



THE DESIGNS REGULATIONS 1954

C. W. M. NORRIE, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 15th day of December 1954

Present:

His Excellency the Governor-General in Council

Pursuant to the Designs Act 1953, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

PART I—PRELIMINARY

Title, Commencement, and Arrangement

1.—

- (1) These regulations may be cited as the Designs Regulations 1954.
- (2) These regulations shall come into force immediately after the commencement of the Designs Act 1953.
- (3) These regulations are arranged as follows:

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Interpretation

2. In these regulations, unless the context otherwise requires,—

“The Act” means the Designs Act 1953:

“Agent” means an agent duly authorized to the satisfaction of the Commissioner:

“Commonwealth country” means a country that is a member of the British Commonwealth of Nations; and includes every territory for whose international relations the Government of that country is responsible:

“Convention application” means an application in New Zealand under section 21 of the Act:

“Lodged” means given, made, or filed, or sent through the post by a prepaid letter addressed to the Commissioner at the Patent Office:

“Register” means the register of designs kept under section 25 of the Act:

“Specimen” means an article with the design applied to it:

“Textile article” means textile piece goods, handkerchiefs, and shawls; and includes such other classes of articles of a similar character as the Commissioner may from time to time decide:

A reference to a numbered form is a reference to the designs form so numbered in the Second Schedule to these regulations.

PART II—FEES

Fees Payable According to First Schedule

3. The fees to be paid in respect of the registration of designs and applications therefor and in respect of other matters relating to designs arising under the Act shall be those prescribed in the First Schedule hereto.

Time of Payment

4. Fees and charges payable to the Patent Office shall be paid at the time of making an application or request or upon giving notice or filing any instrument in respect of which a fee or charge is payable under these regulations.

Form of Payment

5. All fees shall be paid in cash at the Patent Office. The Commissioner may, however, accept payments made in any other form, but in such case he may delay or cancel the credit until collection is made.

Payments by Post

6. Money sent by mail to the Patent Office shall be at the risk of the sender.

Payments from Beyond New Zealand

7. Remittances from beyond New Zealand shall be payable and immediately negotiable in New Zealand for the full amount of the prescribed fee.

Notice of Fees Due

8. The Commissioner may give notice of any fee due or becoming due, but no liability shall be incurred by him if he fails to do so, or if for any reason the notice, if given, is incorrect in any particular or fails to reach the person for whom it is intended.

PART III—FORMS AND DOCUMENTS

Forms Prescribed in Second Schedule

9. The forms set out in the Second Schedule hereto shall be used in all cases to which they are applicable, and may be modified as directed by the Commissioner.

Size, etc., of Documents

10. Subject to any directions that may be given by the Commissioner in any particular case, all applications, notices, papers having representations affixed, and other documents lodged under the Act or these regulations shall be upon strong paper, and, except where otherwise required, on one side only, of a size approximately 13 in. by 8 in., and having on the left hand part thereof a margin of approximately 2 in.

Signature of Documents by Firms and Bodies Corporate

11.—

(1) A document lodged by a firm shall contain the names of the partners in full and shall be signed by all the partners or by any partner stating that he signs on behalf of the partnership or by any other person who satisfies the Commissioner that he is authorized to sign the document.

(2) A document lodged by a body corporate shall be signed by a director or by the secretary of the body corporate or by any other person who satisfies the Commissioner that he is authorized to sign the document.

PART IV—AGENCY AND CORRESPONDENCE

Agents May Act for Applicants

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

Authorization of Agent

13. Any such applicant, registered proprietor, or other person may appoint an agent to represent him in any proceeding or matter by signing and lodging with the Commissioner an authority in writing to that effect in form 1, or in such other form as the Commissioner may deem sufficient.

Service Upon Agent

14. In case of any such appointment, service upon the agent of any document relating to the proceeding or matter shall be deemed to be service upon the person so appointing him, and all communications directed to be made to that person in respect of the proceeding or matter may be addressed to the agent and all attendances upon the Commissioner relating thereto may be made by or through the agent.

Refusal to Recognize Agent

15. The Commissioner shall refuse to recognize as agent in respect of any proceedings under the Act a person who neither resides nor carries on business in New Zealand.

Addressing of Correspondence

16. All letters and other communications intended for the Patent Office and relating to matters arising under the Act shall be addressed to the Commissioner of Designs, Patent Office, Wellington C. 1.

Personal Signature May be Required

17. In any particular case the Commissioner may, if he thinks fit, require the personal signature or presence of an applicant or other person.

Address for Service

18.—

(1) Every applicant in any proceedings to which these regulations relate, and every person registered as proprietor of, or as having an interest in, a registered design, shall furnish to the Commissioner, in addition to his full residential or business address, an address for service in New Zealand.

(2) The address for service may be treated, for all purposes connected with the proceedings or design, as the actual address of the applicant or person and shall, in the case of a registered proprietor, be entered on the register as the address for service of the proprietor.

(3) Any written communication addressed to an applicant in any proceedings, or to any person registered as proprietor of or as having an interest in a registered design, at his address for service shall be deemed to be properly addressed.

(4) Where an address for service has not been furnished to the Commissioner, the Commissioner may treat the residential or business address as the address for service, unless the residential or business address is out of New Zealand, in which case the Commissioner need not proceed with the examination of the application until an address for service in New Zealand has been furnished to him.

PART V—APPLICATIONS FOR REGISTRATION

Signature of Application

19. An application for registration of a design shall be signed by the applicant for registration or by his agent.

Appropriate Application Forms to be Used

20. An application for registration of a design shall be in form 2 or form 3, or in the case of a design to be applied to a set of articles in form 4 or form 5, as the case may be.

Death of Applicant

21. In case of the death of any applicant for the registration of a design after the date of his application and before registration of the design has been effected, the Commissioner may, on being satisfied of the applicant's death, enter in the register, in place of the name, address, and nationality of the deceased

applicant, the name, address, and nationality of the person owning the design on that ownership being proved to the satisfaction of the Commissioner.

*Separate Applications for Same Design
for More Than One Article*

22. Where it is desired to register the same design in respect of more than one article, a separate application shall be made in respect of each article. In that case each application shall be numbered separately, and shall be treated as a separate and distinct application.

Name of Article and Novel Features of Design to be Stated

23.

(1) Every application shall state the article to which the design is to be applied, and that the applicant claims to be the proprietor thereof.

(2) Except in the case of an application to register a design to be applied to a textile article, to wallpaper, or to lace, the application shall further be accompanied by a statement of the features of the design for which novelty is claimed.

