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PART II

Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN

MINISTRY OF COMMERCE

NOTIFICATION

Islamabad, the 6th April, 2004

S. R. O. 211 (I)/2004. –In exercise of the powers conferred by sub-section (1) of section 132 of the Trade Marks Ordinance, 2001 (XIX of 2001), the Federal Government is pleased to make the following rules, the same having been previously published as required by the said sub-section, namely:–

THE TRADE MARKS RULES, 2004.

PART I

CHAPTER I.– PRELIMINARY

1. **Short title and commencement.**– (1) These rules may be called the Trade Marks Rules, 2004.

(2) They shall come into force at once.

2. **Definitions.**— (1) In these rules, unless there is anything repugnant in the subject or context, —

- (a) “**Advisory Committee**” means the Advisory Committee constituted under rule 101;
- (b) “**Form**” means a Form as set out in either the Second or the Third Schedule;
- (c) “**old law**” means the Trade Marks Act, 1940 (V of 1940), and rules made thereunder as in force immediately before the commencement of the Ordinance;
- (d) “**Ordinance**” means the Trade Marks Ordinance, 2001 (XIX of 2001);
- (e) “**publish**” means published in the Journal;
- (f) “**Schedule**” means the Schedule to these rules;
- (g) “**section**” means section of the Ordinance;
- (h) “**send**”, with its grammatical variations, in relation to an act, includes to give; and
- (i) “**specification**” means the designation of goods or services in respect of which a trade mark is registered or proposed to be registered.

(2) The words and expressions used but not defined in these rules shall have the meaning assigned to them in the Ordinance.

(3) In these rules, reference to filing of any application, notice or other document shall be construed as reference to its being sent or delivered to the Registrar at the Trade Marks Registry or its branches.

3. **Forms.**— The Forms set out in the Second and the Third Schedules shall be used in all cases to which they are applicable and may be modified as directed by the Registrar to meet the requirements of other cases.

4. **Requirement as to fee.**— (1) Any fee to be paid in respect of an application, registration or any other matter under the Ordinance or these rules shall be as specified in the First Schedule.

(2) Fee may be paid in cash at the Registry or any Branch Registry or may be sent by money order, postal order, cheque, bank draft or pay order payable to the Registrar.

(3) Cheques not carrying the correct addition for commission, and other cheques on which the full value cannot be collected in cash within the time allowed for payment of the fee shall be accepted only at the discretion of the Registrar.

(4) Stamps shall not be received in payment of any fee.

(5) Any Form required to be filed with the Registrar in respect of any specified matter shall be subject to the payment of the fee, if any, payable in respect of that matter under these rules.

5. Size, etc. of documents.— (1) Subject to any other directions that may be given by the Registrar, all applications, notices, statements or other documents, except trade marks authorized or required by the Ordinance or these rules to be made, left with or sent to the Trade Marks Registry or left with or sent to the Registrar or the Federal Government shall be written, type-written, lithographed or printed in the English language in large and legible characters with deep permanent ink upon strong paper, and except in the case of affidavits, on one side only, of a size approximately thirteen inches by eight inches, and shall have on the left-hand part thereof a margin of not less than one inch and-a-half.

(2) Duplicate documents including trade marks shall be filed at the Trade Marks Registry or its branch, if at any time required by the Registrar.

6. Signature of documents.— (1) A document purporting to be signed by proprietor or in case of partnership shall be signed by at least one of the partners and a document purporting to be signed by a body corporate shall be signed by a director or by its secretary or other principal officer of the body corporate. A document purporting to be signed by any other association of persons shall be signed by the President, Chairman or Principal Secretary of the Association or by any other person who appears to the Registrar to be duly qualified. The capacity in which an individual signs a document on behalf of a partnership or a body corporate or other association of persons shall be stated below his signature and name and complete address.

(2) Signature to any documents if written in characters other than Roman, or if not clearly legible shall be accompanied by a transliteration in English language and in block capitals.

7. Service of documents.— All applications, notices, statements, papers having representation affixed thereon, or other documents authorized or required by the Ordinance or these rules to be made, left or sent, at or to the Trade Marks Registry or to its branch or with or to the Registrar or the Federal Government or any other person may be sent through post by a prepaid letter, any application or any document so sent shall be deemed to have been made, left or sent at the time when the letter containing the same would be delivered in the ordinary course of post. In proving such sending, it shall be sufficient to prove that the letter was properly addressed and put into the post.

8. Particulars of applicants and other persons.— (1) Names and address of applicants and other persons shall be given in full, together with their nationality and such particulars, if any, as are necessary for identification. In the case of a firm, the full name and nationality of every partner thereof shall be stated.

(2) The address given shall in all cases be as full as possible, for the purpose of enabling any person easily to find the place of trade or business of the person whose address is given.

(3) In the case of body corporate or firm or an association the country of incorporation and the nature of registration, if any, as the case may be, shall be given.

9. Address for service.— (1) For the purposes of any proceedings before the Registrar under these rules an address for service in Pakistan shall be filed by-

- (a) every applicant for the registration of a trade mark;
- (b) every person opposing an application for registration of a trade mark;

- (c) every applicant applying to the Registrar under section 73 for revocation of the registration of a trade mark, under section 80 for invalidation of the registration of a trade mark, or under section 96 for rectification of the register;
- (d) every person granted leave to intervene under rule 67 (the intervener), and
- (e) every proprietor of a registered trade mark, which is the subject of any application to the Registrar for the revocation, invalidation or rectification of the registration of the mark.

(2) The address for service of an applicant for registration of a trade mark shall upon registration of the mark be deemed to be the address for service of the registered proprietor, subject to any filing to the contrary under paragraph (1) above or under rule 70.

(3) In any case in which an address for service at the same time as the filing of a form required by the Registrar under rule 3 which requires the furnishing of an address for service, the address shall be filed on that form and in any other case it shall be filed on Form TM-50. All applications on Form TM-50 under this rule shall be signed by the person about to be registered or the registered proprietor or registered licensee, as the case may be, or by an agent expressly authorized by him for the purpose of such application.

(4) Anything sent to any applicant, opponent, intervener or registered proprietor at his address for service shall be deemed to be properly sent and the Registrar may, where no address for service is filed, treat as the address for service of the person concerned his trade or business address in Pakistan, if any.

(5) An address for service in Pakistan may be filed at any time by the proprietor of a registered trade mark and by any person having a legitimate interest in or consented charge on a registered trade mark.

(6) Where an address for service is not filed as required by sub-rule (1), the Registrar shall send the person concerned notice to file an address for service within two months of the date of the notice and if that person fails to do so-

- (a) in the case of an application as is referred to in clause (a) or (c) of sub-rule (1), the application shall be treated as abandoned.
- (b) in the case of a person as is referred to in clause (b) or (d) of sub-rule (1), he shall be deemed to have withdrawn from the proceedings; and
- (c) in the case of the proprietor referred to in clause (e), he shall not be permitted to take part in any proceeding.

10. **Agency.**— The authorization of an agent, being either a legal practitioner or a person registered as a trade mark agent shall be executed in the form as set out in Form TM-48.

CHAPTER II.— CLASSIFICATION

11. **Classification of goods and services.**— For the purposes of the registration of a trade mark and of these rules, goods and services shall be classified in the manner specified in the Fourth Schedule, which sets out the current version of the classes of the International Classification of goods and services.

CHAPTER III.– APPLICATION FOR REGISTRATION

12. **Form and signing of application.**– (1) An application to the Registrar for the registration of a trade mark shall be signed by the applicant or his agent and shall be subject to the payment of the application fee.

(2) An application to register a trade mark for specification of goods or services included in any one class shall be made in the form as set out in Form TM-1.

(3) An application to register a trade mark under section 25 for the specification of goods or services included in any one class from a convention country shall be made in the form as set out in Form TM-2.

(4) An application under sub-section (1) of section 26 for protection of trade mark during exhibition shall be made in the form as set out in Form TM-2.

(5) An application to register a textile trade mark, other than a collective mark or a certification trade mark, consisting exclusively of numerals or letters or any combination thereof for a specification of goods or services included in one item of the Fifth Schedule under rule 98 shall be made in the form as set out in Form TM-53.

(6) An application for registration of a textile mark, other than a collective mark or a certification mark, consisting exclusively of numerals or letters or any combination thereof for a specification of goods or services included in one item of the Fifth Schedule under rule 98 from a convention country under section 25 shall be made in the form as set out in Form TM-54.

(7) An application under clause (5) of the First Schedule to the Ordinance to register a collective trade mark for a specification of goods or services in any one class shall be made in the form as set out in Form TM-3.

(8) An application under clause (5) of the First Schedule to the Ordinance to register a collective trade mark for a specification of goods or services from a convention country under section 25 shall be made in the form as set out in Form TM-51.

(9) An application under clause (6) of the Second Schedule to the Ordinance to register a certification trade mark for a specification of goods or services included in any one class shall be made in the form as set out in Form TM-4.

(10) An application under clause (6) of the Second Schedule to the Ordinance to register a certification trade mark for a specification of goods or services from a convention country under section 25 shall be made in the form as set out in Form TM-52.

(11) An application under the Third Schedule to the Ordinance to register a domain name for a specification of goods or services included in any one class shall be made in the form as set out in Form TM-1.

13. **Application to be confined to one class.**– Every application for the registration of a trade mark shall be in respect of goods or services in one class only of the Fourth Schedule.

14. **Separate application.**– An application for the registration of the same trade mark in different classes shall be treated as separate and distinct applications, and in all cases where a trade mark is registered under the same official number for goods or services in more than one class, whether on conversion of the specification under rule 71 or otherwise, the registration in respect of goods or services included in each separate class shall be deemed to be a separate registration for all the purposes of the Ordinance.

15. **Claim of priority.**— (1) Where a right to priority is claimed by reason of an application for protection of a trade mark duly filed in a convention country under section 25 particulars of that claim shall be included in the application for registration under rule 12 and, where no certificate as is referred to in sub-rule (2) is filed with the application, such particulars shall include the country or countries and the date or dates of filing.

(2) Unless it has been filed at the time of filing of an application for registration, there shall be filed, within three months of filing of the application under rule 12, a certificate by the registering or other competent authority of that country certifying, or verifying to the satisfaction of the Registrar, the date of filing of the application, the country or registering or competent authority, the representation of the mark, and the goods or services covered by the application.

(3) The application relied upon under sub-rule (1) must be the first application of an applicant in a convention country for the same mark and for the same goods or services. The application must include a statement indicating the filing date of the foreign application relied upon, the convention country where it was filed, the serial number, if available, or statement indicating that priority is claimed.

16. **Statement of user in application.**— An application to register a trade mark shall contain a statement of the period during which, and the person by whom, it has been used in respect of the goods or services mentioned in the application. The Registrar may require the applicant to file an affidavit testifying to such user with exhibits showing the mark as used.

17. **Representation of marks.**— (1) Every application for the registration of trade mark, and where additional copies of the application are required, every such copy shall contain a representation of the mark in the space provided on the application form for that purpose.

(2) Where the representation exceeds such space in size, the representation shall be mounted upon linen, tracing cloth or such other material as the Registrar may consider suitable. Part of the mounting shall be affixed in the space aforesaid and the rest may be folded.

18. **Additional representations.**— Every application for the registration of a trade mark shall, except as hereinafter provided, be made in duplicate and shall be accompanied by six additional representations of the mark on the application and its duplicate and the additional representations shall correspond exactly with the other. The additional representations shall in all cases be noted with all such particulars as may from time to time be required by the Registrar. Such particulars shall, if required, be signed by the applicant.

19. **Representation to be durable.**— All representations of trade marks must be of a durable nature and each additional representation required to be filed with an application for registration shall be mounted on a sheet of strong paper of the size of approximately thirteen inches by eight inches, leaving a margin of not less than one inch and-a-half on the left hand part of the sheet.

20. **Specimens of the mark in exceptional cases.**— Where a representation of a trade mark cannot be given in the manner set forth in rule 19, a specimen or copy of the trade mark may be sent either of full size or on a reduced scale, and in such form as the Registrar may think most convenient.

21. **Series of trade marks.**— Where an application is made for the registration of a series of trade marks under sub-section (3) of section 20, copies of representations of each trade mark of the series shall accompany the application in the manner set forth in rules 17 and 18.

22. **Transliteration.**— Where a trade mark contains a word or words in characters other than Roman, there shall, unless the Registrar otherwise directs, be endorsed on the application form, and on each of the accompanying representations, a sufficient transliteration to the satisfaction of the Registrar of each of such words, and every such endorsement shall state the language to which the word belongs and shall be signed by the applicant.

23. **Translation.**— Where a trade mark contains a word or words in a language other than English, the Registrar may ask for an exact translation thereof together with the name of the language, and such translation and name, if he so requires, shall be endorsed and signed as aforesaid.

24. **Acknowledgement of receipt of application.**— Every application for the registration of a trade mark in respect of any goods or services shall, on receipt, be acknowledged by the Registrar.

25. **Deficiencies in application.**— Where an application for registration of a trade mark does not satisfy the requirements of sub-section (2),(3) or (5) of section 22 or rule 12 or 13, the Registrar shall send notice thereof to the applicant to remedy the deficiencies or, in the case of sub-section (5) of section 22, the default of payment and if within two months of the date of the notice the applicant-

- (a) fails to remedy any deficiencies notified to him in respect of sub-section(2) of section 22, the application shall be deemed never to have been made; or
- (b) fails to remedy any deficiency notified to him in respect of sub-section(3) of section 22 or rule 12 or 13 or fails to make payment as required by sub-section(5) of section 22, the application shall be treated as abandoned.

26. **Search.**— Upon receipt of an application for the registration of a trade mark in respect of any goods or services and upon satisfying the requirements of sub section (2) or (3) of section 22, sub-rule (4) of rule 12, or rule 13, the Registrar shall carry out a search of earlier trade marks for the purpose of ascertaining whether there are on record in respect of same goods or services or same description of goods or services any marks identical with the mark sought to be registered or so nearly resembling it as to render it likely to deceive or cause confusion and the Registrar may cause the search to be renewed at any time before the acceptance of the application, but shall not be bound to do so.

27. **Objection to acceptance-hearing.**— (1) If, on consideration of an application, and on any evidence of use or of distinctiveness or of any other matter which the applicant may or may be required to furnish the Registrar has any objection to the acceptance of the application or proposes to accept it subject to such conditions, amendments, disclaimers, modifications or limitations as he may think right to impose, the Registrar shall communicate such objection or proposal in writing to the applicant.

(2) Unless within two months from the date of communication specified in sub-rule (1), the applicant alters his application according to the proposal aforesaid or makes representation or applies for a hearing or fails to attend hearing, the application shall be deemed to have been abandoned.

(3) An application which is treated as abandoned under sub-rule(2), clause(b) of rule 25 or sub-section (5) of section 33 may be restored to the file on sufficient cause being shown to the satisfaction of the Registrar and on an application to that effect being made in the form as set out in Form TM-57 accompanied by a statement of case.

28. **Decision of Registrar.**— (1) The decision of the Registrar under section 27 after a hearing or without hearing if the applicant has duly communicated his observations in writing and has stated that he does not desire to be heard, shall be communicated in writing, and if the applicant intends to appeal from such decision he may within one month from the date of communication apply in the form as set out in Form TM-15 to the Registrar requiring him to state in writing the grounds of, and the materials used by him in arriving at his decision.

(2) In a case where the Registrar makes any requirements to which the applicant does not object, the applicant shall comply therewith before the Registrar issues a statement in writing under sub-rule (1).

(3) The date when such statement is sent shall be deemed to be the date of the Registrar's decision for the purpose of appeal.

CHAPTER IV.— ADVERTISEMENT OF APPLICATION

29. **Manner of advertisement.**— (1) An Application for the registration of a trade mark required or permitted to be advertised by sub-section (1) of section 28 shall be advertised in the Journal during such time and in such manner as the Registrar may direct. The advertisement should contain the following particulars, namely:—

- (a) Specimen of the trade mark;
- (b) application number;
- (c) the class number of the goods or services in respect of which registration of the trade mark is sought;
- (d) description of goods or services for which the registration is sought;
- (e) the name and address of applicant;
- (f) the date of filing the application;
- (g) the agent's name and address (in case the application, on behalf of the applicant, is made by his agent);
- (h) description of limitations, conditions and disclaimers imposed;
- (i) details of special circumstances, if any, under the proviso to sub-section (1) of section 28.
- (j) particulars of any claim for a right of priority for the application;
- (k) in case application has been accepted by consent the words "By consent" shall appear in the advertisement;
- (l) if no representation of the trade mark be included in the advertisement of the application, the place or places where a specimen or representation of the trade mark may be inspected should be mentioned in the advertisement; and
- (m) in case application has been accepted in series the words "in series" should appear in the advertisement.

(2) For the purpose of advertisement in the Journal, the applicant may within two months supply or be required to supply "film positives" of the trade mark satisfactory to the Registrar or shall supply such information or other means of advertising the trade mark as may be required by the Registrar. Any "film positives" so sent to the Registrar shall be retained by the Trade Marks Registry.

30. **Opposition proceedings.**— (1) Notice of opposition to the registration of a trade mark shall be sent to the Registrar in the form as set out in Form TM-5 in duplicate within two months from the date of the advertisement or re-advertisement or within such further period not exceeding two months in the aggregate as the Registrar may allow, and shall include a statement of the grounds of opposition. The Registrar shall send a copy of the grounds of the notice and the statement to the applicant.

