGS, NOT ELSEWHERE
SPECIFIED
- Class 4 BRUSH WARE
- Class 5 TEXTILE PIECEGOODS, ARTIFICIAL AND NATURAL
SHEET MATERIAL
- Class 6 FURNISHING
- Class 7 HOUSEHOLD GOODS, NOT ELSEWHERE SPECIFIED
- Class 8 TOOLS & HARDWARE
- Class 9 PACKAGES AND CONTAINERS FOR THE
TRANSPORT OR HANDLING OF GOODS
- Class 10 CLOCKS AND WATCHES AND OTHER MEASURING
INSTRUMENTS, CHECKING AND SIGNALLING
INSTRUMENTS
- Class 11 ARTICLES OF ADORNMENT
- Class 12 MEANS OF TRANSPORT OR HOISTING
- Class 13 EQUIPMENT FOR PRODUCTION, DISTRIBUTION OR
TRANSFORMATION OF ELECTRICITY
- Class 14 RECORDING, COMMUNICATION OR INFORMATION
RETRIEVAL EQUIPMENT
- Class 15 MACHINES, NOT ELSEWHERE SPECIFIED
- Class 16 PHOTOGRAPHIC, CINEMATOGRAPHIC AND
OPTICAL APPARATUS
- Class 17 MUSICAL INSTRUMENTS

- Class 18 PRINTING AND OFFICE MACHINERY
- Class 19 STATIONERY AND OFFICE EQUIPMENT, ARTISTS' AND TEACHING MATERIALS
- Class 20 SALES AND ADVERTISING EQUIPMENT. SIGNS
- Class 21 GAMES, TOYS. TENTS AND SPORTS GOODS
- Class 22 ARMS, PYROTECHNIC ARTICLES. ARTICLES FOR HUNTING. FISHING AND PEST KILLING
- Class 23 FLUID DISTRIBUTION EQUIPMENTS, SANITARY. HEATING. VENTILATION AND AIR-CONDITIONING EQUIPMENT. SOLID FUEL
- Class 24 MEDICAL AND LABORATORY EQUIPMENTS
- Class 25 BUILDING UNITS AND CONSTRUCTION ELEMENTS
- Class 26 LIGHTING APPARATUS
- Class 27 TOBACCO AND SMOKERS' SUPPLIERS
- Class 28 PHARMACEUTICAL AND COSMETIC PRODUCTS, TOILET AND APPARATUS
- Class 29 DEVICES AND EQUIPMENT AGAINST FIRE HAZARDS. FOR ACCIDENT PREVENTION AND FOR RESCUE
- Class 30 ARTICLES FOR THE CARE AND HANDLING OF ANIMALS
- Class 31 MACHINES AND APPLIANCES FOR PREPARING FOOD OR DRINK NOT ELSEWHERE SPECIFIED
- Class 99 MISCELLANEOUS

FORM 1
FEES RS. 1,000/-

Application for Registration of
Designs, Sections 5 and 44

- 1) Insert number of class
- 2) Insert (in full) the name address and nationality.
- 3) State whether drawings, tracings or photographs. Specimens.
- 4) Insert name of article or articles to which the design is to be applied or state trade description of each of the articles contained in the set.
- 5) Strike out these words if previous registration has been effected.
- 6) Unless an address for Service in India in given, the request may not be considered
- 7) To be signed by the applicant or by authorised agent.

You are requested to register the accompanying in
Class No. in the name of

.....
.....
..... who claim(s) to be the proprietor(s) thereof.
Four exactly similar³ of the design
accompany this request.

The design is to be applied to⁴
.....
.....

The design⁵ has been previously registered in
Class(es) Under No.
Details of first application in UK or convention coun-
try or grcup of countries or inter-governmental
organisation.

- (i) Name of Country
- (ii) Official date.
- (iii) Official number

Address for service⁷ in India is -
.....
.....

Declaration :

The applicant claims to be the proprietors of the
design and that to the best of his knowledge and belief
design is new or original.

Dated this day of 20

(Signed)⁷

TO
THE CONTROLLER OF DESIGNS,
THE PATENT OFFICE, KOLKATA

FORM 3
FEES RS. 2,000/-

DESIGNS ACT, 2000
APPLICATION TO EXTEND
COPYRIGHT

Section II

Insert number of design.

You are requested by the undersigned who is/are the registered proprietor(s) of the Design No.³..... registered in Class² to extend the period of copyright for a period of five years.

Insert Class

Address for service in India is :-

.....
.....
.....

To be signed by the
applicant or
authorised agent

Dated this day of..... 20

Signed³

TO
THE CONTROLLER OF DESIGNS,
THE PATENT OFFICE, KOLKATA

Note

Note

Note

The Designs Rules, 2001 as amended in 2008 contents following main features :-

- Notification in the patent office journal in place of the official gazette.
- Time line of the Cancellation Procedure is reduced
- Provision of receiveing electronic mail or fax as document
- Introduction of fifth schedule for certificate of registration of design
- The statutory time limit for acceptance of design has been increased to maximum three months beyond six months through filling From 18
- Provision of electronic filling and payment through electronic means.
- Representation can be filed in computer graphics.
- Provision of digital siignature is introduced.
- Revised classification of goods in Third Schedule has been introduced in accordance to recent version of Locarno Classification (7th Edition)

WIPO publication entitled as Looking Good : An Introduction to Industrial Design for Small and Medium-sized Enterprises can be refered for information on Industrial Design, which can be seen from the WIPO link.http://www.wipo.int/freepublications/en/sme/498/wipo_pub_498.paf



INTELLECTUAL
PROPERTY INDIA

PATENTS DESIGNS TRADEMARKS
GEOGRAPHICAL INDICATIONS

For Further Information Please Contact :

The Patent Office

Intellectual Property Office

CP-2, Sector-V, Salt Lake, Kolkata - 700 091,

Phone : (033) 2367-1943, 2367-1944, 2367-2367-1945 (D)

Fax : (033) 2367-1988

E-mail : kolkata-patent@nic.in

Website: www.ipindia.nic.in