(3) The applicant shall, if required by the Commissioner in any case so to do, endorse on each of the representations or specimens a statement satisfactory to the Commissioner of the novelty claimed for the design.

Applications Under Section 8

24. If the application is for the registration of a design which has already been registered in respect of one or more articles, or consists of a registered design with modifications or variations not sufficient to alter the character or substantially to affect the identity thereof, and it is desired to claim the protection of section 8 of the Act for the application, it shall contain the number or numbers of the registration or registrations already effected.

PART VI—REPRESENTATIONS

Representation of Design to be Furnished

25. There shall be furnished in connection with an application for the registration of a design four identical representations of the design, in a form satisfactory to the Commissioner, or four specimens. Where representations are supplied, the Commissioner may at any time before registration require specimens or additional representations.

Sets of Articles

26.

(1) There shall be furnished in connection with an application for the registration of a design to be applied to a set of articles four identical representations of the design in a form satisfactory to the Commissioner, or four specimens.

(2) The representations shall show the design as applied to each different article included in the set.

Preparation

27.

(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 size prescribed by regulation 10 hereof and not on cardboard, and shall appear on one side only of the paper. The figure or figures shall be placed in an upright position on the sheet. When more figures than one are shown, these shall, where possible, be on one and the same sheet, and each shall be designated perspective view, front view, side view, plan, or otherwise, as the case may be.

(2) When the representations furnished are drawings or tracings, they shall be in ink and, if on tracing cloth or tracing paper, shall be mounted on paper of the size prescribed by regulation 10 hereof.

(3) Notwithstanding the foregoing provisions of this regulation, the Commissioner may accept photographic representations of the design in such form as he may think fit.

Specimens

28. When specimens are furnished and are not, in the Commissioner's opinion, of a kind which can be conveniently mounted in a flat position by means of an adhesive upon paper or by stitching on linen-backed sheets of paper of the size prescribed by regulation 10 hereof and stored without damage to other documents, representations shall be furnished in place of specimens.

Words, Letters, or Numerals

29. Where words, letters, or numerals appear in the design but are not of the essence of the design, they shall be removed from the representations or specimens. Where they are of the essence of the design, the Commissioner may require the insertion of a disclaimer of any right to their exclusive use.

Repeating Surface Patterns

30. 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 7 in. by 5 in.

Portraits, Insignia, etc.

31. Where a portrait of Her Majesty or of any member of the Royal Family, or a reproduction of the armorial bearings, insignia, orders of chivalry, decorations, or flags of any country, city, borough, town, place, society, body corporate, institution, or person, appears on a design, the Commissioner, before proceeding to register the design, shall, if he so requires, be furnished with a consent to the registration and use of the portrait or reproduction from such official or other person as appears to the Commissioner to be entitled to give consent, and in default of such consent he may refuse to register the design.

Name or Portrait of Living Person

32. Where the name or portrait of a living person appears on a design, the Commissioner shall be furnished, if he so requires, with consent from the person before proceeding to register the design. In the case of a person recently dead, the Commissioner may call for consent from his legal representative before proceeding with the registration of a design on which the name or portrait of the deceased person appears.

Excluded Designs

33. There shall be excluded from registration under the Act designs to be applied to any of the following articles, namely:

- (a) Works of sculpture other than casts or models used or intended to be used as models or patterns to be multiplied by any industrial process:
- (b) Wall plaques and medals:
- (c) Printed matter primarily of a literary or artistic character including bookjackets, calendars, certificates, coupons, dressmaking patterns, greetings cards, leaflets, maps, plans, postcards, stamps, trade advertisements, trade forms, and cards, transfers, and the like.

PART VII—CONVENTION APPLICATIONS

Requirements

34.—

(1) An application for registration under section 21 of the Act shall contain a declaration that the application in a convention country upon which the applicant relies is the first application made in a convention country in respect of the design, whether by the applicant or by any person of whom he claims to be the legal representative or assignee, and shall specify the convention country in which the foreign application was made, or is deemed under section 21 (4) of the Act to have been made, and the official date thereof.

(2) In addition to the representations or specimens lodged with every convention application there shall be lodged with the application, or within three months thereafter, a copy of the representation of the design filed or deposited in respect of the first application in a convention country, duly certified by the official chief or head of the Designs Office of the convention country, or otherwise verified to the satisfaction of the Commissioner.

(3) If any certificate or other document relating to the application is in a foreign language, a translation thereof shall be annexed thereto and verified by statutory declaration or otherwise to the satisfaction of the Commissioner.

Procedure

35. Save as provided by regulation 34 hereof, all proceedings in connection with a convention application shall be taken within the times and in the manner prescribed by these regulations.

PART VIII—PROCEDURE ON RECEIPT OF APPLICATION

Objection by Commissioner

36. If upon consideration of the application it appears to the Commissioner that the design is not registerable under the Act, he shall state his objections to the applicant in writing, and unless within one month thereafter the applicant applies for a hearing, the applicant shall be deemed to have withdrawn his application.

Hearing

37. If the applicant applies for a hearing, the decision of the Commissioner at the hearing shall be communicated to the applicant in writing.

Appeal

38. If the applicant desires to appeal from the Commissioner's decision, he shall, within one month from the date of the decision, apply to the Commissioner in form 6 requesting him to state in writing the grounds of, and the materials used by him in arriving at, his decision. Upon receipt of any such application, the Commissioner shall send to the applicant such statement as aforesaid in writing, and the date when the statement is sent shall be deemed to be the date of the Commissioner's decision for the purpose of an appeal.

Non-completion

39. The time prescribed for the purposes of section 7 (4) of the Act, which relates to non-completion of an application, shall be twelve months from the date of the application:

Provided that the application may be completed at any time after twelve months but within fifteen months of the date aforesaid if a request for an extension of time is made in form 7.

Registration

40. The certificate of registration of a design shall be in form 8, form 9, form 10, or form 11, whichever is applicable, and may be modified as directed by the Commissioner.

PART IX—EXTENSION OF PERIOD OF COPYRIGHT

Second Period

41. An application for extension of the period of copyright for a second period of five years shall be made in form 12.

Third Period

42. An application for extension of the period of copyright for a third period of five years shall be made in form 13.

Designs Registered Under Section 8

43.—

(1) An application for extension of the period of copyright in a design registered by virtue of section 8 of the Act shall be made before the expiration of the period of copyright in the original registered design current at the date of lodging the application under section 8 of the Act.