(2) Within one month from the receipt by the applicant of such copy of the notice of opposition or within such further period not exceeding two months in aggregate as the Registrar may allow, the applicant shall send to the Registrar a counter-statement in the form as set out in Form TM-6 in duplicate, and if he does not do so he shall be deemed to have abandoned his application. The Registrar shall send a copy of counter-statement in the form as set out in Form TM-6 to opponent.

(3) Within one month from the receipt by the opponent of a copy of counter-statement or within such further period not exceeding two months in aggregate as the Registrar may allow, the opponent may file a rejoinder.

(4) If the opponent files a rejoinder, the Registrar shall send a copy of the same to the applicant.

(5) Within two months from the receipt of a copy of counter-statement or within such further period as the Registrar may allow, the person opposing the application shall file such evidence by way of statutory declaration or affidavit, as he may consider necessary to adduce in support of his opposition and shall send a copy thereof to the applicant.

(6) If the person opposing the registration files no evidence under sub-rule 5, he shall be deemed to have abandoned his opposition.

(7) Within two months from the receipt of a copy of opponent's evidence or within such further period as the Registrar may allow, the applicant shall file such evidence by way of a statutory declaration or affidavit as he may consider necessary to adduce in support of his application and shall send a copy thereof to the opponent.

(8) Within one month of the date on which a copy of the applicant's evidence is sent to him or within such further period as the Registrar may allow, the person opposing the application may file evidence in reply by way of statutory declaration or affidavit which shall be confined to matters strictly in reply to the applicant's evidence, and shall send a copy thereof to the applicant.

(9) No further evidence may be filed, except that, in relation to any proceedings before him, the Registrar may at any time if he thinks fit give leave to either party to file evidence upon such terms as he may think fit.

(10) Where there are exhibits to affidavits filed in an opposition, copies or impressions of such exhibits shall be sent to the other party on his request and at his expense, or, if such copies or impressions cannot conveniently be furnished, the originals shall be left with the Registrar in order that they may be open to inspection. The original exhibits shall be produced at the hearing unless the Registrar otherwise directs.

(11) Where any document or exhibit is in a language other than English is referred to in the notice of opposition, counter-statement or an affidavit filed in an opposition, an attested translation thereof in English shall be furnished in duplicate.

(12) Upon completion of evidence, if any, the Registrar shall give notice to the parties of a date when he will hear the arguments in the case. Such appointment shall be for a date at least one month after the date of the notice, unless the parties consent to a shorter notice. Within fourteen days from the receipt of the notice, any party who intends to appear shall so notify the Registrar in the form as set out in Form TM-7. Any party who does not so notify the Registrar within the time last aforesaid may be treated as not desiring to be heard and the Registrar may act accordingly.

(13) The Registrar shall take on record written arguments if submitted by a party to the proceeding.

31. Decision of the Registrar to be notified: (1) The decision of the Registrar shall be notified in writing to the person opposing the application and the applicant.

(2) For the purpose of any appeal against the Registrar's decision the date of the decision shall be the date when notice of the decision is sent under sub-rule (1).

CHAPTER V.- NOTICE OF NON-COMPLETION OF REGISTRATION

32. Procedure for giving notice.— The notice which the Registrar is required by sub-section (5) of section 33, to give to an applicant, shall be sent to the applicant at his trade or business address or address for service in the form as set out in Form O-1, but if the applicant has authorized an agent for the purpose of the application, the notice shall be sent to the agent and a duplicate thereof to the applicant. The notice shall specify twenty-one days time from the date thereof or such further time as the Registrar may allow, for completion of the registration.

CHAPTER VI.- REGISTRATION

33. Registration.— As soon as may be after the expiration of two months from the date of the advertisement in the Journal of any application for the registration of a trade mark the Registrar shall, subject to any opposition and the determination thereof, and to the provisions of sub-section (1) of section 33 and upon payment of the prescribed fee, in the form as set out in Form TM-11, within two months from the date of receipt of the requisite information in the form as set out in Form TM-11, enter the trade mark in the register.

34. Entry in the register.— In addition to the entries in the Register required to be made by sub-section (1) of section 10 there shall be entered in the Register in respect of each trade mark registered therein the following particulars, namely;—

- (a) the date of registration as determined in accordance with section 23 (that is to say, the date of the filing of the application for registration);
- (b) the actual date of registration (that is to say, the date of the entry in the Register);
- (d) the priority date, if any, to be accorded pursuant to claim to a right to priority made under section 25;
- (d) the name and address of the proprietor;
- (e) the address for service as furnished pursuant to rule 9;
- (f) any disclaimer or limitation of rights under section 21;
- (g) any memorandum or statement of the effect of any memorandum relating to a trade mark of which the Registrar has been notified in the form as set out in Form TM-37;

- (h) the goods or services in respect of which the mark is registered;
- (i) where the mark is a collective or certification mark, that fact; and
- (j) where the mark is registered pursuant to sub-section (5) of section 17 with the consent of the proprietor of an earlier trade mark or earlier right, that fact.

35. Death of applicant before registration.— In case of death of any applicant for the registration of a trade mark after the date of his application and before the trade mark has been entered in the Register, the Registrar may, on proof of the applicant's death and of the title of another person to the ownership of the trade mark being furnished to him within ninety days enter in the Register the name, address and description of that person as the proprietor of the trade mark.

36. Amendment of application.— A request for an amendment of an application to correct an error or to change the name or address of the applicant or in respect of any amendment requested before or after publication of the application shall be made in the form as set out in Form TM-16.

37. Amendment of application after publication.— (1) Where, pursuant to sub-section(7) of section 27, a request is made for amendment of any application which has been published and the amendment affects the representation of the trade mark or the goods or services covered by the application, the amendment or a statement of the effect of the amendment shall also be published.

(2) Notice of opposition to the amendment shall be sent to the Registrar in the form as set out in Form TM-5 within two month of the date on which the application as amended was published under sub-rule (1), and shall include a statement of the grounds of objection and, in particular, how the amendments would be contrary to sub section (7) of section 27.

(3) The provisions of rule 30 shall apply to proceedings relating to the opposition to the amendment of the application as they apply to proceedings relating to opposition to the registration of a trade mark.

38. Registration of a series of trade mark.— The proprietor of a series of trade marks may apply to the Registrar for their registration as a series in a single registration and there shall be included in such application a representation of each mark claimed to be in the series, and the Registrar shall, if satisfied that the marks constitute a series, accept the application.

CHAPTER VII.— COLLECTIVE MARKS

39. Application for registration and proceedings relating thereto.— (1) An Application for the registration of a collective mark for goods or services shall be made to the Registrar in the form as set out in Form TM-3 or TM-51, as the case may be, in triplicate and shall be accompanied by six additional representations of the mark. The draft regulation to be forwarded with the application under paragraph 5 of the First Schedule to the Ordinance shall be in triplicate and shall be accompanied by the requisite information in the form as set out in Form TM-49.

(2) An applicant applying for the registration of a collective mark shall not be deemed to have abandoned his application, if in the circumstances of sub-rule(2) rule 27 he does not apply for a hearing or reply in writing.

(3) The regulations governing collective mark shall specify, inter alia, the following, namely:-

- (a) the name of the association of persons and their respective office address;
- (b) the object of the association;
- (c) the details of members;
- (d) the conditions for membership and relation of each member with the group;
- (e) the persons authorized to use the mark and the nature of control the applicant exercise over the use of the collective mark;
- (f) the conditions governing use of the collective mark, including sanctions;
- (g) the procedure for dealing with appeals against the use of the collective mark; and
- (h) such other particulars as may be called for by the Registrar.

(4) The applicant shall submit to the Registrar along with his application a statement of case setting out the grounds on which he relies in support of his application. Such case shall be furnished in triplicate.

(5) The Registrar shall cause an application for the registration of a collective mark to be examined, in the first instance, as to whether it satisfies the requirement of the Ordinance and the rules and issue a report to the applicant.

(6) The Registrar shall not refuse an application for the registration of a collective mark or accept the application subject to any conditions or limitations or impose amendments or modification to the application or to the regulation without giving to the applicant an opportunity of being heard.

40. Opposition to registration of collective marks.— (1) On acceptance of an application the Registrar shall cause the application to be advertised in the Journal and the provisions of sub-rules(1) to (12) of rule 30 shall apply in relation to an application for the registration of a trade mark.

(2) In any case of doubt with regard to proceedings on the opposition to the registration of a collective mark any party may apply to the Registrar for directions.

41. Amendment of regulation relating to collective marks and renewal.— (1) An application by the registered proprietor of a collective mark for any amendment or alteration to the regulation shall be made in the form as set out in Form TM-42, and where the Registrar accepts any such amendment or alteration he shall advertise such application in the Journal and further proceedings in the matter shall be governed by sub-rules(1) to (12) of rule 30.

(2) A collective mark may be renewed from time to time and the provisions of rule 50 to 53 shall apply *mutatis mutandis* in respect of such request for renewal.

42. Rectification of collective mark.— An application for cancellation of a collective mark including on any of the grounds mentioned in paragraph 13 of the First Schedule to the Ordinance shall be made in the form as set out in Form TM-43 and shall set forth particulars of the grounds on which the application is made. The provisions of sub-rules(2) to (12) of rule 30 shall apply *mutatis mutandis* for further proceeding in the matter.

CHAPTER VIII.– CERTIFICATION TRADE MARKS

43. **Application for registration and proceedings thereto.**– (1) An application for the registration of a certification trade mark shall be made to the Registrar in the form as set out in Form TM-4 or Form TM-52, in triplicate, and shall be accompanied by six additional representation of the mark. The draft regulations to be forwarded with the application under paragraph 6 of the Second Schedule to the Ordinance shall be in triplicate and shall be accompanied by the requisite information as set out in Form-49.

(2) An applicant applying for the registration of a certification trade mark shall not be deemed to have abandoned his application if, in the circumstances specified in sub-rule(2) of rule 27 he does not apply for a hearing or reply in writing.

(3) The regulation governing a certification trade marks shall specify, inter alia, the following, namely:–

- (a) The description of the applicant;
- (b) the nature of the applicant's business;
- (c) the particulars of technical manpower support;
- (d) the applicant's competence to administer the certification scheme.
- (e) the applicant's financial arrangement;
- (f) an undertaking from the applicant that there will be no discrimination of any party if they meet the requirements set down in the regulation;
- (g) the characteristic the mark will indicate in the certified goods or in relation to the rendering of certified services;
- (h) the manner of monitoring the use of the mark in Pakistan; and
- (i) such other particulars as may be called for by the Registrar.

(4) The applicant shall forward a statement of case to the Registrar with an application setting out the grounds in which he relies in support of the application. Such case shall be furnished in triplicate.

(5) The Registrar shall cause an application for the registration of a certification trade mark to be examined in the first instance as to whether it satisfies the requirement of the Ordinance and the rules and issue a report to the applicant.

(6) The Registrar shall not refuse an application for registration of a certification trade mark or accept the application subject to any conditions or limitations or impose amendments or modifications to the application or to the regulations without giving to the applicant an opportunity of being heard.

44. **Opposition to registration of certification trade mark and renewal.**– (1) On acceptance of an application the Registrar shall cause the application to be advertised in the Journal and the provisions of sub-rules (1) to (12) of rules 30 shall apply *mutatis mutandis* as they apply in relation to an application for the registration of a trade mark.

(2) In case of doubt with regard to the proceedings on the opposition to the registration of a certification trade mark any party may apply to the Registrar for directions.

(3) A certification trade mark may be renewed from time to time and the provisions of rule 50 to 53 shall apply *mutatis mutandis* in respect of such request for renewal.

45. **Rectification of certification trade mark.**— An application for cancellation or variation of registration of a certification trade mark on any of the grounds mentioned in paragraphs 15 and 16 of the Second Schedule to the Ordinance shall be made in the form as set out in Form TM-43 and shall set forth particulars of the grounds on which the application is made. The provisions of sub-rules (2) to (12) of rule 30 shall apply *mutatis mutandis* to further proceedings in the matter.

46. **Alteration of deposited regulations and consent of the Registrar for assignment or transmission of certification trade marks.**— (1) An application by the registered proprietor of a certification trade mark under paragraph 11 of the Second Schedule to the Ordinance to alter the deposited regulation shall be made in the form as set out in Form TM-42 and where the Registrar decides to permit such alteration it shall be advertised in the Journal and further proceedings in the matter shall be governed by sub-rules(1) to (12) of rule 30.

(2) An application for the consent of the Registrar to the assignment and transmission of a certification trade mark under paragraph 12 of the Second Schedule to the Ordinance shall be made in the form as set out in Form TM-22.

47. **Registration subject to disclaimer or limitation.**—Where the applicant for registration of a trade mark or the proprietor by notice in writing sent to the Registrar –

- (a) disclaims any right to the exclusive use of any specified element of the trade mark; or
- (b) agrees that the rights conferred by the registration shall be subject to a specified territorial or other limitation,

the Registrar shall make the appropriate entry in the Register and publish such disclaimer or limitation.

48. **Certificate of registration.**— The certificate of registration of a trade mark to be issued by the Registrar under sub-section (4) of section 33 shall be in the form as set out in Form 0-2 with such modifications as the circumstances of any case may require, and the Registrar shall annex a copy of the trade mark to the certificate.

CHAPTER IX.— DIVISIONAL APPLICATION

49. **Divisional application.**— An application under section 32 shall be made in the form as set out in Form TM 14 and shall include a statement of the grounds of the application.

CHAPTER X.— RENEWAL AND RESTORATION

50. **Reminder of renewal of registration.**— At any time not earlier than six months nor later than one month before the expiration of the last registration of a trade mark, the Registrar shall (except where renewal has already been effected under rule 51) send to the registered proprietor a notice in the form as set out in Form O-3 of the approaching expiration and inform him at the same time that the registration may be renewed in the manner described in rule 51

51. **Renewal of registration.**— Renewal of registration shall be effected by filing a request for renewal in the form as set out in Form TM-12 along with the prescribed fee at any time within the period of six months ending on the date of expiration of the registration.

52. Advertisement of non-payment.— (1) If at the expiration of the last registration of a trade mark the renewal fee has not been paid, the Registrar shall advertise the fact forthwith in the Journal and if within six months of that advertisement the renewal fee along with a request for renewal in the form as set out in Form TM-12 and together with the prescribed additional fee is received, he shall renew the registration without removing from the Register.

(2) Where no request for renewal is filed as provided for in sub-rule(1), the Registrar shall, subject to rule 53, remove the mark from the Register.

(3) Where, in the case of a mark the registration of which (by reference to the date of application for registration) becomes due for renewal, the mark is registered at any time within six months before the date on which renewal is due, the registration may be renewed on payment of -

- (a) the renewal fee within six months after the actual date of registration; or
- (b) the renewal fee and additional renewal fee within the period commencing on the date six months after the actual date of registration, that is to say, at the end of the period referred to in clause (a) and ending on the date six months after the due date of renewal.

(4) Where the fees referred to in clause (b) of sub-rule(3) are not paid within the period specified in that clause the Registrar shall, subject to rule 53, remove the mark from the Register.

(5) Where, in the case of a mark the registration of which, by reference to the date of application for registration, become due for renewal, the mark is registered after the date of renewal, the registration may be renewed on payment of the renewal fee within six months of the actual date of registration; and where the renewal fee is not paid within that period the Registrar shall, subject to rule 53, remove the mark from the Register.

(6) The removal of the registration of a trade mark shall be published.

53. Restoration of registration.— (1) Where the Registrar has removed the mark from the Register for failure to renew its registration in accordance with sub-rule(2) of rule 51, he may, upon a request filed in the form as set out in Form TM-13 within six months of the date of the removal of the mark accompanied by the appropriate renewal fee and appropriate restoration fee, restore the mark to the Register and renew its registration if, having regard to the circumstances of the failure to renew, he is satisfied that it is just to do so.

(2) The restoration of the registration shall be published in the Journal, with the date of restoration shown therein.

54. Alteration of registered trade mark.— (1) The proprietor may request the Registrar in the form as set out in Form TM-38 for such alteration of his registered mark as is permitted under section 37; and the Registrar may require such evidence by statutory declaration or affidavit or otherwise as to the circumstances in which the application is made. The proprietor shall furnish six copies of the mark as it will appear when so added to or altered.

(2) Where, upon the request of the proprietor, the Registrar proposes to allow such alteration, he shall publish the mark as altered. The proprietor shall supply "film positives" of the mark so altered or added to for advertising in the Journal.

(3) Any person claiming to be affected by the alteration may within three months of the date of publication of the alteration under sub-rule(2) send a notice in the form as set out in Form TM-39, in duplicate, to the Registrar of opposition to the alteration and shall include a statement of the grounds of opposition; the Registrar shall send a copy of the notice and the statement to the proprietor and thereafter the procedure specified in rule 30 shall apply to the proceedings as they apply to proceedings relating to opposition to an application for registration.

55. Surrender of registered trade mark.– (1) Subject to sub-rule (2), the proprietor may surrender a registered trade mark, by sending notice to the Registrar -

- (a) in the form as set out in Form TM-35 in respect of all the goods or services for which it is registered; or
- (b) in the form as set out in Form TM-36 in respect only of those goods or services specified by him in the notice.

(2) A notice under sub-rule (1) shall be of no effect unless the proprietor in that notice –

- (a) gives the name and address of any person having a registered interest in the mark by virtue of registerable transaction as specified in sub-section (2) of section 70 of the Ordinance ; and
- (b) certifies that any such person –
 - (i) has been sent not less than three months' notice of the proprietor's intention to surrender the mark, or
 - (ii) is not affected or if affected consents thereto.