(2) Where an application is made for registration of a design by virtue of section 8 of the Act, and the period of copyright in the original registered design current at the date of lodging the said application expires before the completion of that application, registration shall not be effected until the copyright in the original registered design has been extended for a further period and an application has been lodged for the extension of the period of copyright in the design to be registered.

Extension of Time for Payment

44. A request for an extension of time for payment of any fee payable for an extension of the period of copyright shall be made in form 14.

PART X—ASSIGNMENTS, ETC.

Registration

45.—

(1) An application for the registration of the title of any person becoming entitled by assignment, transmission, or operation of law to a registered design or to a share in a registered design, or becoming entitled as mortgagee, licensee, or otherwise to any interest in a registered design, shall be made,—

- (a) In the case of an application under section 27 (1) of the Act, by the person becoming so entitled in form 15:
- (b) In the case of an application under section 27 (2) of the Act, by the assignor, licensor, or other party conferring the interest in form 16.

(2) Application may be made in form 17 for entry in the register of notification of any other document purporting to affect the proprietorship of a registered design.

Copies of Documents

46.—

(1) An official or certified copy of any instrument or other document which is referred to in an application under regulation 45 hereof and is a matter of record in New Zealand shall be produced to the Commissioner with the application.

(2) Any other document so referred to shall, unless the Commissioner otherwise directs, be produced to him with the application, and a certified copy of any such document shall be filed.

Particulars Required of Person Claiming

47. An application under regulation 45 (1) hereof shall contain the name, address, and nationality of the person claiming or stated to be entitled, together with full particulars of the instrument, if any, under which title is claimed or given.

Cessation of Interest

48. Where the name of a person is entered in the register as mortgagee or licensee, that person may, on making an application for the purpose in form 18, have a note entered in the register that he no longer claims to be mortgagee or licensee, as the case may be.

Alteration of Entries

49.—

(1) An application by the registered proprietor of a design for the alteration of a name, nationality, address, or address for service entered on the register in respect of his design shall be made in form 19 or form 20, as the case may be.

(2) Before acting on a request to alter a name or nationality the Commissioner may require such proof of the alteration as he thinks fit.

(3) If the Commissioner is satisfied that the request may be allowed, he shall cause the register to be altered accordingly.

Cancellation of Registration

50. Where the registered proprietor of a design desires to cancel his registration, he shall make the application in form 21.

Administration Dispensed With in Certain Cases

51. An application under section 41 of the Act for leave to dispense with the production of probate or letters of administration shall be made in form 22, and shall be supported by such evidence as may be required by the Commissioner.

PART XI—CORRECTION OF ERRORS

Application

52. A request under section 29 (3) of the Act for the correction of a mistake in the register, in any certificate of registration, or application for the registration of a design, or any document filed in pursuance of such an application, or in proceedings in connection with any design, shall be made in form 23.

Advertisement

53. Where the Commissioner requires notice of the nature of the proposed correction to be advertised, the advertisement shall be made by publication of the request and the nature of the proposed correction in the Journal, and in such other manner (if any) as the Commissioner may direct.

Opposition

54.—

(1) Any person may, at any time within one month from the date of the advertisement in the Journal, give notice to the Commissioner of opposition to the proposed correction in form 24.

(2) Every such notice shall be accompanied by a copy thereof and a statement (in duplicate) setting out fully the nature of the opponent's interest, the facts on which he relies, and the relief which he seeks.

(3) A copy of the notice and of the statement shall be sent by the Commissioner to the person making the request, and the Commissioner may give such directions (if any) as he may think fit with regard to the subsequent procedure.

Hearing

55. Where in accordance with section 29 (4) of the Act a hearing is appointed, at least fourteen days' notice of the appointment shall be given to the parties and to any other person to whom notice of the proposed correction has been given by the Commissioner.

PART XII—CERTIFICATES AND INFORMATION

Certificate by Commissioner

56. Where a certificate is required for the purpose of obtaining registration of a design in a country outside New Zealand or of any legal proceeding or other special purpose, as to any entry, matter, or thing which the Commissioner is authorized by the Act or these regulations to make or do, the Commissioner may, on the lodging of a request in form 25, give the certificate, which shall also specify on the face of it the purpose for which it has been issued as aforesaid.

Further Certificate of Registration

57. An application under section 26 (2) of the Act for a further certificate of registration shall be made in form 26, and shall be accompanied by evidence setting out in full and verifying the circumstances in which the original certificate of registration was lost or destroyed or cannot be produced.

Request for Information

58.—

(1) Where any person desires to obtain the information which he is entitled to obtain under section 31 of the Act and can furnish the registration number of the design, he shall apply in form 27, and the Commissioner shall thereafter furnish him with the information aforesaid.

(2) Where the applicant is unable to furnish the registration number of a design, he shall apply in form 28 and furnish to the Commissioner a representation or specimen (in duplicate) of the design applied to an article, and the Commissioner shall thereupon make such search among designs applied to the articles as may be possible, and shall furnish such information as can properly be given.

Request for Search

59. The Commissioner shall, upon application for the purpose in form 29, accompanied by a representation or specimen (in duplicate) of a design applied to an article, cause a search to be made among registered designs and state whether the design as applied to that article appears to be identical with, or closely to resemble, any registered design applied to that article of which the copyright is still existing.

Designs Not Open to Public Inspection

60.—

(1) Where the Commissioner has given a direction under section 9 (1) of the Act prohibiting or restricting the publication of a design, the representation or specimen of the design shall not be open to public inspection while the direction remains in force.

(2) The period under section 30 (2) of the Act during which a design shall not be open to inspection, except as provided in that section, shall be, as regards designs to be applied to textile articles, three years, and as regards designs to be applied to wallpaper and lace, two years, from the date of the registration thereof.

PART XIII—COMPULSORY LICENCE

Application

61. An application for the grant of a compulsory licence under section 14 of the Act shall be made in form 30. The application shall be accompanied by a copy thereof and a statement in duplicate setting out fully the nature of the applicant's interest and the facts upon which he bases his case. Copies of the application and of the statement of case shall be transmitted by the Commissioner to the registered proprietor.

Opposition

62. If the registered proprietor desires to oppose the application, he shall, within such time as the Commissioner may allow, lodge a statement fully setting out the grounds on which the application is to be opposed and shall deliver to the applicant a copy thereof.

Evidence in Support of Application

63. The applicant shall, within such time as the Commissioner may allow, lodge evidence in support of his case and shall deliver to the registered proprietor a copy thereof.

Evidence in Answer

64. Within such time as the Commissioner may allow, the proprietor may lodge evidence in answer and shall deliver to the applicant a copy thereof; and within such time as the Commissioner may allow, the applicant may lodge evidence confined to matters strictly in reply and shall deliver to the proprietor a copy thereof.

Evidence Closed

65. No further evidence shall be lodged by either party except by leave or on direction of the Commissioner.

Hearing

66.—

(1) On completion of the evidence, or at such other time as he may see fit, the Commissioner shall appoint a time for the hearing of the case, and shall give the parties at least ten days' notice of the appointment.

(2) If either party desires to be heard, he shall give notice to the Commissioner in form 31, and the Commissioner may refuse to hear either party who has not lodged the form prior to the date of the hearing.

Costs

67. In the event of an application for the grant of a compulsory licence being uncontested by the proprietor, the Commissioner, in deciding whether costs should be awarded to the applicant, shall consider whether proceedings might have been avoided if reasonable notice had been given by the applicant to the registered proprietor before the application was filed.

PART XIV—CANCELLATION OF REGISTRATION

Application

68. An application for tile cancellation of the registration of a design under section 15 (2) of the Act shall be made in form 32, and shall be accompanied by a copy thereof and a statement in duplicate setting out fully the nature of the applicant's interest and the facts on which he relies.

Procedure

69. A copy of the application shall be sent by the Commissioner to the registered proprietor, and thereupon the provisions of regulations 62 to 66 hereof shall apply.

Costs

70. In the event of an application for the cancellation of the registration of a design being uncontested by the proprietor, the Commissioner, in deciding whether costs should be awarded to the applicant, shall consider whether proceedings might have been avoided if reasonable notice had been given by the applicant to the registered proprietor before the application was filed.

PART XV—EVIDENCE BEFORE COMMISSIONER

Form of Evidence

71. Where under these regulations evidence is required to be filed, it shall be by statutory declaration or affidavit, unless otherwise expressly provided in these regulations.

Preparation of Declarations, etc.

72.—

(1) The statutory declarations and affidavits required by these regulations, or used in any proceedings thereunder, shall be headed in the matter or matters to which they relate, and shall be divided into paragraphs consecutively numbered, and each paragraph shall, so far as possible, be confined to one subject.

(2) Every statutory declaration or affidavit shall state the description and true place of abode of the person making the same, and shall be written, typed, lithographed, or printed.

Making of Declaration, etc.

73.—

(1) For the purposes of these regulations, statutory declarations and affidavits shall be made and subscribed as follows:

- (a) If made in New Zealand in the manner prescribed by the Justices of the Peace Act 1927 or by the Evidence Act 1908, as the case may be;
- (b) If made in any other part of the Commonwealth or in the Republic of Ireland, before any Court, Judge, Commissioner of Oaths, Justice of the Peace, or any person authorized by law to administer an oath there for the purpose of a legal proceeding, or before any Commonwealth representative; and

(c) If made elsewhere, before a Commonwealth representative or a Notary Public, or before a Judge or Magistrate.

(2) For the purposes of this regulation the expression “Commonwealth representative” means any Ambassador, High Commissioner, Minister, Chargé d’ Affaires, Consular Officer, Trade Commissioner, or Tourist Commissioner of a Commonwealth country (including New Zealand) ; and includes any person lawfully acting for any such officer ; and also includes any diplomatic secretary on the staff of any such Ambassador, High Commissioner, Minister, or Chargé d’ Affaires.

Recognition of Signatures on Documents

74. Any document purporting to have affixed, impressed, or subscribed thereto or thereon the seal or signature of any person authorized by regulation 73 hereof to take a declaration or affidavit, in testimony that the declaration or affidavit was made and subscribed before him, may be admitted by the Commissioner without proof of the genuineness of the seal or signature or of the official character of the person or his authority to take the declaration or affidavit.

Further Evidence

75. At any stage of any proceedings before the Commissioner he may direct that such documents, information, or evidence as he may require shall be furnished within such period as he may fix.

PART XVI—APPLICATIONS TO AND ORDERS OF COURT

Service of Copy of Application on Commissioner

76. Where an application to the Court under section 28 of the Act for rectification of the register has been made, the applicant shall forthwith serve an office copy of the application on the Commissioner, who shall enter a notice of the application in the register.

Action Consequent Upon Court Order

77. Where an order has been made by the Court in any case under the Act, the person in whose favour the order has been made shall forthwith lodge an application in form 33 accompanied by a sealed duplicate of the order or a certified copy of the order, and thereupon the register shall, if necessary, be rectified by the making of any entry therein or the variation or deletion of any entry therein.

PART XVII—MISCELLANEOUS PROVISIONS

Designs Excluded from the Application of the Copyright Act 1913

78. For the purposes of section 30 of the Copyright Act 1913, a design shall be deemed to be used as a model or pattern to be multiplied by any industrial process within the meaning of that section—

- (a) When the design is reproduced or is intended to be reproduced on more than fifty single articles, unless all the articles in which the design is reproduced or is intended to be reproduced together form only a single set of articles as defined in section 2 (1) of the Act; or
- (b) When the design is to be applied to—
 - (i) Printed paper hangings;
 - (ii) Carpets, floor cloths or oil cloths, manufactured or sold in lengths or pieces;
 - (iii) Textile piece goods, or textile goods manufactured or sold in lengths or pieces; or

(iv) Lace, not made by hand.

Discretionary Power

79. Except as otherwise provided in these regulations, before exercising any discretionary power given to him by the Act or these regulations adversely to any applicant for registration of a design, the Commissioner shall give at least ten days' notice to the applicant of the time when he may be heard.

Power to Dispense With Evidence

80. Where under these regulations any person is required to do any act or thing, or any document or evidence is required to be produced or filed, the Commissioner may, upon the production of such evidence and subject to such terms and conditions as he thinks fit, modify or dispense with the doing of the act or thing or the production or filing of the document or evidence if he is satisfied that it is reasonable so to do.

Amendments

81. If the Commissioner thinks fit, any document or drawing or other representation of a design may be amended, and any irregularity in procedure may be rectified, on such terms as the Commissioner may direct, including the payment of a fee not exceeding £1.

Extension of Time

82. The times prescribed by these regulations for doing any act, or taking any proceeding thereunder, may be extended by the Commissioner if he thinks fit, and upon such notice to the parties and upon such terms as he may direct, and such extension may be granted though the time has expired for doing such act or taking such proceeding. An application for an extension of time under this regulation shall be made in form 34.

Destruction of Records

83.—

(1) Where under section 7 (4) of the Act an application for the registration of a design has been deemed to be abandoned for a continuous period of six years, the Commissioner may, at the expiration of that period, destroy the application and all or any of the records in respect of the said application, including the drawings, representations, and specimens (if any) accompanying or left in connection with the said application.