(3) The Registrar shall, upon the surrender taking effect, make the appropriate entry in the Register and publish the same.

CHAPTER XI.–ASSIGNMENT AND TRANSMISSION

56. Application for entry of assignment or transmission.– (1) An application to register the title of a person who becomes entitled by assignment or transmission to a registered trade mark shall be made in the form as set out in Form TM-24 or Form TM-23 by such person alone or jointly with the registered proprietor.

(2) An application under sub-rule(1) shall contain full particulars of the instrument, if any, under which the applicant, or, in the case of a joint application, the person other than the registered proprietor claims to be entitled to the trade mark and such instrument or a duly certified copy thereof shall be produced at the Trade Marks Registry for inspection at the time of application. The Registrar may require and retain an attested copy of any instrument produced for inspection in proof of title, but such copy shall not be open to public inspection.

(3) Where a person applying under sub-rule(1) for registration of his title does not establish his claim under any document or instrument which is capable in itself of furnishing proof of his title, he shall, unless the Registrar otherwise directs, either upon or with the application, state a case setting forth the full particulars of the facts upon which his claim to be proprietor of the trade mark is based and showing that the trade mark has been assigned or transmitted to him. If the Registrar so requires, the case shall be verified by an affidavit in the form as set out in Form TM-18.

(4) The Registrar may call upon any person who applies to be registered as proprietor of a registered trade mark to furnish such proof or additional proof of title as he may require for his satisfaction.

57. Assignments involving transmission of moneys outside Pakistan and assessment of goodwill of business.— If there is in force any law regulating the transmission of moneys outside Pakistan, the Registrar shall not register the title of a person who becomes entitled to a trade mark by an assignment which involves such transmission except on production of the permission of the authority specified in such law for such transmission.

58. Application for Registrar's direction as to advertisement of an assignment of a trade mark without goodwill of the business.— (1) Any person who desires registration of a assignment or transmission of a trade mark under sub-rule(1) of rule 56 without goodwill of the business under sub-section(2) of section 69 shall make an application in the form as set out in Form TM-20, and shall state the date on which the assignment was made. The applicant shall give particulars of the registration in the case of a registered trade mark, and in the case of an unregistered trade mark shall show the mark and give particulars including user of the registered as well as of the unregistered trade mark that has been assigned therewith. The Registrar may call for any evidence or further information and if he is satisfied with regard to the various matters he shall issue directions in writing with respect to the advertisement of the assignment.

(2) The Registrar may refuse to consider an application referred to in sub-rule(1), in a case to which sub-section(3) of section 69 applies unless his approval has been obtained under the rule 61 and a reference identifying the Registrar's notification of approval included in the application.

(3) A request for an extension of the period within which the application referred to in sub-rule (1) may be made shall be in the form as set out in Form TM-21, and may be made at any time before or during the period for which extension can be allowed. The extension of the period which the Registrar may allow shall not exceed three months.

59. Application for entry of assignment without goodwill.— An application under sub-rule(1) of rule 56 relating to an assignment of a trade mark in respect of any goods or services shall state -

- (a) whether the trade mark has been or was used in the business in any of those goods or services;
- (b) whether the assignment was made otherwise than in connection with the goodwill of that business; and
- (c) in case both the circumstances referred to in clauses (a) and (b) exist, then the applicant shall leave at the Trade Marks Registry a copy of the directions to advertise the assignment, obtained upon application under rule 58 and such proof, including copies of advertisement or otherwise, as the Registrar may require, to show that the directions have been fulfilled and if the Registrar is not satisfied that the directions have been fulfilled he shall not proceed with the application.

60. Separate registration.— Where pursuant to an application under sub-rule(1) of rule 56 and as a result of a division and separation of the goods or services of a registration or a division and separation of places of markets, different persons become registered separately under the same registration number as subsequent proprietors of a trade mark, each of the resulting separate registrations in the names of those different persons shall be deemed to be a separate registration for all the purposes of the Ordinance.

61. **Registrar's approval as to certain assignments and transmission.** Any person who desires registration of assignment or transmission under sub-rule(1) of rule 56 relating to an assignment of a trade mark under sub-section(3) of section 69 shall obtain registrar's approval and shall send to the Registrar with his application in the form as set out in Form TM-17 or Form TM-19, as the case may be, a statement of case in duplicate setting out the circumstances and a copy of any instrument or proposed instrument effecting the assignment or transmission. The Registrar may call for any evidence or further information that he may consider necessary and the statement of case shall be amended if required to include all the relevant circumstances and shall if required, be verified by an affidavit. The Registrar, after hearing, if so required, the applicant and any other person whom the Registrar may consider to be interested in the transfer shall consider the matter and issue a certificate thereon or a notification in writing of approval or disapproval thereof, as the case may be, to the applicant and shall also inform such other person accordingly. Where a statement of case is amended, two copies thereof in its final form shall be left at the Trade Marks Registry. The Registrar shall seal a copy of the statement of case in its final form to the certificate or notification.

62. **Registration of assignment to a company.**— For the purposes of sub-section (4) of section 72, the period within which a company may be registered as the subsequent proprietor of a registered trade mark, upon application made under sub-rule(1) of rule 56 shall be six months from the date of advertisement in the Journal of the registration of the trade mark or such further period not exceeding six months as the Registrar may allow, on application being made in the form as set out in Form TM-25 by the applicant for registration of title or the registered proprietor, as the case may be, at any time before or during the period, for which the extension can be allowed.

63. **Application for entry of license.**— (1) An Application to the Registrar for the registration under clause(b) of sub-section(2) of section 70 read with sections 75 and 76 of a person as registered licensee of a registered trade mark shall be made by that person and the registered proprietor in the form as set out in Form TM-28.

(2) The entry of a registered licensee in the Register shall contain the following particulars, namely:—

- (a) Registration number and class;
- (b) name and address of registered proprietor,
- (c) name and address of registered licensee;
- (d) goods in respect of which licensee is registered;
- (e) address for service;
- (f) whether licensee is exclusive licensee or non-exclusive;
- (g) whether permitted use is to be for a specific period or without limit of period;
- (h) any conditions or restrictions proposed with respect to the characteristics of the goods, to the mode or place of permitted use, or to any other matter; and
- (i) particulars of relationship, existing or proposed, between the proprietor and the proposed registered licensee, including particulars showing the degree of control by the proprietor over the permitted use which their relationship will confer.

64. **Registered proprietor's application to vary entry.**— An application by the registered proprietor of a trade mark for the variation of the registration of a registered licensee of that trade mark under clause (a) of sub-section(4) of section 70 shall be made in the form as set out in Form TM-29 and shall be accompanied by a statement of the grounds on which it is made and, where the registered licensee in question consents, by the written consent of that registered licensee.

65. **Cancellation of the registration of registered licensee.**— (1) An application for the cancellation of the registration of a registered licensee under clause (b) of sub-section(4) of section 70 shall be made in the form as set out in Form TM-30 or Form TM-31, as may be appropriate, and shall be accompanied by statement of grounds on which it is made.

(2) In case of the registration of a registered licensee for a period, in accordance with clause(i) of sub-section(4) of section 70, the Registrar shall cancel the entry of the registered licensee at the end of that period. Where some or all of the goods are omitted from those in respect of which a trade mark is registered, the Registrar shall at the same time omit them from those specifications of registered licensee of the trade mark in which they are comprised. The Registrar shall notify every cancellation or omission under this sub-rule to the registered licensee or licensees whose permitted use is affected thereby and to the registered proprietor of the trade mark.

66. **Notification and hearing.**— The Registrar shall notify in writing applications under clause(b) of sub-section(4) of section 70 to the registered proprietor and each registered licensee (not being the applicant) under the registration of the trade mark. Any person so notified who intends to intervene in the proceedings, shall within one month of the receipt of such notification give notice to the Registrar in the form as set out in Form TM-32 to that effect and shall send therewith a statement of the grounds of his intervention. The Registrar shall thereupon serve or cause to be served copies of such notice and statement on the other parties, viz., the applicant, the registered proprietor, the registered licensee whose registration is in suit, and any other registered licensee who intervenes. Any such party may, within such time or times as the Registrar may appoint, leave evidence in support of his case, and the Registrar after giving party an opportunity of being heard may accept or refuse the application or accept it subject to any conditions, amendments, modifications or limitations he may think right to impose.

67. **Registered licensee's application.**— An application under sub-section (4) of section 96 shall be made in the form as set out in Form TM-16 or Form TM-33 or Form TM-34, as may be appropriate, by a registered licensee of a trade mark or by such person as may notify the Registrar that he is entitled to act in the name of a registered licensee and the Registrar may require such evidence by affidavit or otherwise as he may think fit as to the circumstances in which the application is made.

68. **Revocation, invalidation and rectification.**— (1) An application to the Registrar for revocation under section 73, or declaration of invalidity under section 80 of the registration of a trade mark or for rectification of an error or omission in the Register under section 96 shall be made in the form as set out in Form TM-26 together with a statement of the grounds on which the application is made. Where the application is made by a person other than the proprietor of the registered trade mark, the application and the statement of the grounds aforesaid shall be left at the Registry, in duplicate. The duplicate copies shall be transmitted forthwith by the Registrar to the registered proprietor.

(2) Upon an application referred to in sub rule (1) being made and copies thereof being transmitted to the registered proprietor, if necessary, the provisions of sub-rules(2) to (12) of rule 30 shall apply *mutatis mutandis* to the further proceedings on the application but the Registrar shall not rectify the Register merely because the registered proprietor has not filed a counter-statement, save that, in case of an application for revocation on the grounds of non-use under clause(a) or (b) of sub-section(1) of section 73, the application shall be granted where no counter-statement is filed.

69. **Intervention by third parties.**— (1) Any person, other than the registered proprietor, alleging interest in a registered trade mark in respect of which an application is made under rule 68 may apply in the form as set out in Form TM-27 for leave to intervene, stating the nature of his interest, and the Registrar may refuse or grant such leave after hearing, if so required, the parties concerned, upon such conditions and terms as he may deem fit.

(2) Any person granted leave to intervene, hereinafter referred as the intervener, shall, subject to the terms and conditions imposed in respect of the intervention, be treated as a party for the purposes of the application of the provisions of rule 30 to the proceedings on an application under this rule.

(3) Where the Registrar has made a decision on the application following any opposition, intervention or proceedings held in accordance with this rule, he shall send the applicant, the person opposing the application and the intervener, if any, written notice of it, stating the reason for his decision; and for the purposes of any appeal against the Registrar's decision the date when the notice of the decision is sent shall be taken to be the date of the decision.

70. Change of name, address or address for service.— (1) The Registrar shall, on a request made in the form as set out in Form TM-33 or Form TM-34, as may be appropriate, by the proprietor of a registered trade mark or a licensee or any person having interest in or charge on a registered trade mark which has been registered under rule 56 or 62, enter any change in his name or address as recorded in the Register.

(2) The Registrar may at any time, on a request made in the form as set out in Form TM-50 by any person who has furnished an address for service under rule 9, if the address is recorded in the Register, change it.

CHAPTER XII.— RE-CLASSIFICATION OF GOODS AND SERVICES IN RESPECT OF EXISTING REGISTRATION

71. Re-classification in respect of existing registration.— (1) On the classification set forth in the Fourth Schedule, the registered proprietor of a trade mark may apply to the Registrar in the form as set out in Form TM-40 for the conversion of the specification relating to the trade mark, so as to bring that specification into conformity with the specification as set forth in the Fourth Schedule. The application shall include a request for the like conversion of the specification in respect of any registered licensee under that registration, and the registered proprietor shall serve a copy of the application on the registered licensee or licensees of the trade mark, if any.

(2) The Registrar shall, thereupon notify in writing to the registered proprietor and to the registered licensee or licensees, if any, a proposal showing the form which, in the Registrar's view, the amendment of the Register should take in consequence of the proposed conversion. Two or more registrations of a trade mark having the same date and in respect of goods, which fall within the same class under the amended or substituted classification, may be amalgamated upon conversion in accordance with this rule.

(3) The proposal referred to in sub-rule (2) shall be advertised in the Journal.

72. Notice of opposition.— (1) Notice of opposition shall be given in the form as set out in Form TM-41, in duplicate, within two months from the date of advertisement of the proposal under sub-rule (2) or within such period not exceeding two months in the aggregate and shall be accompanied by a statement, in duplicate, showing how the proposed amendment would contravene the provisions of section 97. Where there are any registered licensees under the registration of trade mark in question such notice and statement shall also be accompanied by as many copies thereof as there are registered licensees. The Registrar shall within two months send a copy each of the notice and the statement to the registered proprietor and to each registered licensee, if any, and within two months from the receipt by him of each copies the registered proprietor may send to the Registrar in the form as set out in Form TM-6 a counter-statement, in triplicate, setting out fully the grounds on which the opposition is contested. If the registered proprietor sends such counter-statement, the Registrar shall serve a copy thereof on the person giving notice of opposition within two months and the further procedure for the disposal of the opposition shall be regulated by the provisions of sub-rules (3) to (12) of rule 30 *mutatis mutandis*. In any case of doubt, any party may apply to the Registrar for directions.

(2) If there is no opposition within the time specified in sub-rule (1), or in case of opposition, if the conversion of the specification is allowed, the proposal as allowed shall be advertised in the Journal, and all necessary entries shall be made in the Register. The date when such entries are made in the register shall be recorded therein. Any entry made in the Register in pursuance of this sub-rule shall not affect the date of renewal of registration under section 35, which shall be determined in the same manner as above the allowance of the conversion.

73. Request for information.— A request for information relating to an application for registration or to a registered trade mark shall be made in the form as set out in Form TM-45.

74. Information available before publication.— Before publication of an application for registration the Registrar shall make available for inspection by the public the application and any amendments made to it and any particulars contained in a notice given to the Registrar.

75. Inspection of documents.— (1) Subject to sub-rules(2) and (3), the Registrar shall permit all documents filed or kept at the Registry in relation to a registered mark or, where an application for the registration of a trade mark has been published, in relation to that application, to be inspected.

(2) The Registrar shall not be obliged to permit the inspection of any such documents as is mentioned in sub-rule(1) until he has completed any procedure, or the stage in the procedure which is relevant to the document in question, which is required or permitted to carry out under the Ordinance or these rules.

(3) The right of inspection under sub-rule (1) shall not apply to –

- (a) any document until fourteen days after it has been filed at the Registry;
- (b) any document prepared in the Registry solely for use therein;
- (c) any document sent to the Registry, whether at its request or otherwise, for inspection and subsequent return to the sender;
- (d) any request for information under rule 73;
- (e) any document issued by the Registry which the Registrar considers should be treated as confidential;
- (f) any document in respect of which the Registrar issues directions under rule 76 that it be treated as confidential;

(4) Nothing in sub-rule(1) shall be construed as imposing on the Registrar any duty of making available for public inspection –

- (a) any document or part of a document which in his opinion discharges any person in a way likely to damage him; or
- (b) any document filed with or sent to the Registry before coming into force of the Ordinance.

(5) No appeal shall lie from a decision of the Registrar under sub-rule(4) not to make any document or part of a document available for public inspection.

76. Confidential documents.— (1) Where a document other than a form required by the Registrar and published in accordance with rule 3 is filed at the Registry and the person filing it requests, at the time of filing or within fourteen days of the filing, that it or a specified part of it be treated as confidential, giving his reasons, the Registrar may direct that it or part of it, as the case may be, be treated as confidential, and the document shall not be open to public inspection while the matter is being determined by the Registrar.

(2) Where such direction has been given and not withdrawn, nothing in this rule shall be taken to authorize or require any person to be allowed to inspect the document or part of it to which the direction relates except by leave of the Registrar.

(3) The Registrar shall not withdraw any direction given under this rule without prior consultation with the person at whose request the direction was given, unless the Registrar is satisfied that such prior consultation is not reasonably practical.

(4) The Registrar may where he considers that any document issued by the Registry should be treated as confidential so direct, and upon such direction that document shall not be open to public inspection except by leave of the Registrar.

(5) Where a direction is given under this rule for a document to be treated as confidential a record of the fact shall be filed with the document.

77. Decision of Registrar to be taken after hearing.—(1) Without prejudice to any provisions of the Ordinance or these rules requiring the Registrar to hear any party to proceedings under the Ordinance or these rules, or to give such party an opportunity to be heard, the Registrar shall, before taking any decision on any matter under the Ordinance or these rules which is or may be adverse to any party to any proceedings before him, give that party an opportunity to be heard.

(2) The Registrar shall give that party at least ten days' notice of the time when he may be heard unless that party consents to shorter notice.

78. Evidence in proceedings before Registrar.—Evidence in any proceedings before the Registrar shall be given by affidavit, provided that the Registrar may, if he thinks fit, take oral evidence in lieu of, or in addition to, such evidence by affidavit.

79. Registrar's power to require documents, information or evidence.— At any stage of any proceedings before the Registrar, he may direct that such documents, information or evidence as he may reasonable require shall be filed within such period as he may specify.

80. Extension of time.— (1) The time or periods -

- (a) specified by these rules, other than the times or periods specified by the rules referred to in sub-rule (3); or
- (b) specified by the Registrar for doing any act or taking any proceedings, may, at the request of the person or party concerned, be extended by the Registrar to such further period which shall not exceed three months in aggregate, upon such notice to any other person or party affected and upon such terms as he may direct.

(2) A request for the extension of a period specified by these rules which is filed after an application has been published under rule 29 shall be in the form as set out in Form TM-56 and shall in any other case be on that form if the Registrar so directs.