(2) Where under section 12 of the Act the copyright in a registered design has ceased to subsist for a continuous period of six years, the Commissioner may, at the expiration of that period, destroy the relevant application and all or any of the file records in respect of the said application except such drawings, representations, and specimens (if any) as may be required for search purposes.

PART XVIII—REVOCATIONS AND SAVINGS

Revocations and Savings

84.—

(1) The regulations specified in the Third Schedule hereto are hereby revoked.



(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the revocation of any provision by these regulations shall not affect any document made or any thing whatsoever done under the provision so revoked or under any corresponding former provision, and every such document or thing, so far as it is subsisting or in force at the time of the revocation and could have been made or done under these regulations, shall continue and have effect as if it had been made or done under the corresponding provision of these regulations and as if that provision had been in force when the document was made or the thing was done.

SCHEDULES

FIRST SCHEDULE

FEES

Item No.	Subject or Proceeding	Amount	Corresponding Form No.
		£ s. d.	
1	On application to register one design to be applied to a single article	2 0 0	2 or 3
2	On application to register one design to be applied to a set of articles not being textile articles	3 0 0	4 or 5
3	On application to Commissioner under regulation 38 hereof to state grounds of decision and materials used	1 0 0	6
4	On application for extension of copyright under 12 (2) of the Act for second period	2 0 0	12
5	On application for extension of copyright under 12 (2) of the Act for third period	2 0 0	12
6	On request to enter subsequent proprietorship, etc., under regulation 45 hereof: In respect of one design	1 10 0	15 or 16
	On each application covering more than one design, the devolution of title being the same as in the first design: For the first design	1 10 0	15 or 16
	For each additional design	0 5 0	..
7	On application for entry of notification of document in the register: In respect of one design	1 10 0	17
	On each application covering more than one design and referred to in the same document as the first design: For the first design	1 10 0	17
	For each additional design	0 5 0	..
8	On application of mortgagee, licensee, or other person for entry that he no longer claims such interest: In respect of one design	0 10 0	18
	For each additional design	0 5 0	..
9	On application to enter change of name or nationality of registered proprietor in the register: In respect of one design	0 10 0	19
	For each additional design	0 5 0	..
10	On application for alteration of address or address for service in the register: In respect of one design	0 10 0	20
	For each additional design	0 5 0	..
11	On application by proprietor for cancellation	0 10 0	21
12	On application under 41 of the Act for leave to dispense with administration	1 0 0	22
13	On application under 29 (3) of the Act to correct error	1 0 0	23
14	On giving notice of opposition to correction of error	1 0 0	24



Item No.	Subject or Proceeding	Amount	Corresponding Form No.
15	On application for certificate of Commissioner for use in obtaining registration outside New Zealand or for use in legal proceedings or other special purpose	0 10 0	25
16	On application for a further certificate of registration	1 0 0	26
17	On application for search under 31 of the Act when registration number is supplied	0 5 0	27
		£ s. d.	
18	On application for search under 31 of the Act when registration number is not supplied	0 10 0	28
19	On application for search under regulation 59	0 10 0	29
20	On application for compulsory licence under 14 of the Act	2 0 0	30
21	On notice that hearing of an application for cancellation or compulsory licence will be attended	1 0 0	31
22	On application for cancellation of registration under 15 (2) of the Act	2 0 0	32
23	On application for entry of order of Court in register	0 10 0	33
24	On all applications for extension of time not being extensions of the period of copyright in a design: For each month or part thereof	0 10 0	34
25	For typewritten or photographic copy of design or documents Reasonable cost fixed by Commissioner		
26	For certifying office copies, MSS., printed or photographic	0 10 0	..



**SECOND SCHEDULE
FORMS**

Form Designs No. 1

The Designs Act 1953

AUTHORIZATION OF AGENT

I (*or WE*) have appointed [*Name of agent*], of [*Address of agent*], to act as my (or our) agent for [*State the particular purpose for which the agent is appointed*], and request that all notices, requisitions, and communications relating thereto may be sent to that agent at the above address. I (*or We*) revoke all previous authorizations, if any.

I (*or We*) hereby declare that I am (*or we are*) a [*State nationality*].

Signature:.....

Address:.....

Dated this day of 19....

To the Commissioner of Designs,

Patent Office,

Wellington C. 1.



Form Designs No. 2

The Designs Act 1953

APPLICATION FOR REGISTRATION OF DESIGN

APPLICATION is hereby made for registration of the accompanying design in the name of [*Insert (in full) the name, address, and nationality of the applicant or applicants*], who claim(s) to be the proprietor(s) thereof.

The design is to be applied to [*State the article to which the design is to be applied as shown in the representations*].

The design has been previously registered for one or more other articles under No. (Delete if inapplicable.)

The design consists of the design previously registered under No. with modifications or variations not sufficient to alter the character, or substantially to affect the identity thereof. (Delete if inapplicable.)

My (or Our) address for service in New Zealand is

Signature:

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.

N.B.—Four identical representations or specimens of the design should accompany this form, and, except in the case of an application in respect of wallpaper or lace or any textile article, it should further be accompanied by a statement of the features of the design for which novelty is claimed.



Form Designs No. 3

The Designs Act 1953

CONVENTION APPLICATION FOR REGISTRATION OF DESIGN

APPLICATION is hereby made for the registration of the accompanying design in the name of [*Insert (in full) the name, address, and nationality of the applicant or applicants*], who claim(s) to be the proprietor(s) thereof [*If the applicant is not the person who made the application in the convention country, the words "by virtue of", followed by particulars of the instrument under which he claims, should be inserted here*].

The design is to be applied to a [*State the article to which the design is to be applied as shown in the representations*].

The design has been previously registered for one or more other articles under No..... (*Delete if inapplicable.*)

The design consists of the design previously registered under No. with modifications or variations not sufficient to alter the character, or substantially to affect the identity thereof. (*Delete if inapplicable.*)

Application for protection of the design has been made in [*Insert the name of the convention country in which the first application was made*], on the following official date, namely, [*Insert the official date of the first application in a convention country*]. That application is the first application made in a convention country in respect of the design, whether by the applicant(s) or by any person of whom he (they) claim(s) to be the legal representative(s) or assignee(s), and I (we) request that the design may be registered as of the date [*Insert the official date of the first application in a convention country*].

My (or Our) address for service in New Zealand is

Signature:

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.

N.B.—Four identical representations or specimens of the design should accompany this form, and, except in the case of an application in respect of wallpaper or lace, it should further be accompanied by a statement of the features of the design for which novelty is claimed.