(3) The rules excepted from sub-rule (1) are sub-rule (6) of rule 9 (failure to file address for service), rule 25 (deficiencies in application), sub-rule (1) of rule 30 (time for filing notice of opposition), sub-rule(2) of rule 30 (time for filing counter statement), sub-rule (1) of rule 50 (delayed renewal), rule 52 (restoration of registration) and sub-rule (3) of rule 57 (direction with respect to advertisement of assignment) and rule 62 (registration of assignment to a company under section 72).

(4) Subject to sub-rule (5), a request for extension of time under sub-rule (1) shall be made before the time or period in question has expired.

(5) Where the request for extension is made after the time has expired, the Registrar may, at his discretion, extend the period or time if he is satisfied with the explanation for the delay in requesting the extension and it appears to him that any extension would not disadvantage any other person or party affected by it.

(6) Where the period within which any party to any proceedings before the Registrar may file evidence under these rules is to begin upon the expiry of any period in which any other party may file evidence and that other party notifies the Registrar that he does not wish to file any, or any further evidence the Registrar may direct that the period within which the first mentioned party may file evidence shall begin on such date as may be specified in the direction and shall notify all parties to the dispute of that date.

81. Correction of irregularities, calculation of times and periods.— (1) Any irregularity in procedure in or before the Registry or the Registrar may be rectified, subject to sub-rule (2), on such terms as he may direct.

(2) In the case of an irregularity or prospective irregularity -

- (a) which consists of a failure to comply with any limitation as to times or periods specified in the ordinance, these rules or the old law as that law continues to apply and which has occurred or appears to the Registrar as likely to occur in the absence of a direction under this rule; and
- (b) which is attributable wholly or in part to an error, default or omission on the part of the Registry or the Registrar and which it appears to him should be rectified,

he may direct that the time or period in question shall be extended in such manner as he may specify.

(3) Sub-rule(2) shall be without prejudice to the Registrar's power to extend any time or periods under rule 80.

CHAPTER XIII.— AWARD OF COSTS BY REGISTRAR

82. Costs in uncontested cases.— (1) Where any opposition duly instituted under these rules is not contested by the applicant, the Registrar in deciding whether costs should be awarded to the opponent shall consider whether the proceedings might have been avoided if reasonable notice had been given by the opponent to the applicant before the notice of opposition was filed.

(2) Notwithstanding anything in sub-rule(1) costs in respect of fees specified under entries 5, 6, 7, 8, 9 & 10 of the First Schedule and of all stamps used on and affixed to affidavits used in the proceedings shall follow the event.

(3) Scale of costs: Subject to the provisions of sub-rules (1) and (2), in all proceedings before the Registrar the Registrar may, save as otherwise expressly provided by the Ordinance, award such costs, not exceeding the amount admissible therefor under the Sixth Schedule, as he considers reasonable having regard to all the circumstances of the case.

83. Security for costs.— (1) The security for cost which the Registrar may require any person who is a party to any proceedings before him under the Ordinance or these rules to give in relation to those proceedings, may be fixed at any amount which he may consider proper, and such amount may be further enhanced by him at any stage in the proceedings.

(2) In default of the security referred to in sub-rule(1) being given, the Registrar, in the case of the proceedings before him, may treat the party in default as having withdrawn his application, opposition, objection or intervention, as the case may be.

84. **Supply of certified copies, etc.** The Registrar shall supply a certified copy of extract, as requested in the form as set out in Form TM-46 of any entry in the Register or any document referred to in sub-section (1) of section 121 or of any decision or order of the Registrar. The purpose for which the certified copy of extract or document is required shall be stated in the form as set out in Form TM-46.

(2) Where a copy of any trade mark has to be included in a certified copy, the Registrar may require the applicant to supply a copy thereof suitable for the purpose, and if the applicant fails to do so, the Registrar shall not be obliged to include a copy of the mark in the certified copy.

(3) Where a certificate or certified copy of extract relating to the registration of a trade mark is desired for use in obtaining registration in any territory outside Pakistan, the Registrar shall include in the certificate or certified copy of extract a copy of the mark and may require the applicant for the certificate or certified copy of extract to furnish him with a copy of the mark suitable for the purpose, and if the applicant fails to do so, the Registrar may refuse to issue the certificate or certified copy of extract.

(4) Where a trade mark is registered without limitation of colour, the copy of the mark to be included in the certified copy of extract, may be either in the colour in which it appears upon the Register or in any other colour or colours. It shall be stated in the certificate or certified copy of extract that the trade mark is registered without limitation of colours.

CHAPTER XIV.-APPEAL TO THE HIGH COURT

85. **Time for appeal.**-An appeal to the High Court from any decision of the Registrar under the Ordinance or these rules shall be made within two months from the date of such decision or within such further time as the High Court may allow.

CHAPTER XV.-MISCELLANEOUS

86. **Certificate of validity to be noted.**- Where the court has certified as provided in section 112 with regard to the validity of a registered trade mark, the registered proprietor thereof may request the Registrar in the form as set out in Form TM-47 to add to the entry in the Register a note that the certificate of validity has been granted in the course of proceedings, particulars of which shall be given in the request. An officially certified copy of the certificate shall be sent with the request, and the Registrar shall record a note to that effect in the Register and publish the note in the Journal.

87. **Request to Registrar for search.**- A person may in the form as set out in Form TM-55 request the Registrar to cause a search to be made in respect of specified goods or services classified in any one class of the Fourth Schedule to ascertain whether any mark in the Register or among pending applications for registration resembles a trade mark of which duplicate representations accompany the form. The Registrar shall cause such search to be made and the person making the request to be informed of the result thereof.

88. **Personal Search.**- A person may also conduct personal search on payment of the fee in respect of the specified goods or services in any one class of the Fourth Schedule to ascertain whether any mark in the Register or among pending applications for registration resembles a trade mark of which he desires registration.

89. **Distribution of copies of Journal and any other document.**- The Federal Government may direct the Registrar to distribute the Journal and any other document which it may consider necessary, to such places as may be fixed by the Federal Government in consultation with the Provincial Governments and notified from time to time in the official Gazette.

90. **Applications made to the Court to be served on the Registrar.**- Every application to the High Court under the Ordinance shall be served on the Registrar.

91. **Exercise of discretionary power of Registrar.**- The time within which a person entitled under sub-section (2) of section 111 to an opportunity of being heard shall exercise his option of requiring to be heard shall, save as otherwise expressly provided in the Ordinance or these rules, be one month from the date of a notice which the Registrar shall give to such person before determining the matter with reference to which such person shall be entitled to be heard, if within that month such person requires to be heard the Registrar shall appoint a date for the hearing and shall give ten days' notice thereof.

92. **Notification of decision.**- The decision of the Registrar in the exercise of any discretionary power given to him, by the Ordinance or these rules shall be notified to the person affected.

PART II

SPECIAL PROVISION FOR TEXTILE MARKS

CHAPTER I.-MISCELLANEOUS

93. **Rules to apply to textile marks.**- Subject to the provisions of this Part, the provisions of Part I and Part IV of these rules shall apply to textile marks and certification trade marks in respect of textile goods as they apply to trade marks and certification trade marks in respect of non-textile goods.

94. **Textile marks.**- The expression "textile mark" means a trade mark or a certification trade mark used or proposed to be used in relation to goods specified in rule 95 as "textile goods" for the purpose of Chapter XI of the Ordinance.

95. **Textile goods.**- The classes of goods to which Chapter XI of the Ordinance shall apply and which are in the Ordinance and these rules referred to as textile goods shall be classes 22 to 27, both inclusive, of the Fourth Schedule.

96. **Items of textile goods.**- A separate application for the registration of a trade mark shall be made in respect of each of the items of textile goods specified in the Fifth Schedule where the mark consists exclusively of letters or numerals or any combination thereof. Such application shall be made in the form as set out in Form TM-53.

97. **Grouping of items of the Fifth Schedule.**- For the purposes of applications for the registration of trade marks consisting exclusively of letters, numerals or any combination thereof, the items of the Fifth Schedule shall be grouped as follows; and goods falling in each group shall be deemed to be goods of the same description, and goods falling in different groups shall not be deemed to be goods of the same description.

- Group 1: Items 1, 4, 5, 8, 9, 10, 11, 12, 16, 19, 20, 22, 23, 24, 25, 26, 27, 30, 33, 36, 37, 39, 41, 42, 44, 45, 48, 49, 54, 55, 59, 61, 62, 65 and 91.
- Group 2: Items 2, 3, 14, 17, 18, 34, 35 and 47.
- Group 3: Items 6, 7, 21, 38 and 52.
- Group 4: Items 13, 29, 75, 77 and 78
- Group 5: Items 15, 28, 31, 40, 60, 66, 79, 88, 90 and 93.
- Group 6: Items 32, 43, 64 and 94.
- Group 7: Items 46, 83 and 85.
- Group 8: Items 50, 51, 56, 57, 63, 76, 80, 84, 86, 87 and 89.
- Group 9: Items 53.
- Group 10: Items 58, 82 and 92.
- Group 11: Items 67, 68, 69, 70 and 71.
- Group 12: Items 72.
- Group 13: Items 73.
- Group 14: Items 74.
- Group 15: Items 81.

CHAPTER II.-CONDITIONS AND RESTRICTIONS FOR REGISTRATION OF LETTERS AND NUMERALS

98. **Definitions.**- For the purposes of this Chapter, unless there is anything repugnant in the subject or context,-

- (a) "balanced numeral" means a trade mark consisting of either identical numerals or identical letters of not less than three nor more than seven digits;
- (b) "digit" includes a single letter; and
- (c) "letter fraction" means a fraction containing one or more letters.

99. **Non-registrability of certain marks.**- (1) Subject to sub-rule (2), in respect of textile goods the following marks shall not be capable of registration, namely:-

- (a) Any numeral of one digit or of more than six digits not being a balanced numeral;
- (b) a single letter or any combination of letters of more than six letters not being a balanced numeral;
- (c) any combination of numerals and letters of more than eight digits;
- (d) any fraction or letter fraction consisting of more than eight digits together;
- (e) any fraction or letter fraction having less than three digit together;
- (f) any combination of numerals and fractions of more than six digits;
- (g) any combination of numerals, letters, fractions and letter fractions either having more than eight digits or ending with a fraction of more than one digit in the numerator or in the denominator;
- (h) numerals or letters representing cloth dimensions; and
- (i) a balanced numeral which does not consist of at least two or two less digits than a balanced numeral of the same series already registered in the name of a different person in respect of the same goods or description of goods;

(2) A trade mark shall not be refused registration by virtue of the provisions of sub-rule (1) if, before the date of application for registration, it has, in fact, acquired distinctive character as a result of the use made of it.

100. **Marks likely to deceive or to cause confusion.**- (1) A trade mark consisting of numerals, letters, fractions, letter fractions, or any combination thereof, and not being a balanced numeral, shall not be capable of being registered as a trade mark if it does not differ from a trade mark registered in the name of a different person in respect of the same goods or description of goods as follows namely:-

- (a) In the case of numerals not exceeding four digits, in at least one corresponding digit;
- (b) in the case of numeral of five digits, in at least two corresponding digits;
- (c) in the case of numeral of six digits, in at least three corresponding digits;
- (d) in the case of a combination of two letters, in at least one corresponding letter;
- (e) in the case of combination of three or four letters, in at least two corresponding letters;
- (f) in the case of a combination of five or six letters, in at least three corresponding letters;
- (g) in the case of a mark consisting of one letter and one numeral digit, in at least one of them;
- (h) in the case of mark consisting of one letter and two or three numeral digits, in at least one corresponding numeral digit;
- (i) in the case of mark consisting of one letter and four or more numeral digits, in at least two corresponding digits;
- (j) in the case of a mark consisting of two or more letters and one or more numeral digits, in at least one corresponding letter and one corresponding numeral digit;
- (k) in the case of a fraction or letter fraction or any combination thereof in which the total number of digits in the numerator and denominator is three or four, in at least one corresponding digit from either the numerator or the denominator;
- (l) in the case of a fraction or letter fraction or any combination thereof in which the total number of digits in the numerator and denominator is five or more, in at least one corresponding digit in the numerator and one corresponding digit in the denominator or two corresponding digits in either the numerator or the denominator;
- (m) in the case of a combination consisting of a numeral and a fraction in at least one corresponding numeral digit; and
- (n) in the case of a combination of letters, numerals, and fraction (including letter fraction) ,-
 - (i) where the total number of digits excluding the fraction is not more than three, in at least one corresponding digit; and
 - (ii) where the total number of digits, excluding the fraction, is four or more, in at least two corresponding digits.

(2) Nothing in sub-rule (1) shall be construed to signify that where a trade mark does not come within the scope of any case specified in the said sub-rule, the mark shall necessarily be regarded as not being likely to deceive or to cause confusion.

CHAPTER III.-ADVISORY COMMITTEE

101. **Constitution of Advisory Committee.**-(1) For the purposes of section 95, an Advisory Committee shall be constituted consisting of members appointed by the Federal Government on the recommendation of the Association specified in the Seventh Schedule.

(2) The number of recommendations which the Association specified in the Seventh Schedule shall be entitled to make shall be those specified in the said Schedule:

Provided that if within the period allowed by the Federal Government for this purpose any of the said Association fails to make any recommendation or to make the full number of recommendations which it is entitled to make, the Federal Government may appoint the required number of members of the Advisory committee of its own motion without any such recommendation.

(3) The Federal Government may appoint other persons versed in the usage of the textile trade as members of the Committee.

102. **Tenure of office of members.**- The tenure of office of each member of the Advisory Committee shall be two years, but a retiring member shall be eligible for re-appointment at the end of his tenure:

Provided that a member may continue to hold office after the expiry of two years from his appointment until such time as he is re-appointed or another member is appointed in his place.

103. **Substitution of members.**- Whenever any member of the Advisory Committee ceases to reside in Pakistan, or becomes incapable of acting as a member of the Advisory Committee, the Federal Government may appoint another person to be a member in his stead, in accordance with the provisions of rule 101.

104. **Co-option of members.**- Whenever it is considered expedient so to do, the Advisory Committee may co-opt one or more persons as its members for the purpose of any of its meetings:

Provided that any person co-opted as a member for the purpose of any meeting shall automatically cease to be a member after the termination of the said meeting.

105. **Meetings of the Advisory Committee.**- (1) The Advisory Committee shall elect two of its members as Chairman and Vice-Chairman respectively. When the Chairman or vice-Chairman ceases to hold office, the vacancy shall be filled by re-election at the next meeting of the Advisory Committee.

(2) The meetings of the Advisory Committee shall be convened by the Chairman at such time and place as he thinks fit.

106. **Secretary of the Advisory Committee:** The Advisory Committee shall also appoint a Secretary and deposit the name and address of the Secretary at the Registry.

107. **Manner of consultation.**- Any question which the Advisory Committee is required to consider and advise upon may be referred for decision to the members of the Advisory Committee either at its meetings or by circulation of the papers:

Provided that any question referred by circulation of papers, shall on request of at least ten members of the Advisory Committee, be placed on the agenda of its next meeting.

108. **Facts of a case for advice.**- The Registrar shall send in writing to the Advisory Committee the facts relating to the case in which its advice is sought.

109. **Time limit for giving advice.**- The advice sought by Registrar from the Advisory Committee shall be given by the Advisory Committee in writing within twenty-one days from the date of the receipt of the letter seeking advice, but the Registrar may extend the time at the request of the Advisory Committee.

110. **Further information.**- Where for the purpose of giving advice sought by the Registrar, the Advisory Committee requires further information, the Secretary of the Advisory Committee may write to the Registrar and the required information shall be given by the Registrar in writing.

111. **Presiding at meetings.**- The Chairman shall preside at every meeting at which he is present, and if he is absent, the Vice-Chairman shall preside over the meeting. In the absence of the Chairman and the Vice-Chairman, the members present shall elect one of their member to preside over the meeting.

112. **Decision by voting.**- Whenever the members of the Advisory Committee are divided in their opinion on any point at issue, the question shall be decided by a majority of the votes, and the voting shall be by show of hands. The Chairman may vote, and in the case of an equality of votes, shall have a casting vote.

113. **Record of meetings.**- The Secretary of Advisory Committee shall maintain a record of all business transacted by the Advisory Committee. The Registrar shall be entitled to call for copies certified to be true by the Secretary of the record of the business transacted at any meeting.

PART III REGISTRATION OF TRADE MARK AGENTS

114. **Definitions.**- For the purposes of this Chapter, unless there is anything repugnant in the subject or context,-

- (a) "Agent" means a legal practitioner, or a person registered as an Agent under the old-law, or a Registered Agent;
- (b) "graduate" means a graduate of any university established by law in Pakistan, or any foreign university recognized by the Federal Government; and
- (c) "Registered Agent" means a trade mark agent whose name is actually on the Register of trade mark agents kept under rule 115.

115. **Register of trade mark agents.**- The Trade Marks Registry shall maintain the Register of trade mark agents wherein shall be entered the name, residential address, business address, qualifications and date of registration of every Registered Agent.

116. **Eligibility for registration.**- (1) No person shall be eligible for registration as a trade mark agent unless he is resident in Pakistan and has been considered by the Registrar to be a fit person to become a Registered Agent.