Form Designs No. 4

The Designs Act 1953

APPLICATION FOR REGISTRATION OF DESIGN TO BE APPLIED TO
A SET OF ARTICLES NOT BEING TEXTILE ARTICLES

APPLICATION is hereby made for registration of the accompanying design for a set of articles in the name of [Insert (in full) the name, address, and nationality of the applicant or applicants], who claim(s) to be the proprietor(s) thereof.

The design is to be applied to [State the set of articles, and also the trade description of each of the articles comprised in the set to which the design is to be applied as shown in the representations].

The design has been previously registered for one or more other articles under No. (Delete if inapplicable.)

The design consists of the design previously registered under No. with modifications or variations not sufficient to alter the character, or substantially to affect the identity thereof. (Delete if inapplicable.)

My (or Our) address for service in New Zealand is

Signature:

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.

N.B.—Four identical representations or SPECIMENS of the design should accompany this form, and, except in the case of an application in respect of wallpaper or lace, it should further be accompanied by a statement of the features of the design for which novelty is claimed.



Form Designs No. 5

The Designs Act 1953

CONVENTION APPLICATION FOR REGISTRATION OF DESIGN TO BE APPLIED TO A SET OF
ARTICLES NOT BEING TEXTILE ARTICLES

APPLICATION is hereby made for the registration of the accompanying design for a set of articles in the name of [*Insert (in full) the name, address, and nationality of the applicant or applicants*], who claim(s) to be the proprietor(s) thereof [*If the applicant is not the person who made the application in the convention country, the words "by virtue of", followed by particulars of the instrument under which he claims, should be inserted here*].

The design is to be applied to a [*State the set of articles, and also the trade description of each of the articles comprised in the set, to which the design is to be applied as shown in the representations*].

The design has been previously registered for one or more other articles under No. (*Delete if inapplicable.*)

The design consists of the design previously registered under No. with modifications or variations not sufficient to alter the character, or substantially to affect the identity thereof. (*Delete if inapplicable.*)

Application for protection of the design has been made in [*Insert the name of the convention country in which the first application was made*], on the following official date, namely, [*Insert the official date of the first application in a convention country*]. Such application is the first application made in a convention country in respect of the design, whether by the applicant(s) or by any person of whom he (they) claim(s) to be the legal representative(s) or assignee(s), and I (we) request that the design may be registered as of the date [*Insert the official date of the first application in a convention country*].

My (or Our) address for service in New Zealand is

Signature:

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.

N.B.—Four identical representations or specimens of the design should accompany this form, and, except in the case of an application in respect of wallpaper or lace, it should further be accompanied by a statement of the features of the design for which novelty is claimed.



Form Designs No. 6

The Designs Act 1953

APPLICATION UNDER REGULATION 38 FOR STATEMENT OF GROUNDS OF DECISION

Application for design No.

APPLICATION is hereby made under regulation 38 of the Designs Regulations 1954 for a statement in writing of the grounds of the decision dated the day of after the hearing on the day of and the materials used in arriving at that decision.

Signature and address:

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 7

The Designs Act 1953

REQUEST FOR EXTENSION OF TIME WITHIN WHICH AN APPLICATION FOR THE
REGISTRATION OF A DESIGN MAY BE COMPLETED

I (or WE) hereby apply for months' extension of time within which the application
No. for the registration of a design may be completed.

[Insert name and full address to which receipt is to be sent.]

To the Commissioner of Designs,
Patent Office,
Wellington, C. 1.



Form Designs No. 8

NEW ZEALAND

The Designs Act 1953

CERTIFICATE OF REGISTRATION OF DESIGN

Number of Registration

THIS is to certify that, in pursuance of and subject to the provisions of the Designs Act 1953, the design, of which a representation is annexed, has been registered in the name of as of the day of in respect of the application of the design to

.....
Commissioner of Designs.

Subject to the provisions of the Act and regulations, copyright in this design will subsist for five years from the above-mentioned date, and may be extended for two further periods, each of five years.

Patent Office,
Wellington C. 1.



Form Designs No. 9

NEW ZEALAND

The Designs Act 1953

CERTIFICATE OF REGISTRATION OF DESIGN

Number of Registration

THIS is to certify that, in pursuance of and subject to the provisions of the Designs Act 1953, the design, of which a representation is annexed, has been registered in the name of as of the day of in respect of the application of the design to

The period of copyright conferred by the registration of this design does not extend beyond the expiration of the original and any extended period of copyright in registered design No.

.....
Commissioner of Designs.

Patent Office,
Wellington C. 1.

N.B.—Copyright in this design will normally expire on the, but may, on application made in the prescribed manner, be extended for two further periods, each of five years, provided that the period of copyright in design No. be similarly extended.



Form Designs No. 10

NEW ZEALAND

The Designs Act 1953

CERTIFICATE OF REGISTRATION OF DESIGN

Number of Registration

THIS is to certify that, in pursuance of and subject to the provisions of the Designs Act 1953, the design, of which a representation is annexed, has been registered in the name of as of the day of (being the date on which application was made for protection of the design in a convention country, namely,) in respect of the application of the design to

.....
Commissioner of Designs.

Patent Office,
Wellington C. 1.



Form Designs No. 11

NEW ZEALAND

The Designs Act 1953

CERTIFICATE OF REGISTRATION OF DESIGN

Number of Registration

THIS is to certify that, in pursuance of and subject to the provisions of the Designs Act 1953, the design, of which a representation is annexed, has been registered in the name of as of the day of (being the date on which application was made for protection of the design in a convention country, namely,) in respect of the application of the design to

The period of copyright conferred by the registration of this design does not extend beyond the expiration of the original and any extended period of copyright in registered design No.

.....
Commissioner of Designs.

Patent Office,
Wellington C. 1.

N.B.—Copyright in this design will normally expire on the, but may, on application made in the prescribed manner, be extended for two further periods, each of five years, provided that the period of copyright in design No. be similarly extended.



Form Designs No. 12

The Designs Act 1953

APPLICATION FOR EXTENSION OF COPYRIGHT IN DESIGN
FOR A SECOND PERIOD OF FIVE YEARS

I (or WE) hereby apply for the extension of the period of copyright in design No. for a second period of five years.

[Insert name and full address to which certificate is to be sent.]

Signature:

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.

[This part of the form to be filled in at the Patent Office]

Certificate of Extension of Copyright in Design for the Second Period of Five Years

This is to certify that did this day of make application and pay the prescribed fee for the extension of copyright in the design No. and that the copyright is hereby extended for a second period of five years until the day of 19.....