(2) A person shall not be qualified for registration as a trade mark agent unless he is a citizen of Pakistan and -

- (a) is at least a graduate in law, science, arts or commerce or graduate in engineering from a recognized university or possesses an equivalent qualification with at least three years' experience of working with a Registered trade mark agent or an advocate practicing before the Registry and has passed a written and oral examination about law and procedure of trade marks, evidence and civil procedures of Pakistan with more than fifty percent score; or
- (b) has been an officer of Basic Pay Scale 17 or above in the Trade Marks Registry for a period of not less than seven years:

Provided that no such person shall be entitled to registration for a period of one year from the date of retirement or termination of service:

Provided further that no such person shall be entitled to registration if he has been dismissed or removed from service.

117. Persons debarred from registration.- A person shall not be eligible for registration as a trade mark agent if he –

- (i) has been adjudged by a competent court to be of unsound mind;
- (ii) is an undischarged insolvent;
- (iii) being a discharged insolvent has not obtained from the court a certificate to the effect that his insolvency was caused by misfortune without any misconduct on his part;
- (iv) has been convicted by a competent court, whether within or without Pakistan of an offence punishable with transportation or imprisonment, unless the offence of which he has been convicted has been pardoned or unless on an application made by him, the Federal Government has, by order in this behalf, removed the disability; or
- (v) is considered by the Federal Government not to be a fit and proper person to become a Registered Agent by reason of any act of negligence, misconduct or dishonesty committed in his professional capacity.

118. Manner of making application.- All applications for registration as trade mark agent, shall be sent to, or left at, the Trade Marks Registry, and shall be made in duplicate.

119. Application for registration as a trade mark agent.- (1) Every person desiring to be registered as a trade mark agent shall make an application in the form as set out in Form TMA-1.

(2) The applicant shall furnish such further information bearing on his application as may be required of him at any time by the Registrar.

120. Procedure on application.- On receipt of an application for the registration of a person as a trade mark agent, the Registrar shall grant him an opportunity of appearing in a written and oral examination that shall be conducted once in a year either at the Trade Marks Registry or at an educational institution duly approved by the Registrar.

121. Registration in the Register of trade mark agents.- If the applicant has passed the written and oral examination, qualifies requirements specified in rule 116 and does not offend any requirements specified in rule 117, the Registrar shall send an intimation to that effect to the applicant, and any person so intimated may pay the prescribed fees for his registration as a trade mark agent. On receipt of the prescribed fees, the Registrar shall cause the applicant's name to be entered in the Register of trade mark agents, and shall issue to him a certificate in the form as set out in Form O-4 in recognition of his registration as a trade mark agent.

122. Continuance of a name in Register of trade mark agents.- Subject to the provisions of rule 117, the continuance of a person's name in the Register of trade mark agents shall be subject to his payment of the fee prescribed in that behalf.

123. Removal of agent's name from Register of trade mark agents.- (1) The Registrar may remove permanently or temporarily from the Register of trade mark agents the name of any Registered Agent –

- (a) from whom a request has been received to that effect; or
- (b) from whom the annual fee has not been received on the expiry of three months from the date on which it became due; or
- (c) who is found to have been subject at the time of his registration or thereafter has become subject, to any of the disabilities stated in clauses (i), (ii), (iii) and (iv) of rule 117; or
- (d) whom the Federal Government has declared not to be a fit and proper person to remain on the Register by reason of any act of negligence, misconduct or dishonesty committed in his professional capacity:

Provided that before making such declaration, the Federal Government shall call upon the person concerned to show cause why his registration should not be cancelled and shall make such further inquiry, if any, as it may consider necessary.

(2) The Registrar shall remove from the Register of trade mark agents the name of any Registered Agent who is dead.

(3) The removal of the name of any person from the Register of trade mark agents shall be notified in the official Gazette and in the Journal and shall, wherever possible, be communicated to the person concerned.

124. Restoration of removed names.- (1) The Registrar or the Federal Government, as the case may be, may on an application in the form as set out in Form TMA-2 from a person whose name has been temporarily removed under sub-rule (1) of rule 122, restore his name to the Register of trade mark agents.

(2) The restoration of a name to the Register of trade mark agents shall be notified in the official Gazette and in the Journal, and shall whenever possible be communicated to the person concerned.

125. Alteration in the Register of trade mark agents.- (1) A Registered Agent may apply in the form as set out in Form TMA-3 for alteration of his name, address, business address or qualifications entered in the Register of trade mark agents. On receipt of such application and the fee prescribed in that behalf, the Registrar shall cause the necessary alteration to be made in the Register of trade mark agents.

(2) Every alteration made in the Register of trade mark agents shall be notified in the official Gazette and in the Journal.

126. Publication of the Register of trade mark agents.- The Register of trade mark agents shall be published from time to time, as the Registrar may deem fit, the entries being arranged in the alphabetical order of the surnames of the Registered Agents and copies thereof shall be placed for sale.

127. **Registration of existing trade mark agents.**- (1) Notwithstanding anything in rule 116, every person whose name is, on notified date, on the Register of trade mark agent maintained under the Revised Trade Marks Rules, 1963, shall be deemed to be registered as a trade mark agent under the Ordinance and the rules.

(2) The continuance fee of trade mark agents deemed to be registered under sub rule (1) shall be payable as and from the notified date.

(3) Legal practitioners shall not *be* required to be on the Register of trade mark agents to act as Agents.

PART IV

RULES RELATING TO BRANCH REGISTRY

128. **Establishment and administration of Branch Registry.**-(1) The Federal Government may establish a Branch at any place in the territory to which the Ordinance extends.

(2) Each Branch Registry shall be in charge of a Deputy Registrar of Trade Marks or any other officer to whom any particular functions of a Registrar have been delegated by the Registrar, and shall act under the control and superintendence of the Registrar.

129. **Applications, etc.**- All applications, notices, statements and other documents, and any fees therefor, authorized or required under the Ordinance or these rules to be made, left, sent or paid to a Branch Registry if made, left, sent or paid to the Branch Registry shall, thereupon, have effect as if they were duly made, left or sent or paid to the Trade Marks Registry.

130. **Inspection of copy of Register, etc.** -A copy of the Register and representation of pending applications shall be available for inspection on payment of the prescribed fee, at such times on all days on which the Branch Registry is not closed to the public, as may be fixed by the Registrar.

131. **Hearing at a Branch Registry.**- (1) Where an application for the registration of a trade mark has been made at a Branch Registry, the application shall in the event of a hearing becoming necessary, and if the applicant so desires, be heard at the Branch Registry:

Provided that in the event of the Registrar having to deal with more than one application for the registration of the same or closely similar trade mark made at a Branch Registry, at one hearing it shall be in the discretion of the Registrar to direct the hearing of the application at Karachi or at the Branch Registry.

(2) Where the hearing has taken place at the Branch Registry, the decision in respect thereof shall be pronounced at the Branch Registry.

PART V

RETURN OF EXHIBITS AND DESTRUCTION OF RECORD

132. **Return of exhibits.**- (1) Where the exhibits produced in any matter or proceeding under the Ordinance or the rules are no longer required in the Trade Marks Registry, the Registrar may call upon the party concerned to take back the exhibits within a time specified by him and if the party fails to do so, such exhibits shall be destroyed.

(2) Where, before the notified date any exhibits have been produced in any proceedings, the Registrar may, if satisfied that it is no longer necessary to retain them cause them to be destroyed after the expiration of six months from the notified date.

133. **Destruction of records.**- Where an application for the registration of a trade mark has been withdrawn or abandoned or refused or a trade mark has been removed from the Register or in an opposition or rectification proceeding the matter has been concluded and no appeal is pending before the High Court or the Supreme Court, the Registrar may, at the expiration of three years after the trade mark is removed from the Register or the opposition or rectification proceeding is closed, as the case may be, destroy all or any of the records relating to the application, opposition or rectification or the trade mark concerned.

PART VI

MISCELLANEOUS

134. **Form for conversion of pending application.**- (1) A notice to the Registrar under paragraph 11 of the Fourth Schedule to the Ordinance, claiming to have the registrability of the mark determined in accordance with the provisions of the Ordinance, shall be in the form as set out in Form TM-44.

(2) Where an application for registration of trade mark made under the old law is advertised on or after these rules comes into force, the period within which notice of opposition may be filed shall be governed under these rules and not under rules hereby repealed.

135. **Repeal and Savings.**- (1) The Revised Trade Marks Rules, 1963, are hereby repealed.

(2) Except as provided by these rules, anything done, any action taken, any proceedings commenced or any order made under or in pursuance of the Revised Trade Marks Rules, 1963, shall be deemed to have been done, taken, commenced or made under or in pursuance of these rules.

(3) Except as provided under rule 134, where-

- (a) immediately before these rules come into force, any time or period prescribed by the Revised Trade Marks Rules, 1963, has effect in relation to any act or proceedings and has not expired; and
- (b) the corresponding time or period prescribed by these rules would have expired or would expire earlier, the time or period prescribed by the Revised Trade Marks Rules, 1963, and not by these rules, shall apply to that act or proceedings.

THE FIRST SCHEDULE

[See rule 4]

FEES

Serial Number.		Amount (Rs.)	Corresponding Form No.
(1)	(2)	(3)	(4)
1.	On application not otherwise charged to register a trade mark for a specification of goods or services included in one class (section 22).	1000/-	TM-1
2.	On application to register a trade mark for a specification of goods or services included in one class from a convention country under section 25.	1000/-	TM-2
3.	On application under section 82, read with the First Schedule to the Ordinance, to register a collective mark for a specification of goods or services included in one class.	1000/-	TM-3
4.	On application under section 83 read with the Second Schedule to the Ordinance, to register a certification trade mark for a specification of goods or services included in one class.	1000/-	TM-4
5.	On notice of opposition under section 28(2), for each application opposed.	3000/-	TM-5
6.	On a counter-statement in answer to a notice of opposition under section 28(4) for each application opposed, or in answer to an application under any of sections 73, 80 and 96 in respect of each trade mark; or in answer to a notice of opposition under section 37 or 97, for each application or conversion opposed.	500/-	TM-6
7.	On notice of intention to attend hearing under any of sections 28, 37, 73, 80, 96 and 97 by each party to the proceeding concerned.	200/-	TM-7
8.	On notice of opposition to application for registration of collective mark or certification trade mark under the First Schedule (section 82) and the Second Schedule (section 83).	3,000/-	TM-8
9.	On a counter-statement in answer to a notice of opposition under the First Schedule (section 82) and the Second Schedule (section 83) for Registration of collective mark or certification trade mark.	500/-	TM-9
10.	Notice of intention to attend hearing of an opposition to an application for registration of a collective mark or a certification trade mark. (rules 40 & 43)	200/-	TM-10
11.	For one registration of a trade mark not otherwise charged, in respect of an application for a specification of goods or services including series of trade marks, collective mark, certification mark and textile mark, included in one class.	3000/-	TM-11
12.	For each addition to the registered entry of a trade mark of a note that the mark is associated with a newly registered mark.	100/-	TM-11

13.	For renewal under section 35 of the registration of a trade mark at the expiration of the last registration, not otherwise charged including renewal of series of trade marks, collective mark, certification marks and textile marks.	5000/-	TM-12
14.	Additional fee under rule 52(1) for late payment of renewal.	300/-	TM-12
15.	On request for restoration under section 35(6) of a trade mark removed from the register.	1000/-	TM-13
16.	On application under section 32(4) to divide pending trade mark application.	300/-	TM-14
17.	On a request under section 27(6) to state grounds of decision.	500/-	TM-15
18.	On request not otherwise charged, for correction of clerical error or for permission to amend application. section 27(7).	200/-	TM-16
19.	On application for certificate of the Registrar under section 69(3). For each mark proposed to be assigned.	300/-	TM-17
	For every additional mark proposed to be assigned.	100/-	
20.	On application for approval of the Registrar under section 69(3). For first mark. For every additional mark.	300/- 100/-	TM-19
21.	On application under section 69(2) for directions of the Registrar for advertisement of assignment of trade marks in use, without goodwill- For first mark assigned. For every additional mark.	200/- 100/-	TM-20
22.	On application for extension of time for applying for directions under section 69(2) for advertisement of assignment of trade marks in use, without goodwill, in respect of one devolution of title- Not exceeding one month Not exceeding two months Not exceeding three months.	200/- 400/- 600/-	TM-21
23.	On application under paragraph 12 of the Second Schedule to the Ordinance for consent of the Registrar to the assignment or transmission of a certification trade mark.	200/-	TM-22
24.	On application under section 70(2)(a) to register a subsequent proprietor in a case of assignment or transmission of a single trade mark- If made within six months from the date of acquisition of proprietorship. If made after expiration of six months from the date of acquisition of proprietorship-	2000/- 2500/-	TM-23

25.	On application under section 70(2)(a) to register a subsequent proprietor of more than one trade mark registered in the same name, the devolution of title being the same in each case. If made within six months from the date of acquisition of proprietorship. For the first mark For additional mark. If made after expiration of six months from the date of acquisition of proprietorship. For the first mark. For additional mark.	2000/- 500/- 2500/- 500/-	TM-24
26.	On application under section 72(4) for extension of time for registering a company as subsequent proprietor of trade marks on one assignment - Not exceeding two months. Not exceeding four months. Not exceeding six months.	200/- 400/- 600/-	TM-25
27.	On application under any of sections 73,80 and 96 for rectification of the Register or removal of trade mark from the Register.	750/-	TM-26
28.	On application under rule 69 for leave to intervene in proceedings under any of sections 73, 80 and 96 for rectification of the Register or removal of trade mark from the Register.	500/-	TM-27
29.	Application for Registration of Registered licensee. For the first mark. For every additional mark.	1000/- 250/-	TM-28
30.	On application under section 70(4)(a) and rule 64 to vary the entry of a registered licensee - For first mark. For every additional mark.	500/- 250/-	TM-29
31.	On application under section 70(4)(b) and rule 65(1) for cancellation of the entry of a registered licensee - For the first mark. For every additional mark of the same proprietor for which the same registered licensee is registered, included in the application	500/- 100/-	TM-30
32.	On application under section 70(4) and rule 65(1) to cancel the entry of a registered licensee - For the first mark. For every additional mark of the same proprietor for which the same registered licensee is registered, included in the application.	500/- 100/-	TM-31
33.	On notice under rule 66 of intention to intervene in one proceeding for the variation or cancellation of entries of a registered licensee of trade marks.	250/-	TM-32
34.	On application under section 96(4) to change the name or description of a proprietor or registered user where there has been no change in the proprietorship or in the identity of the registered licensee - For the first mark. For every additional mark.	500/- 100/-	TM-33

35.	On application under section 96(4) to alter one or more entries of the trade or business address of a registered proprietor or a registered licensee of a trade mark where the address in each case is the same and is altered in the same way For the first entry. For every additional entry.	200/- 50/-	TM-34
36.	Application by registered proprietor of trade mark for the cancellation of entry thereof in the Register. (section 38).	200/-	TM-35
37.	Application by registered proprietor of trade mark to strike out goods from those for which the trade mark is registered. (section 38).	200/-	TM-36
38.	Request by registered proprietor of a trade mark that a disclaimer or memorandum relating thereto may be registered. [rule 34(f) and 34(9)].	200/-	TM-37
39.	On application under section 37 for leave to add to or alter a registered trade mark For the first registration. For each additional registration.	1000/- 100/-	TM-38
40.	On notice of opposition under section 37(2) to an application for leave to add to or alter registered trade mark for each application opposed.	500/-	TM-39
41.	On application under section 97(2) for conversion of specification.	150/-	TM-40
42.	On notice of opposition under section 97(5) to a conversion of the specification or specifications of a registered trade mark or registered trade mark - For the first mark. For every additional mark.	500/- 150/-	TM-41
43.	On application under paragraph 10 of the First Schedule and paragraph 11 of the Second Schedule to the Ordinance, and rules 40 and 46 for alteration of the deposited regulations of a collective mark or a certification trade mark - For the regulations of one registration. For the same or substantially same regulations of each additional registration proposed to be altered in the same way and included in the same application.	300/- 50/-	TM-42
44.	On application under paragraph 14 of the First Schedule and paragraph 16 of the Second Schedule to the Ordinance, to expunge or vary the registration of a collective or a certification trade mark or to vary the deposited regulations of a collective mark or certification trade mark of the same registered proprietor where the regulations are substantially the same.	600/-	TM-43
45.	Claim to have the registerability of the mark applied for before commencement of the Ordinance, determined in accordance with the provisions of the Ordinance (conversion of application) para-graph 11 of the Fourth Schedule to the Ordinance.	200/-	TM-44

46.	Request for information about applications and registered marks. (section 109).	500/-	TM-45
47.	On request for certificate of the Registrar under any of sections 11 and 121(2) other than certificate under section 33(1).	500/-	TM-46
48.	On request to enter in the Register and advertise a certificate of validity, under rule 112 and rule 86. For the first registration certified. For every additional registration.	300/- 50/-	TM-47
49.	On application by registered proprietor or a registered licensee of a trade mark or a person about to be registered, to enter, alter or substitute an address for service as part of his registration. (section 126 rules 9 and 70). For the first entry. For every additional entry.	100/- 50/-	TM-50
50.	On application under section 82 and the First Schedule to the Ordinance to register a collective mark for a specification of goods or services in any one class from a convention country under section 25.	1000/-	TM-51
51.	On application under section 83 and the Second Schedule to the Ordinance, to register a certification trade mark for a specification of goods or services from a convention country under section 25.	1000/-	TM-52
52.	On application to register a textile mark, other than a collective mark or a certification trade mark, consisting of numerals or letters or any combination thereof in one class for specification of goods or services included in one item of the Fifth Schedule of the Ordinance and under rule 91.	1000/-	TM-53
53.	On application to register a textile mark (other than collective or a certification mark), consisting exclusively of numeral or letters or any combination thereof in one class for specification of goods or services included in one item on the Fifth Schedule to the Ordinance under rule 12 from convention country under section 25.	1000/-	TM-54
54.	On request for search under rule 87 In respect of each class.	500/-	TM-55
55.	On application for extension of time under any of the rule 80.	500/-	TM-56
56.	On application for restoration of a trade mark abandoned for non-compliance of the requirements of the Registry. See section 33(5) and rules 24(b) and 26(3).	500/-	TM-57
57.	On petitions (not otherwise charged) for review of Registrar's order or for obtaining Registrar's orders on any interlocutory matter in a contested proceeding.	500/-	--
58.	For inspecting Register or copies thereof or notice of opposition, counter statement or decision in connection with any opposition or application rectification of the Register relating to any particular trade mark, or such other document as may be specified by the Federal Government by notification from time to time in the Journal, for every quarter of an hour or part thereof.	100/-	