.....
Commissioner of Designs.

Patent Office,
Wellington C. 1.



Form Designs No. 13

The Designs Act 1953

APPLICATION FOR EXTENSION OF COPYRIGHT IN DESIGN
FOR A THIRD PERIOD OF FIVE YEARS

I (or WE) hereby apply for the extension of the period of copyright in the design No. for a third period of five years.

[Insert name and full address to which certificate is to be sent.]

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.

[This part of the form to be filled in at the Patent Office]

Certificate of Extension of Copyright in Design for the Third Period of Five Years

This is to certify that did this day of make application and pay the prescribed fee for the extension of copyright in the design No. and that the copyright is hereby extended for a third period of five years until the day of 19.....

.....
Commissioner of Designs.

Patent Office,
Wellington C. 1.



Form Designs No. 14

The Designs Act 1953

REQUEST FOR EXTENSION OF TIME FOR PAYMENT OF FEE
FOR EXTENSION OF COPYRIGHT IN DESIGN

I (or WE) hereby request months' extension of time within which payment of the fee of £
..... for the extension of the copyright in design No. may be made.

[Insert name and full address to which receipt is to be sent.]

Signature:

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 15

The Designs Act 1953

APPLICATION UNDER REGULATION 45 BY ASSIGNEE, MORTGAGEE,
OR LICENSEE TO ENTER SUBSEQUENT PROPRIETORSHIP
OR INTEREST IN DESIGN IN THE REGISTER

I (or WE), [*Insert name, address, and nationality*], hereby request that you will enter my (or our) name(s) in the register as proprietor(s) (or mortgagee, or licensee) of the design No.

I am (or We are) entitled to the said design (or to a share or an interest in the said design) in pursuance of [*Insert full particulars of the instrument if any*].

My (or Our) address for service in New Zealand is

Signature:

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.

N.B.—The instrument under which the applicant claims should accompany this form.



Form Designs No. 16

The Designs Act 1953

APPLICATION UNDER REGULATION 45 BY ASSIGNOR, MORTGAGOR,
LICENSOR, ETC., TO ENTER SUBSEQUENT PROPRIETORSHIP
OR INTEREST IN DESIGN IN THE REGISTER

I (or WE) [*Insert name, address, and nationality*], hereby request that you will enter the name(s) of [*Insert name, address, and nationality of assignee, etc.*] in the register as subsequent proprietor(s) (or mortgagee(s) or licensee(s)) of the design No.

He is (or They are) entitled to the said design (or to a share or interest in the said design) by virtue of [*Insert full particulars of the instrument, if any*].

The address for service in New Zealand of the subsequent proprietor, mortgagee, or licensee, etc., is [*Insert the address for service in New Zealand of the subsequent proprietor, mortgagee, licensee, etc.*].

Signature:.....

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 17

The Designs Act 1953

APPLICATION FOR ENTRY OF NOTIFICATION OF DOCUMENT IN REGISTER

I (or WE) transmit herewith an attested copy of [*Insert a description of the nature of the document, giving its date and the names, addresses, and nationality of the parties thereto*] relative to Design No. as well as the original document for verification, and I (or we) apply that a notification thereof may be entered in the register.

Signature:

[*Insert full address of the party benefiting under the document.*]

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 18

The Designs Act 1953

APPLICATION BY MORTGAGEE OR LICENSEE UNDER REGULATION 48
FOR ENTRY IN REGISTER OF NOTE THAT HE NO LONGER
CLAIMS SUCH INTEREST

Design No.

Name of Registered Proprietor:

Place of Business:

I (or WE), the undersigned, of, apply for the entry in the register that I (we) no longer claim to be mortgagee or licensee in respect of the design No.

Signature:

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 19

The Designs Act 1953

APPLICATION TO ENTER ALTERATION OF NAME
OR NATIONALITY OF REGISTERED PROPRIETOR OF DESIGN IN REGISTER

I (or WE),, hereby apply that my (or our) name(s) (or nationality) in the register may be altered to [*Insert particulars of alteration*].

In respect of design No. there has been no change in the actual proprietorship of the said design, but

Signature and address:

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 20

The Designs Act 1953

APPLICATION FOR ALTERATION OF ADDRESS
OR ADDRESS FOR SERVICE IN REGISTER

Design No.

I (*or WE*),, of, the registered proprietor(s) of the design numbered as above,
apply that my (*or our*) address [*or my (or our) address for service*] in the register may be altered to
.....

Dated this day of 19.....

Signature of proprietor:.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 21

The Designs Act 1953

APPLICATION BY REGISTERED PROPRIETOR OF DESIGN
TO CANCEL REGISTRATION

Design No.

Name of Registered Proprietor:.....

Address:.....

I (or WE), the undersigned, of, apply that the registration of the design
No. may be cancelled.

Signature:.....

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 22

The Designs Act 1953

APPLICATION UNDER SECTION 41 FOR LEAVE TO DISPENSE
WITH PRODUCTION OF PROBATE OR LETTERS OF ADMINISTRATION

I (or WE), [*State (in full) name, address, occupation, and nationality*], hereby apply for leave to dispense with the production of probate of the will (or letters of administration in the estate) of [*Name of deceased, in full*], deceased, (hereinafter referred to as the deceased), who was the [*Applicant, or registered proprietor*] of the design entitled [*Title or description of design*] the subject of application No. in New Zealand.

The circumstances in and the grounds upon which this application is made are as follows:

1. The deceased died testate (or intestate) at on the day of 19....., and at his death was domiciled in [*State country of domicile*].
2. I am entitled to obtain probate of the will of the deceased (or letters of administration in the deceased's estate).

Or,—

I am the legal representative of the deceased in the country of his domicile by virtue of probate (or letters of administration) granted to me by [*Title of official or name of Court making*] at on the day of 19.....

3. Probate of the will of the deceased has (or letters of administration in the deceased's estate have) not been granted or resealed in New Zealand.
4. No duty is payable in New Zealand in the estate of the deceased, as is evidenced by the certificate by the Commissioner of Inland Revenue annexed hereto.
5. The interests of the creditors of the deceased and of all persons beneficially interested under his will or in his estate will be adequately safeguarded in the manner following:.....

Communications should be sent to at [*The address must be within New Zealand*], who is (or are) hereby appointed to act for me (or us).

[*To be signed by all persons making the application.*]

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 23

The Designs Act 1953

REQUEST UNDER SECTION 29 (3) FOR CORRECTION OF ERROR

I HEREBY request that the following error in the [*State whether in application, representation, or entry in register*] of design No. may be corrected.