59.	For permission to search amongst the classified representations of trade marks, for each quarter of an hour.	100/-	
60.	For office copy of documents.	20/- For every hundred words subject to minimum Rs.100/-	----
61.	For photographic copy of documents.	Cost according to agreement	----
62.	On application for registration as a trade mark agent under rule 119.	1000/-	TMA-1
63.	For registration of a person as a trade mark agent under rule 121.	2000/-	Form 0-4
64.	For continuance of the name of a person in the Register under rule 122,-		
(a)	for the whole life of the registered agent, by a single consolidated payment; or	15000/-	
(b)	from year to year,-		
(i)	for every year (excluding the first year) to be paid on the 1 st of July in each year, or	500/-	
(ii)	for the first year, to be paid along with the fee for registration,-		
	in the case of a person registered at any time between the 1 st of July and 31 st of December; and	300/-	
	in the case of person registered at any time between the 1 st January and 30 th June following.	200/-	
	N.B. - A year for the purposes of this clause will commence on the 1 st day of July and end on the 30 day of June following		
65.	On application for restoration of the name of a person to the Register of trade mark agents under rule 124.	500/-	TMA-2
66.	On application for an alteration of any entry in the Register of trade mark agents under rule 125.	200/-	TMA-3

THE SECOND SCHEDULE

[See rule 3]

LIST OF FORMS

Form No.		Title.	Serial number of the First Schedule.
(1)	(2)	(3)	(4)
TM-1.	22	Application for registration of trade mark for a specification of goods or services and to register a domain name.	1
TM-2	25	Application for registration of trade mark for specification of goods or services from a convention country and for protection of trade-mark during exhibition.	2
TM-3	82; the First Schedule to the Ordinance.	Application for registration of collective mark for a specification of goods or services.	3
TM-4	83; the Second Schedule to the Ordinance.	Application for registration of certification trade mark.	4
TM-5	28	Notice of opposition to application for registration of a trade mark for a specification of goods or services.	5
TM-6	28,37,73,809 6 & 97(5); rules 30(2) and 72(1).	Form of counter-statement.	6
TM-7	28,37,73,809 6,97; rule 72(1).	Notice of intention to attend hearings.	7
TM-8	82; the First Schedule to the Ordinance; and 83; Second Schedule to the Ordinance.	Notice of opposition to an application for registration of a collective mark or certification trade mark.	8
TM-9	-do-	Form of counter-statement in reply to notice of opposition to an application for Registration of a collective mark or a certification trade mark.	9

TM-10	rules 39 and 44.	Notice of intention to attend hearing of an opposition to an application for registration of a collective mark or a certification trade mark.	10
TM-11	33(2); rule 48	Fee for registration of trade mark for a specification of goods or services including collective mark, certification trade mark and textile marks.	11
TM-11	---	For each addition to the registered entry of a trade mark of a note that the mark is associated with a newly registered mark.	12
TM-12	35	Renewal of registration of trade mark for a specification of goods or services including collective marks, certification trade mark and textile marks.	13
TM-12	rule 52(1)	Additional fee under rule 52(1) for late payment of renewal.	14
TM-13	35(6); rule 53	Restoration of trade mark removed from Register for non-payment of renewal fee.	15
TM-14	32	Application to register divisional application.	16
TM-15	27(6)	Request for statement of grounds of decision.	17
TM-16	27(7)	Request for correction of clerical error, or for permission to amend application.	18
TM-17	69(3)(a)	Application for the approval of the Registrar with regard to a proposed assignment or a transmission of a registered trade mark resulting in exclusive rights in different persons in relation to some goods or services for which trade mark is registered.	19
TM-18	69(3)(b) and rule 61	Affidavit in support of Statement of case.	
TM-19	69(3)(b)	Application for the Approval by the Registrar of a proposed assignment, or of a transmission of a trade mark resulting in exclusive rights in different persons for different parts of Pakistan.	20
TM-20	69(2); rule 58	Application for directions for the advertisement of an assignment of trade marks otherwise than in connection with the goodwill of the business.	21
TM-21	Rule 55(3)	Application for extension of time in which to apply for the Registrar's directions for the advertisement of an assignment of trade mark otherwise than in connection with the goodwill of the business.	22

TM-22	Paragraph 12 of the Second Schedule to the Ordinance; rule 46(2)	Application for consent of the Registrar to the assignment or transmission of a Certification Trade Mark.	23
TM-23	69(2) and 70(2)(a)	Joint request by registered proprietor and transferee to register the transferee as subsequent proprietor of trade mark upon the same devolution of title.	24
TM-24	-do-	Request to register a subsequent proprietor of a trade mark or trade marks upon the same devolution of title.	25
TM-25	72(4)	Application for extension of time for the registration of the name of a company as subsequent proprietor of a trade mark in the Register.	26
TM-26	73, 80 or 96	Application for the rectification of the Register or the removal of a trade mark from the Register.	27
TM-27	rule 66	Application for leave to intervene in proceedings relating to the rectification of the Register or the removal of a trade mark from the Register.	28
TM-28	70(2)(b)	Application for registration of registered licensee.	29
TM-29	70(4)(a); rule 64	Application by the registered proprietor of a trade mark for variation of the registration of a registered licensee thereof with regard to the goods or the conditions or restrictions.	30
TM-30	70(4)(b); rule 65(1)	Application by the registered proprietor of a trade mark or by any of the registered licensees of the trade mark for the cancellation of entry of a registered user thereof.	31
TM-31	70(4)(b)	Application for cancellation of entry of a registered licensee of a trade mark.	32
TM-32	rule 66	Notice of intention to intervene in proceedings for the variation or cancellation of an entry of a registered licensee of a trade mark.	33
TM-33	96(4)	Request to enter change of name or description of proprietor (or registered licensee) of trade mark upon the Register.	34
TM-34	96(4)	Request for alteration of trade or business address in the Register.	35

TM-35	38; rule 55(1)(a)	Application by registered proprietor of trade mark for the cancellation of entry thereof in the Register.	36
TM-36	38; rule 55(1)(b)	Application by registered proprietor of trade mark to strike out goods from those for which the trade mark is registered.	37
TM-37	rules 34(f) and 34(g)	Request by registered proprietor of a trade mark that a disclaimer or memorandum relating thereto may be registered.	38
TM-38	37; rule 54	Application by registered proprietor for an addition to or alteration of a Registered trade mark.	39
TM-39	37; rule 54(3)	Notice of opposition to application for addition to or alteration of a registered trade mark.	40
TM-40	97; rule 71	Application by the proprietor of a registered trade mark for the conversion of the specification.	41
TM-41	97(5)	Notice of opposition to proposal for conversion of specification.	42
TM-42	Paragraph 10 of the First Schedule and paragraph 11 of the Second Schedule to the Ordinance; rules 40 and 46.	Request for the alteration of the deposited regulations for use of a collective mark or a certification trade mark.	43
TM-43	Paragraph 14 of 1 st Schedule and paragraph 16 of the Second Schedule to the Ordinance; rule 41 and 45.	Application for an order expunging or varying an entry in the Register relating to a collective mark or a certification trade mark or varying the deposited regulations.	44
TM-44	Paragraph 11 of the Fourth Schedule to the Ordinance.	Claim to have the registerability of the mark applied for before commencement of the Ordinance determined in accordance with the provision of the Ordinance (convention of application) para-graph 11 of the Fourth Schedule to the Ordinance.	45
TM-45	109	Request for information about applications and registered marks.	46

TM-46	11 and 121(2)	Request for certificate by the Registrar.	47
TM-47	112; rule 86	Request for entry in the Register and advertisement of a note of certificate of validity of the Court.	48
TM-48	127	Form of authorization of agent in a matter or proceeding under the Ordinance.	--
TM-49	Paragraph(5) of the First Schedule and Paragraph(6) of Second Schedule to the Ordinance; rules 39(1) and 43(1)	Regulations for governing the use of a collective mark or a Certification Trade Mark).	--
TM-50	126; rules 9 and 70	Form of request by a registered proprietor or a registered licensee of a trade mark or a person about to be so registered, to enter, alter or substitute an address for service as part of his registration.	49
TM-51	82 and the First Schedule; section 25; rule 15 and 39(1)	Application for registration of collective mark for a specification of goods or services from a convention country.	50
TM-52	83 and the Second Schedule to the Ordinance; section 25; rule 15 and 43(1)	Application for registration of a certification trade mark for specification of goods or services from a convention country.	51
TM-53	rule 96	Application for registration of trade marks consisting exclusively of letters or numerals or any combination thereof relating solely to textile goods for specification of goods included in any of the items specified in the Fifth Schedule to the Ordinance.	52
TM-54	rule 12	Application for registration of a trade mark consisting exclusively of letters or numerals or any combination thereof relating solely to textile goods for specification of goods included in any of the items of the Fifth Schedule to the Ordinance, and under rule 12 from a convention country under section 25.	53
TM-55	rule 87	Request for search under rule 87.	54

TM-56	123 and rule 80	Application for extension of time.	55
TM-57	33(5) and rules 25(b), 27(2) and 27(3)	Application for restoration of a trade mark abandoned for non-compliance.	56
TMA-1	rule 119	Application for registration as a trade mark agent.	62
TMA-2	rule 123	Application for the restoration of a person to the Register of trade mark agents.	65
TMA-3	rule 124	Application for the alteration of any entry in the Register of trade mark agents.	66

FORM TM-1

**Fee: See entry No.1
of the First Schedule**

Application for registration of trade mark for goods or services and to register a domain name

Under section 22(1), section 84(2); rule 12

(To be accompanied by a duplicate of this Form and by six additional representations affixed on a durable paper of size 13" x 8")

On representation to be fixed within this space and six others to be sent separately. Representation of the larger size may be folded but must then be mounted upon linen or other suitable material affixed thereto. See rule 17.

Application is hereby made for registration in the register of the accompanying trade mark in class (a) _____ in respect of (b) _____ in the name(s) of (c) _____ trading as (d) _____ whose trade or business address is (e) _____ who claim(s) to be the proprietor(s) thereof and by whom the said mark is proposed to be used/being used since _____ in respect of said goods or services (f) _____

If the application is for a series of marks, indicate how many marks in the series (g) _____

If the application is for domain name indicate whether it is in respect of goods or services

If colour is claimed, indicate here and state the colour(s) (h) _____

Address for service in Pakistan to which all correspondence should be sent(i) _____

Dated this _____ day of _____ 200__.

Signature (j) _____
Name of signatory in block letters.

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) Insert the serial number of the class as indicated in Schedule IV to the Trade Marks Rules 2004.
- (b) Specify the goods or services. Only goods and services included in one and the same class should be specified. Please consult Schedule IV attached to the rules to check the class of goods and services or the Book on International Classification of goods issued by the International Bureau for the Protection of Intellectual Property, Geneva.
- (c) Insert legible the full name, description and nationality of the applicant.
- (d) Insert the trading style, if any.
- (e) Insert the full trade or business address of the applicant.
- (f) Strike out whichever is not applicable. If the mark is already in use, file the proof thereof by way of affidavits, publicity material, sale figures etc.
- (g) Indicate how many marks are in the series.
- (h) Indicate whether domain name is in respect of goods or services.

- (i) State the colour(s) claimed.
- (j) State address for service in Pakistan.
- (k) Signature of the applicant. If the mark is owned by an individual, he must sign it, if owned by a partnership firm, by the Managing Partner, if the applicant is a limited company, by the Managing Director or Director.

Notes – (1) The prescribed fee should be paid alongwith this application either through a cheque drawn in favour of or through a money order address to the Registrar of Trade Marks.

(2) Where the application is being filed through an attorney, a power of attorney on Form TM-48 duly stamped must accompany this application.

(3) If the word mark is in a language other than English, Urdu or regional Pakistani languages, its translation and transliteration in the form of an affidavit must accompany this application.

FORM TM-2

**Fee: See entry No.2
of the First Schedule**

Application for registration of a trade mark for goods or services (other than a collective or a certification trade mark) in the register from a convention country under section 25, 22 and rule 15 and for registration to provide temporary protector during exhibition under section 26

(To be filled in triplicate accompanied by six additional representations of the trade mark)

On representation to be fixed within this space and six others to be sent separately. Representation of the larger size may be folded but must then be mounted upon linen or other suitable material affixed thereto. See rule 17.

Application is hereby made for registration in the register of the accompanying trade mark in class (a) _____ in respect of (b) _____ in the name(s) of (c) _____ trading as (d) _____ whose trade or business address is (e) _____ who claim(s) to be the proprietor(s) thereof and by whom the said mark is proposed to be used/being used in respect of said goods or services (f) _____

If the application is for a series of marks, indicate how many marks in the series (g) _____

If colour is claimed, indicate here and state the colour(s) (h) _____

If the application is for temporary protection during exhibition, state the period of protection (h-1).

The first application in a convention country to register the trade mark has been made in _____ on _____.

A certified copy certified by an official of the convention country in which the first application was filed is enclosed (alongwith its translation in English).

I/We request that the trade mark may be registered with priority date based on the above mentioned first application in a convention country under the provisions of section 25 of the Ordinance.

Address for service in Pakistan.

Dated this _____ day of _____ 200_____.

Signature: _____
Name of signatory in block letters.

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- a) The Registrar's direction may be obtained if the class of the goods or services is not known. The duly signed additional representation submitted by the applicant or his agent should bear the mark, the name, address of the applicant, the description of goods or services, class, the period of the use of the trade mark, the trade description and address for service in Pakistan.
- b) Specify the goods or services for the class in respect of which application is made. A separate sheet detailing the goods or services may be used.
- c) Insert legibly the full name, description (occupation and calling and nationality of the applicant). In the case of a body corporate or firm the country of incorporation or the names and descriptions of the partners composing the firm and the nature of registration, if any, as the case may be, should be stated. See rule 8(1).
- d) Insert the trading style, if any.
- e) Insert the full trade or business address of the applicant.
- f) Strike out the words if not applicable. If user is claimed the date of commencement of use should be stated at (f).
- g) State the numbers of mark in series.
- h) If colour combination is claimed clearly indicate it and state the colours.
- i) Stat the period of protection during exhibition and attach certificate as required under section 26(2)

FORM TM-3

**Fee: See entry No.3
of the First Schedule**

Application for registration of collective trade mark for goods or services
Under section 82, First Schedule, rule 39(1)

(To be filed in triplicate and accompanied by Six representation of the collective mark and
three copies of the draft regulation in Form TM-49)

On representation to be fixed within this space and five others to be sent separately.
Representation of a larger size may be folded but must then be mounted upon linen or
other suitable material affixed thereto. See rule 17.

Application is hereby made for registration in the register of the accompanying
Collective trade mark in class ⁽¹⁾ _____ in respect of ⁽²⁾ _____ in the
name of ⁽³⁾ _____ whose address is ⁽⁴⁾ _____.

Address for service in Pakistan ⁽⁵⁾ _____

Dated this _____ day of _____ 200__.

Signature: _____
Name of signatory

To,

The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

-
- (1) Registrar's direction may be obtained if the class is not known.
 - (2) Specify the goods or services.
 - (3) Insert the full name, description (occupation and calling) and nationality of the applicant. If the applicant is a body corporate, the nature and country or incorporation should be stated.
 - (4) Here insert the full address of the applicant.
 - (5) Here insert address for service in Pakistan.

FORM TM-4

**Fee: See entry No.4
of the First Schedule**

Application for registration of a certification trade mark for goods or services
Under section 83, second Schedule, rule 43(1)

(To be filed in triplicate and accompanied by Six representation of the certification trade mark and three copies of the draft regulation with Form TM-49)

On representation to be fixed within this space and six others to be sent separately. Representation of a larger size may be folded but must then be mounted upon linen or other suitable material affixed hereto. See rule 17.

Application is hereby made for registration in the register of the accompanying Certification trade mark in class ⁽¹⁾ _____ in respect of ⁽²⁾ _____ in the name of ⁽³⁾ _____ whose address is ⁽⁴⁾ _____. The applicant(s) is (are) not carrying on business in the goods or services of the kind for which registration of the said certification trade mark is sought.

Address for service in Pakistan ⁽⁵⁾ _____

Dated this _____ day of _____ 200__.

Signature: _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (1) Registrar's direction may be obtained if the class is not known.
- (2) Specify the goods or services.
- (3) Insert the full name, description (occupation and calling) and nationality of the applicant. If the applicant is a body corporate the nature and country of incorporation should be stated.
- (4) Here insert the full address of the applicant.
- (5) Here insert address for service in Pakistan.