Signature:

Address:

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 24

The Designs Act 1953

NOTICE OF OPPOSITION TO THE CORRECTION OF A CLERICAL ERROR

(To be accompanied by a copy, and a statement of a case in duplicate)

I (or WE), [*State (in full) name and address*], hereby give notice of opposition to the correction of an alleged clerical error in, which said correction has been applied for by

The grounds upon which the said correction is opposed are as follows:.....

Communications should be sent to at [*The address must be within New Zealand*], who is (or are) hereby appointed to act for me (or us).

[To be signed by opponent or opponents.]

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 25

The Designs Act 1953

REQUEST FOR CERTIFICATE FOR USE IN OBTAINING REGISTRATION
OUTSIDE NEW ZEALAND OR FOR USE IN LEGAL PROCEEDINGS
OR OTHER SPECIAL PURPOSE

Design No., registered in the name of

I (or WE), of hereby request you to furnish me (or us) with your Certificate
[Set out the particulars which the Commissioner is requested to certify] for use in [State the purpose for
which the certificate is required, i.e., whether for use in legal proceedings (if so, state title of proceedings)
or for what other purpose].

Signature:.....

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.

NOTE.—Where a representation of the registered design is to be attached to the Certificate a copy
identical with that attached to the Certificate of Registration must accompany this form.



Form Designs No. 26

The Designs Act 1953

APPLICATION FOR FURTHER CERTIFICATE OF REGISTRATION OF DESIGN*

I (or WE) have to inform you that the Certificate of Registration of design No. has been [*State whether "lost" or "destroyed" or "cannot be produced", as the case may be, and state in full the circumstances of the case which must be verified by statutory declaration or affidavit*].

I (or We) therefore apply for the issue of a further certificate [*State interest possessed by applicant in the design*].

Signature and address:.....

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.

*NOTE.-A representation of the registered design must accompany this form.



Form Designs No. 27

The Designs Act 1953

REQUEST FOR INFORMATION UNDER SECTION 31
WHEN REGISTRATION NUMBER IS SUPPLIED

I (or WE) hereby request that I (or we) may be given such information as I (or we) may be entitled to under section 31 of the Act with respect to the design registered under the No.

Signature and address:.....

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 28

The Designs Act 1953

REQUEST FOR SEARCH UNDER SECTION 31
WHEN REGISTRATION NUMBER IS NOT SUPPLIED

I (*or WE*) hereby request that a search may be made in respect of the design (a representation or specimen of which is annexed hereto in duplicate) applied to [*Insert name of article*] and that I (*or we*) may be given such information as I (*or we*) may be entitled to under section 31 of the Act.

Signature and address:.....

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 29

The Designs Act 1953

REQUEST FOR SEARCH UNDER REGULATION 59

I (*or WE*) hereby request that a search may be made and that I (*or we*) may be informed whether the design (a representation or specimen of which is annexed hereto in duplicate) to be applied to [*Insert name of article*] appears to be identical with or closely to resemble any registered design applied to the article of which the copyright is still existing.

Signature and address:.....

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 30

The Designs Act 1953

APPLICATION FOR THE GRANT OF A COMPULSORY LICENCE
UNDER SECTION 14

Design No.

I (or WE),, of, hereby apply for the grant of a compulsory licence in respect of design No. on the ground that the design is not applied in New Zealand by any industrial process or means to the article in respect of which it is registered to such an extent as it is reasonable in the circumstances of the case.

My address for service in New Zealand is

Signature:.....

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 31

The Designs Act 1953

NOTICE THAT HEARING OF APPLICATION
FOR CANCELLATION OF REGISTRATION OF A DESIGN
OR FOR THE GRANT OF A COMPULSORY LICENCE WILL BE ATTENDED

I (or WE) [*Insert in full name and address*], hereby give notice that the hearing in reference to the application to cancel the registration (or for the grant of a compulsory licence in respect) of design No. will be attended by myself (or ourselves) or by some person on my (or our) behalf.

Signature:.....

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Deigns No. 32

The Designs Act 1953

APPLICATION FOR CANCELLATION OF REGISTRATION
UNDER SECTION 15 (2)

Design No.

I (or WE),, of, hereby apply for cancellation of the registration of design
No..... on the ground that [*State ground(s) on which cancellation is requested*].

My address for service in New Zealand is

Signature:.....

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 33

The Designs Act 1953

NOTICE OF ORDER OF THE COURT FOR ENTRY IN REGISTER

Design No.

I (or WE), [*State (in full) name and address of applicant*] hereby transmit a sealed duplicate (or a certified) copy of an order of the Court with reference to [*State the purport of the order*].

Signature and address:

Dated this day of 19.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



Form Designs No. 34

The Designs Act 1953

APPLICATION FOR EXTENSION OF TIME

I (or WE), [State name and address], hereby apply for an extension of the time for [State matter in respect of which extension of time sought] in respect of application No.

The circumstances in and grounds upon which this application is made are as follows: [The circumstances and grounds must be stated in detail].

Communications should be sent to at [The address must be in New Zealand].

Signature:.....

To the Commissioner of Designs,
Patent Office,
Wellington C. 1.



THIRD SCHEDULE

REGULATIONS REVOKED

Date of Order in Council	Title of Subject Matter	Published in Gazette	
		Year	Page
26 June 1922	Regulations under the Patents, Designs, and Trade Marks Act 1921-22 relating to designs	1922	1679
		Published in Statutory Regulations	
		Year	Serial Number
14 August 1946	The Patents, Designs, and Trade Marks Amending Regulations 1946 (in their application to designs)	1946	1946/143
14 May 1947	The Patents and Designs (United States of America) Regulations 1947	1947	1947/70
3 October 1947	The Patents and Designs (United States of America) Regulations 1947, Amendment No. 1	1947	1947/151
17 December 1947	The Patents, Designs, and Trade Marks (Neuchatel Agreement) Regulations 1947 in their application to designs	1947	1947/197
11 August 1948	The Patents, Designs, Trade Marks, and Copyright (Treaties of Peace with Italy, Roumania, Bulgaria, Hungary, and Finland) Regulations 1948 in their application to designs	1948	1948/136

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[This note is not part of the regulations, but is intended to indicate their general effect.]

These regulations replace the existing general regulations relating to designs. The revision of the regulations is consequential on the passing of the Designs Act 1953. The regulations cover various matters which are left by the Act to be prescribed by regulations.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 16 December 1954.

These regulations are administered in the Department of Justice.

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Government Printer.—1980