FORM TM-5

**Fee: See entry No.5
of the First Schedule**

Notice of Opposition to Application for Registration of a trade mark Under section 28,
rule 30(1)

IN THE MATTER OF Application No. _____ by _____

I (or we) ^(a) _____ hereby give notice of my (or our) intention
to oppose the Registration of the trade mark advertised under the above number for Class
_____ in the trade mark journal dated the _____ day of _____ 200__ No.
_____ page _____.

The grounds of opposition are as follows:-

My (our) address for service in Pakistan in connection with these proceeding is:-
(b) _____

Dated this _____ day of _____ 200_ .

Signature^(c) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) State full name and address.
(b) Insert address for service in Pakistan.
(c) Signature of opponent.

FORM TM-6

**Fee: See entry No.6
of the First Schedule**

Form of Counter-statement.
(Section 28,37,73,80,96, 97(5) rule 30(2)
& 72)(1)
(To be filed in duplicate)

IN THE MATTER OF an Opposition No. _____ to Application
No. _____ for the registration of a trade mark.

I (or we) ^(a) _____ the applicant(s) for
registration of the above trade mark, hereby give notice that the following are the grounds
on which I (or we) rely for my (or our) application:-

I (or we) admit the following allegations in the Notice of Opposition-

My (or we) address for service in Pakistan in connection with these proceedings
is ^(b):-

Dated this _____ day of _____ 200_____.

Signature^(c) _____
Name-of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) State full name and address.
- (b) Insert address for service in Pakistan.
- (c) Signature of opponent.

FORM TM-7

Fee: See entry No.7 of the First Schedule
--

Notice of Intention to attend hearings.
[Section 28,37,73,80 & 96, rule 30(11) & 72(1)]

IN THE MATTER OF ^(a) _____

I (or we) ^(b) _____ hereby give notice that the Hearing in reference to the above matter which, by the Official Notice to me (or us), dated the _____ day of _____ 200__ is fixed for _____ A.M. or P.M. at the Trade Marks Registry / Branch Trade Marks Registry Lahore on the _____ day of _____ 200__ will be attended by me (or us) or by some person on my or (our) behalf.

Dated this _____ day of _____ 200__.

Signature^(c) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) Insert particulars as in the Official Notice.
- (b) Insert name and address.
- (c) Signature of the person giving notice.

FORM TM-8

Fee: See entry No.8
Of the First Schedule

Notice of Opposition to an Application for registration of a collective trade mark/certification trade mark
(Paragraph 8 of the First Schedule and Paragraph 9 of the Second Schedule)

IN THE MATTER OF an Application No. _____ for registration of a collective or certification trade mark _____ by _____

I (or we) ^(a) _____ hereby give notice of my (or our) intention to oppose the Registration of the collective or certification trade mark advertised under the above number for class _____ in the Trade Mark Journal of the _____ day of _____ 200____ No. _____ page _____.

The grounds of Opposition are as follows ^(b) :-

The facts and matters set forth in the enclosed statement of case are true to the best of my (our) knowledge, information and belief.

My (or our) address for service in Pakistan in connection with these proceeding is _____.

Dated this _____ day of _____ 200_____.

Signature^(c) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

-
- (a) State full name and address.
 - (b) The grounds should be limited to the matters specified in para 6 of First Schedule and para 7 of Second Schedule.
 - (c) Signature of the person giving notice.

FORM TM-9

Fee: See entry No.9
of the First Schedule

Form of Counter-statement in reply to Notice of Opposition to an Application for
registration of a collective/certification trade mark
(Sections 82 & 83, first Schedule & Second Schedule,
rule 40 and 44)

(To be filed in triplicate)

IN THE MATTER OF an Opposition No. _____ to Application
No. _____ for registration of a collective/certification trade mark.

I (or we) ^(a) _____ the applicant(s) in respect of
the above-numbered application, hereby give notice that the following are the grounds on
which I (or we) rely as supporting my (or our) application _____.

I (or we) admit the following allegations in the notice of opposition:

My or (Our) address for service in Pakistan in connection with these
proceedings is _____.

Dated this _____ day of _____ 200_____.

Signature^(b) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

-
- (a) Insert name and address of the applicant.
(b) Signature of the applicant.

FORM TM-10

**Fee: See entry No.10
of the First Schedule**

Hearing of an opposition to an application for registration of a collective/certification trade mark under rules 40 and 44.

Notice of attendance at hearing.

I (or we) ^(a) _____ hereby give notice that the hearing of the arguments in the case of Opposition No. _____ to Application No. _____ for the registration of a certification/collective trade mark, which is fixed for _____ A.M. or P.M. at the _____ on the _____ day of _____ 200__ will be attended by me (or us) or by some person on my (or our) behalf.

Dated this _____ day of _____ 200__.

Signature ^(b) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

(a) Insert name and address.

(b) Signature of the person giving notice.

FORM TM-11

**Fee: See entry Nos.11 &
12 of the First Schedule**

Fee for Registration of a trade mark
(Section 33(2), rule 48)

(If the applicant has furnished a printing block for advertisement, this form must be accompanied by one unmounted representation of the mark exactly as shown in the form of application).

I (or we) ^(a) _____ transmit the prescribed fee for the Registration of the Trade Mark No. _____ in class _____.

Dated this _____ day of _____ 200_____.

Signature ^(b) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

-
- (a) Insert full name, address and nationality, (See rule 8).
(b) Signature of the applicant.

¹[Note.1].- The request for entry of an address for service of the Registered Proprietor be made on Form TM-50 and if it accompanies this Form no fee will be payable on Form TM-50.

²[Note.2].- This form alongwith the registration fee shall be submitted to the Trade Mark Registry within one month of its receipt from the Registry.]

FORM TM-12

Fee: See entry Nos.13
14 of the First Schedule

*Renewal of Registration of a trade mark
Section 35, rules 51 and 52

I (or we) ^(a) _____ hereby
leave the prescribed fee of Rs. _____ for Renewal of Registration of the Trade
Mark No. _____ in class _____.

The notice of renewal of the registration may be sent to the following
address:

^(b) An additional fee as required in rule 49(1) is also transmitted.

Dated this _____ day of _____ 200__.

Signature^(c) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

*This form will be returned if it is filed more than six months before the expiration of the
last registration.

- (a) Insert here the name and address of the registered proprietor.
- (b) Strike out if the renewal fee is paid before the expiration of the last registration.
- (c) Signature of the registered proprietor.

¹[Note.-Renewal fee shall be deposited by the registered proprietor within six months
of the date of publication of the advertisement regarding non-payment of renewal fee in
the Journal].-

FORM TM-13

**Fee: See entry No.15
of the First Schedule**

Restoration of trade mark removed from Register for
Non-payment of Renewal Fee.
(Section 35(6), rule 53)

I (or we) ^(a) _____ hereby request that the
Trade Mark No. _____ in class ____ be restored to the Register and the registration
of the said trade mark in the class aforesaid be renewed; and that the notice of restoration
and renewal be sent to the following address in Pakistan:-

Dated this _____ day of _____ 200_____.

Signature^(b) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

-
- (a) Insert full name, address and nationality of the registered proprietor.
(b) Signature of the registered proprietor.

¹[Note.- Application for the restoration of the mark shall be moved within six months
of the expiration of the last registration].

FORM TM-14

**Fee: See entry No.16
of the First Schedule**

Application under section 32 of the Ordinance to divide a part of mark or pending trade mark application.

(To be accompanied by a statement of case)

IN THE MATTER OF a Trade Mark No. _____ in class ____ filed on _____

I / we _____ being the applicant in the above stated pending application; hereby request to allow division of this application for part of trademark/goods/services as per following details to proceed separately for registration.

Part of Trade Mark.

Part of Services/ Goods.

The grounds for this application are set forth in the accompanying statement of case.

Dated this _____ day of _____ 200_____.

Signature _____
Name of signatory in block letters

To,

The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

a) Signature of the registered proprietor/ applicant

FORM TM-15

**Fee: See entry No.17
of the First Schedule**

Request for Statement of Grounds of Decision.
(Section 27(6), rule 28)

IN THE MATTER OF _____ Registrar _____
is hereby requested to state in _____ on. Dated this _____
day of _____ 200__ after the hearing on the _____ day of _____ 200__
and the materials used by him

Dated this _____ day of _____ 200__.

Signature^(b) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

-
- (a) Insert particulars identifying the application.
(b) Signature of the applicant.

FORM TM-16

**Fee: See entry No.18
of the First Schedule**

Request for Correction of Clerical Error, or
for permission to amend application.
(Section 27(7), rules 36 and 67)

IN THE MATTER OF ^(a) _____ I (or we)
_____ being the applicant(s) in the above matter
hereby request that _____

Dated this _____ day of _____ 200_____.

Signature^(b) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) Insert words and reference number identifying the entry or application.
(b) Signature of the applicant.

FORM TM-17

**Fee: See entry No.19
of the First Schedule**

Application for the approval of the Registrar with reference to a proposed
Assignment of a
Registered Trade Mark under rule 61 read with section 69(3)

(To be accompanied by a statement of case in duplicate and a copy of the proposed
assignment).

IN THE MATTER OF Trade Mark(s) No.(s) _____ Registered in the name of
_____ in class(es) _____.

Application is hereby made by ^(a) _____ being the Registered
Proprietor(s) of the above-mentioned registered trade mark(s) for the Registrar's approval
under rule 1 read with section 69(3) with reference to a proposed assignment of the
registered trade mark(s) No.(s) _____ to ^(b) _____ in circumstances that
are stated fully in the accompanying statement of case.

Dated this _____ day of _____ 200_____.

Signature^(c) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

-
- (a) Insert the name and trade or business address of the Registered Proprietor.
(b) Insert the full name, and trade or business address and nationality of the proposed
assignee.
(c) Signature of the registered proprietor.

FORM TM-18

To be stamped under the
Stamp Act, 1899

Affidavit (only to be furnished when required by Registrar)

In support of Statement of case filed under rule 61 of accompanying a request

I, ^(a) _____ of _____ do hereby solemnly and sincerely declare that the particulars set out in the statement of case exhibit marked _____ and left by me in connection with ^(b) _____ in respect of the Trade Mark No. _____ in class _____ are true and comprise every material fact and document affecting the present proprietorship of the Trade Mark, to the best of my knowledge, information and belief.

Signature^(c) _____

Declared at _____

Dated this _____ day of _____ 200_____.

Before me ^(d) _____

-
- (a) Insert full name, address and nationality of deponent.
 - (b) Insert particulars of the proceedings concerned.
 - (c) To be signed hereby the person making the declaration.
 - (d) Signature and title of Authority before whom the affidavit is made.

FORM TM-19

Fee: See entry No.20
of the First Schedule

Application for the approval by the Registrar
under rule 61 read with section 69(3)(b) of a proposed assignment, or of a transmission of
a Trade Mark resulting in exclusive rights in different persons for different parts of
Pakistan.

(To be accompanied by a Statement of case in duplicate and a copy of the Instrument
proposed for the assignment or effecting the Transmission).

IN THE MATTER OF Trade Mark(s) _____ (a) Registered under
No.(s) _____ in Class(es) _____ Application is
hereby made by _____.

*(1) _____ (b) _____ the Proprietor of the
trade mark(s) shown in the accompanying Statement of case (c) [registered in his name]
and (c) [used by him] in respect of the following goods
_____ for the approval by the Registrar of a
proposed assignment of the trade mark(s) to (d) _____ in respect of
the following goods _____ to be sold or otherwise traded in (e)
_____ (f) [and to (d) _____ in respect of all the
following goods _____ to be sold or otherwise traded in (e)
_____.

in circumstances that are stated fully in the accompanying Statement of Case.

*(2) ^(g) _____ who claims that the trade mark(s) shown in the
accompanying statement of case was (were), in respect of the following goods, namely
_____ and on the ^(h) _____
_____ day of _____ 200__ transmitted to (him) ⁽ⁱ⁾
_____ who was his predecessor in title, by
or from ^(j) _____ by whom the Trade Mark was then used in respect of
the following goods namely _____ all in
circumstances that are stated fully in accompanying statement of case for the approval by
the Registrar of the aforesaid transmission.

Dated this _____ day of _____ 200__.

Signature^(k) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

*Strike out either paragraph (1) or paragraph (2).

- (a) To be struck out in the case of unregistered trade marks.
- (b) Insert the name and trade or business address of the proprietor.
- (c) Strike out either if not applicable.
- (d) Insert the name(s) and trade or business address(es) of the proposed assignee(s).
- (e) Insert the name(s) of the place(s) in Pakistan.
- (f) Strike out the bracketed passage if not required.
- (g) Insert the name and trade or business address of the person who claims a transmission to him.
- (h) Insert the date of the transmission, which must not precede the date of commencement of the Ordinance.
- (i) Insert the name and trade or business address of the predecessor in title, if any.
- (j) Insert name and trade or business address of the person who transmitted.
- (k) Signature of applicant.

FORM TM-20

Fee: See entry No.21 of the First Schedule

Application for Directions for the Advertisement of an assignment of Trade Marks otherwise than in connection with the goodwill of the business.

[Section 69(2); rule 58(1)]

(To be filed in duplicate)

Application is hereby made by ^(a) _____ for the Registrar's Directions with respect to the advertisement of an assignment of the following Trade Marks otherwise than in connection with the goodwill of the business in which they were used at the time of assignment, namely:-

* (1) Registered Trade Marks:

Registration Number _____ Class _____ Goods in respect of _____ which the Mark has been used and is assigned.

all of which are or were registered in the name of ^(b) _____ who is the assignor:

* (2) Unregistered Trade Marks ^(c), all being Marks used in his business at the time of the assignment in respect of the goods stated below, by ^(b) _____ of _____ who is the assignor:

Representation of Mark _____ Goods in respect of _____ which the Mark has been used and is assigned.

* Additional marks and registration numbers which cannot be accommodated may be given in a signed schedule on the back of the Form.

- (a) Insert the name, nationality and trade or business address of the proprietor (applicant).
 (b) Insert the full name, nationality and trade or business address of the proprietor (assignor).
 (c) Only those unregistered trade marks passing by the one assignment and used in the same business and for the same goods as those for which one or more of the registered marks are registered may be stated here.
 (d) Signature of applicant.

The date of assignment was the _____ day of _____ 200_____.

The instrument effecting the assignment is sent herewith, together with a copy thereof.

It is suggested that advertisement shall be directed as follows, namely in _____

Dated this _____ day of _____ 200_____.

Signature^(d) _____
 Name of signatory in block letters

To,

The Registrar of Trade Marks,
 Trade Marks Registry,
 Karachi.

FORM TM-21

**Fee: See entry No.22
of the First Schedule**

Application for Extension of time in which to apply for the Registrar's Directions for the Advertisement of an assignment of Trade Marks otherwise than in connection with the goodwill of the business.
rule 58(3)

Application is hereby made by ^(a) _____ for extension of time of ^(b) _____ month(s) in which to apply for the Registrar's Directions for the advertisement of an assignment of the following Trade Marks otherwise than in connection with the goodwill of the business in which they were used at the time of assignment, namely:-

(1) Registered Trade Marks:

*Registration Number _____ Class _____

Goods in respect of
which the Mark has been
used and is assigned.

all of which are or were registered in the name of ^(c) _____ who is the assignor:

(2) Unregistered Trade Marks, all being Marks used in his business at the time of the assignment in respect of the goods stated below, by ^(c) _____ of _____ who is the assignor:

*Representation of Mark _____ Goods in respect of
which the Mark has been
used and is assigned.

The date of assignment was the _____ day of _____ 200_____.

Dated this _____ day of _____ 200_____.

Signature^(d) _____

Name of signatory in block letters

To,

The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

*Additional marks and registration numbers which cannot be accommodated here may be given in a signed schedule on the back of the Form.

(a) Insert the name and trade or business of assignee (applicant).

(b) Insert "one", "two" or "three".

(c) Insert the name and trade or business address of the proprietor (assignor).

(d) Signature of applicant.

FORM TM-22

**Fee: See entry No.23
of the First Schedule**

Application for the consent of the Registrar to the assignment or transmission of a certification Trade Mark.

[Paragraph 12 of 2nd Schedule, rule 46(2)]

(To be filed in duplicate and each copy to be accompanied by either a draft deed of assignment or an affidavit).

I (or we) ^(a) _____ being the registered proprietor of certification Trade Marks No. _____ registered in class(es) _____ hereby apply for the consent of the ⁽¹⁾[Registrar] to the assignment or transmission of the aforesaid Certification Trade Mark to ^(b) _____ ^(c) A draft deed of the proposed assignment is transmitted herewith. ^(d) The circumstances under which the transmission takes place are set forth in the accompanying affidavit.

Dated this _____ day of _____ 200__.

Signature^(d) _____
Name of signatory in block letters

To,
The ⁽¹⁾[Registrar]
Through:
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) Insert name, address and nationality of the registered proprietor.
 - (b) Insert name, address and nationality and description of the proposed transferee.
 - (c) Strike out one of these paragraphs not required in any particular case.
 - (d) Signature of registered proprietor.
- I See foot-note 1 on page 2, supra.

FORM TM-23

Fee: See entry No.24 of the First Schedule

Joint request by Registered Proprietor and Transferee to register the Transferee as
Subsequent Proprietor of Trade Marks upon the same devolution of title.

[Sections 69 and 70(2)(a)]

I/(we) ^(a) _____ and ^(b) _____
_____ hereby request, under rule __, that the name of
^(c) _____
carrying on business as ^(d) _____ at ^(e) _____ may be entered
in the Register of Trade Marks as proprietor of the Trade Mark(s) No.* _____ in
class _____ as from the ^(f) _____ by virtue of ^(g) _____
_____ of which the original and an
attested copy are enclosed herewith.

^(h) The trade mark at the time of the assignment was ^(h) (not) used in a business in
the goods in question, and the assignment (took) (h) (did not take) place otherwise than in
connection with the good-will of a business in the goods (h) and there is sent herewith a
copy of the Registrar's direction to advertise the assignment, a copy of each of the
advertisements complying therewith, and a statement of the dates of issue of any
publications containing them.

We declare that the facts and matters stated herein are true to the best of our
knowledge, information and belief.

Dated this _____ day of _____ 200_____.

Signature⁽ⁱ⁾ _____
Name of signatory in block letters
Signature^(j) _____
Name of signatory in block letters

To,

The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) Full name and address and nationality of registered proprietor or other Assignor or
Transmitter.
(b) Full name, trade address, and nationality of Transferee.
(c) Name of Transferee.
(d) Description of Transferee.
(e) Date of acquisition of proprietorship.
(g) Full particulars of the instrument of assignment or transmission, if any, or statement
of case.
(h) Strike out any words not applicable.
(i) Signature of Assignor or Transmitter.
(j) Signature of Transferee.

*Additional numbers may be given in a signed schedule on the back of the Form.

FORM TM-24

**Fee: See entry No.25
of the First Schedule**

Request to Register a Subsequent Proprietor of Trade Marks upon the same devolution of title.
[sections 69 and 70(2)(a)]

I (or we) ^(a) _____ hereby request that my (or our) name may be entered in the Register of Trade Marks as proprietor of Trade Mark(s) No. _____ *in Class _____ as from the ^(b) _____

I am (or we are) entitled to the Trade Mark(s) by virtue of ^(c) _____ of which the original and an attested copy are enclosed herewith.

^(d) The trade mark at the time of the assignment was (d) (not) used in a business in the goods in question, and the assignment (d) (took) (did not take) place otherwise than in connection with the goodwill of a business in the goods, (d) and there is sent herewith a copy of the Registrar's direction to advertise the assignment, a copy of each of the advertisements complying therewith, and a statement of the dates of issue of any publications containing them.

I (or we) declared that the facts and matters stated herein are true to the best of my (or our) knowledge, information and belief.

Dated this _____ day of _____ 200 ____.

Signature ^(e) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) Insert full name, trade or business address, nationality and description.
- (b) Date of acquisition of proprietorship.
- (c) Insert full particulars of the instrument of assignment or transmission if any, or statement of case.
- (d) Signature of the person making the request.

*Additional numbers may be given in a signed schedule on the back of the Form.

Note-A request for the entry of an address for service of the registered proprietor may be made on Form TM-50 and if it accompanies this Form no fee is payable on Form TM-50.

FORM TM-25

**Fee: See entry No.26
of the First Schedule**

Application under rule 62 for extension of time, in accordance with section 72(4) for the registration of the name of a Company as subsequent proprietor of a trade mark in the Register.

(Rule 62)

Application is hereby made by ^(a) _____ for an extension of time by ^(b) _____ months of the period of six months allowed by section 72(4) and rule 62 for registering the name of ^(c) _____ by virtue of an single assignment, as proprietor of the following Trade Mark(s) registered upon application(s) conforming to sub-section (1) of section 72.

^(d) Registration Number _____	Class _____
_____	_____
_____	_____
_____	_____

Dated this _____ day of _____ 200 ____.

Signature^(e) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

-
- (a) Insert the name and address of the applicant.
 - (b) Insert "two" or "four" or "six".
 - (c) Insert name of the company to be registered as subsequent proprietor.
 - (d) Additional number may be given in a signed schedule on the back of the Form.
 - (e) Signature of the applicant.

FORM TM-26

**Fee: See entry No.27
of the First Schedule**

Application for the Rectification of the Register or the Removal of a Trade Mark from
the Register. rule 68 and sections 73, 80 and 96.

[To be filed in duplicate and to be accompanied by a statement of case in duplicate
(Vide rule _____)]

IN THE MATTER OF the Trade Mark _____
No. _____ Registered in the name of
_____ in class _____

I (or We) ^(a) _____ hereby apply that the entry in
the Register in respect of the above-mentioned Trade Mark may be removed ^(b) rectified
in the following manner _____

The grounds of my (our) application are as follows:-

No action concerning the Trade Mark in question is pending in any court. My
(our) address for service in Pakistan in connection with these proceedings is

Dated this _____ day of _____ 200_____.

Signature^(c) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) State full name, address and nationality.
(b) Strike-out the word(s) that is (are) not applicable.
(c) Signature of applicant.

FORM TM-27

**Fee: See entry No.28
of the First Schedule**

Application for Leave to intervene in Proceedings relating to the Rectification of the Register or the Removal of a Trade Mark from the Register, rule 69.

IN THE MATTER OF the Trade Mark _____
No. _____ Registered in the name of _____ in class _____

I (or We) _____^(a) _____
_____ hereby apply for leave to
intervene in the Proceedings relating to the rectification or removal of the entry in the
Register in respect of the above-mentioned Trade Mark.

My (or our) interest in the Trade Mark is _____

My (or our) address for Service in Pakistan in connection with these proceedings
is _____

Dated this _____ day of _____ 200____.

Signature^(b) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) State full name, address and nationality.
(b) Signature of applicant.

FORM TM-28

Fee: See entry No.29 of the First Schedule

Application for Registration of Registered Licensee. Sections 70(2)(b) 75 and 76, rule 63
[To be accompanied by a statement of case setting forth particulars and statements
verified by an affidavit]

Application is hereby made by (a) _____
who is (or are) the registered proprietor(s) of Trade Mark(s) No.(s)* registered in Class
_____ in respect of (b) _____ and by (c) _____
trading as(d) _____
that the said (e) _____
may be registered as a registered licensee of the above-numbered registered trade mark(s)
in respect of (f) _____ subject to the following conditions and
restrictions :- (g) _____ (h)
(The proposed permitted use is to end on the _____ day of
_____ 200 ____). (h) (The proposed permitted use is without limit of
period).

Dated this _____ day of _____ 200 ____.

Signature ⁽ⁱ⁾ _____
Name of signatory in block letters

Signature ^(j) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

*Additional numbers may be given in a signed schedule on the back of the Form.

- (a) Insert full name, trade or business address and description of the registered proprietor(s).
- (b) Here insert the specification as in the register.
- (c) Here insert the full name, description, nationality, and address of the proposed registered user (See rule 8).
- (d) Insert trading style (if any).
- (e) Insert name of proposed registered licensee.
- (f) Insert designation of goods (which must be comprised within the specification).
- (g) Write 'None' if there are no conditions or restrictions.
- (h) Strike out the works that are not applicable.
- (i) Signature of registered proprietor.
- (j) Signature of registered licensee.

FORM TM-29

**Fee: See entry No.30
of the First Schedule**

Application by the Registered Proprietor of a Trade Mark for variation of the registration of a Registered Licensee thereof with regard to the goods or the conditions or restrictions.
Section 70(4)(a), rule 64

[To be accompanied by a statement of the Grounds for the application and the written consent (if given) of the Registered Licensee.]

Application is hereby made by (a) _____
the proprietor of trade mark(s) No.* _____ Registered in Class
_____ in respect of (b) _____ that the
registration of (c) _____ as a registered licensee of the above-
numbered trade mark(s) in respect of (d) _____ may be varied in the
following manner:- (e) _____

Dated this _____ day of _____ 200_____.

Signature^(f) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

*Additional numbers may be given in a signed schedule on the back of the Form.

- (a) Insert full name, description and trade or business address of the registered proprietor.
- (b) Insert the specification as in the register.
- (c) Insert the full name description and trade or business address of the registered licensee.
- (d) Insert the goods in respect of which the user is registered.
- (e) State the manner in which it is requested that the entry should be varied.
- (f) Signature of the registered proprietor.

FORM TM-30

**Fee: See entry No.31
of the First Schedule**

Application by the Registered Proprietor of a Trade Mark or by any of the Registered Licensee of a Trade Mark for the cancellation of entry of a Registered Licensee thereof.
Section 70(4)(b), rule 65

(To be accompanied by a statement of the grounds for the application)

Application is hereby made by (a) _____
being (the Registered Proprietor) (b) (a Registered Licensee) of trade mark(s)
No. _____ *registered in Class _____ in respect of _____
(c) _____ for the cancellation of the entry under the above-
mentioned registration(s) of (d) _____ as a registered
licensee of the trade mark(s) in respect of (e)
_____. The grounds for this application are set forth
in the accompanying statement.

Dated this _____ day of _____ 200_____.

Signature^(f) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

*Additional numbers may be given in a signed schedule on the back of the Form.

- (a) Insert the full name, description and trade or business address of the applicant or of the applicants.
- (b) Strike out the words that are not applicable.
- (c) Insert the specification as in the Register.
- (d) Insert the full name, description and trade or business address of the registered licensee whose entry is sought to be cancelled.
- (e) Insert goods in respect of which registered licensee mentioned at (d) is registered.
- (f) Signature of the applicant.

FORM TM-31

**Fee: See entry No.32
of the First Schedule**

Application for cancellation of entry of Registered Licensee of a Trade Mark. (Section
70(4)(b)(ii),
rule 65

(To be accompanied by a statement of
the grounds for the application)

IN THE MATTER OF Trade Mark(s) No.(s) _____ *registered in
Class _____ in the name of (a) _____ *Application is
hereby made by (b) _____
For the cancellation of the entry under the above-mentioned registration(s) of
(c) _____
As the registered licensee thereof in respect of (d) _____

The grounds of this application, particulars of which are given in detail in the
accompanying statement of case, are (e) _____

The applicant's address for service in Pakistan in connection with these
proceedings is _____

Dated this _____ day of _____ 200__.

Signature^(f) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

*Additional numbers may be given in a signed schedule on the back of the Form.

- (a) Insert the name of the Registered Proprietor.
- (b) Insert the name, address and nationality of the applicant for cancellation.
- (c) Insert the name, trade or business address and description of the registered licensee entered in the Register.
- (d) State goods in respect of which registered licensee is entered.
- (e) Insert one or more of the sub-clauses of clause(c) of section 75.
- (f) Signature of applicant.

FORM TM-32

**Fee: See entry No.33
of the First Schedule**

Notice of intention to intervene in proceedings for the variation or cancellation of an entry of a Registered Licensee of a Trade Mark. (rule 66).

(To be accompanied by a statement of the grounds of intervention)

IN THE MATTER OF a Trade Mark No. _____ registered in Class _____ in the name of (a) _____ and _____

IN THE MATTER OF registration of (b) _____ thereunder as a Registered Licensee of the Mark.

I (or We) (c) _____ hereby give notice of my (or our) intention to intervene in the proceedings in the above matter. My (or our) address for service in Pakistan for the purpose of these proceedings is _____

Dated this _____ day of _____ 200 ____.

Signature^(d) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) Insert the name of the Registered Proprietor.
- (b) Insert the name and trade or business address of Registered Licensee.
- (c) Insert the full name, address and nationality of person giving notice.
- (d) Signature of the Person giving notice.

FORM TM-33

Fee: See entry No.34 of the First Schedule

Request to enter change of Name or description of Registered Proprietor (or Registered Licensee) of Trade Mark upon the Register. Section 96(4), rule 67 and 70.

I (or We) (a) _____ hereby request that my (or our) name(s) and description(s) may be entered in the
 Proprietor(s)
 Register of Trade Marks As (b) _____ of the Trade Mark(s) No.....
 Registered Licensee(s)
 _____*registered in Class _____

_____ the said Trade Mark
 I am (We are) entitled to (b) _____
 use the said Trade Mark as
 Registered Licensee(s)

_____ actual proprietorship
 There has been no change in the (b) _____ of the said
 Identity of registered licensee(s)

Trade Mark, but (c) _____

The entry at present standing in the Register gives my (or our) name(s) and description(s) as follows :

Dated this _____ day of _____ 200_____.

Signature^(d) _____
 Name of signatory in block letters

To,
 The Registrar of Trade Marks,
 Trade Marks Registry,
 Karachi.

-
- (a) Insert present name, address and description of Registered Proprietor or Registered Licensee.
 (b) Strike out the words that are not applicable.

FORM TM-34

**Fee: See entry No.35
of the First Schedule**

Request for Alteration of Trade or Business Address in Register of Trade Marks.
(Section) under section 96(4), rules 67 and 70.

IN THE MATTER OF the Trade Mark(s) No. _____ (a) registered in Class

I (or We) _____ of _____ being the
Registered (b)
Proprietor(s) _____ of the Trade Mark(s) numbered as above, request that my (or our)
User(s)

Trade or business address in the Register of Trade Marks be altered to _____

*The change of address, the entry of which is hereby applied for was ordered
(by) (c) _____

on the _____ day of _____ 200_____.

An officially certified copy of the order is enclosed herewith.

Dated this _____ day of _____ 200_____.

Signature^(d) _____
Name of signatory in block letters

To,

The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) Additional numbers may be given in a signed schedule on the back of the Form.
(b) Strike out one of these words.
(c) Insert the name of the public authority ordering the change and the date thereof.
(d) Signature of Registered Proprietor/Licensee.
*Strike out if not applicable.

FORM TM-35

Fee: See entry No.36
of the First Schedule

Application by Registered Proprietor of Trade Mark for the cancellation of entry thereof
in Register. Section 38, rules 55.

IN THE MATTER OF Trade Mark No. _____ Class _____

Name of Registered Proprietor _____

Trade or business address _____

Application is hereby made by the aforesaid registered proprietor that the entry
in the Register of Trade Marks of the Trade Mark No. _____ in
Class _____ may be cancelled.

Dated this _____ day of _____ 200 _____

Signature^(a) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

(a) Signature of the Registered Proprietor.

FORM TM-36

Fee: See entry No.37
of the First Schedule

Application by Registered Proprietor of Trade Mark to strike out Goods from those for which the Trade Mark is registered. Section 38, rule 55(I)(b)

IN THE MATTER OF Trade Mark No. _____ registered in class _____

Name of Registered Proprietor _____

Trade or business address _____

Application is hereby made by the aforesaid registered proprietor for the striking out of ^(a) _____ from the goods for which the Trade Mark No. _____ is registered in Class _____.

Dated this _____ day of _____ 200 ____.

Signature ^(b) _____
Name of signatory in block letters

To,

The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) Designate the goods to be struck out.
(b) Signature of applicant.

FORM TM-37

**Fee: See entry No.38
of the First Schedule**

Request by Registered Proprietor of Trade Mark that a Disclaimer or Memorandum relating thereto may be registered may be registered. [Section 10, rule 34(f) and 34(g)]

IN THE MATTER OF Trade Mark No. _____ registered in class _

Application is hereby made by ^(a) _____ being the registered proprietor of the trade mark numbered as above, for the addition to the entry in the Register in connection with the said Trade Mark registered in the Class aforesaid of the following, namely:-

Dated this _____ day of _____ 200 ____.

Signature ^(b) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

(a) Insert the name, trade or business address and description of the registered proprietor.

(b) Signature of Registered Proprietor.

FORM TM-38

**Fee: See entry No.39
of the First Schedule**

Application by Registered Proprietor under section 37 for an addition to or alteration of a
Registered Trade Mark. rule 54

IN THE MATTER OF Trade Mark No. _____ registered in class _____

Application is hereby made by ^(a) _____ being the registered
proprietor(s) of the registered trade mark numbered as above, for leave to add to or alter
the said Trade Mark in the following particulars that is to say ^(b)
_____:-

Six copies of the mark as it will appear when so altered are filed herewith.

Dated this _____ day of _____ 200_____.

Signature ^(c) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

-
- (a) Insert the name, trade or business address and description of the registered proprietor.
(b) Fill in full particular.
(c) Signature of applicant.

FORM TM-39

**Fee: See entry No.40
of the First Schedule**

Notice of Opposition to Application for addition to or alteration of a Registered Trade
Mark.
[(Section 37 and rule 54(3)).

IN THE MATTER OF Trade Mark No. _____ registered in the name of
_____ in class _____.

I (or we) ^(a) _____ hereby give notice of my (or
our) intention to oppose the addition to or alteration of the Trade Mark numbered and
registered as above, so that it shall be in form shown in the application advertised in the
Trade Mark Journal of the _____ day of _____ 200_____.

No. _____

Page _____

The grounds of opposition are as follows:-

_____ My (or our) address for service
in Pakistan in connection with these proceedings is
_____.

Dated this _____ day of _____ 200_____.

Signature ^(b) _____

Name of signatory in block letters

To,

The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

(a) State full name & address.

(b) Signature of the person giving notice.

FORM TM-40

**Fee: See entry No.41
of the First Schedule**

Application by the proprietor of a Registered Trade Mark for the conversion of the specification.
Section 97, rule 71.

IN THE MATTER OF Trade Mark No. _____ registered in the name of _____ in class _____ of the Fourth Schedule.

Application is hereby made by ^(a) _____ the registered proprietor of the above-numbered Trade Mark, for the conversion of the specification of the above-mentioned registration (b) and the specification(s) of the Registered User(s) thereunder in consequence of the amendment of the Fourth Schedule to the Trade Mark Rules, 2001.

The specification(s) entered in the Register in accordance with the said Schedule prior to amendment is are:-

_____ It is requested that the Registrar should propose the following specification(s) in accordance with the amended schedule.

Class _____

Class _____

Dated this _____ day of _____ 200_____.

Signature ^(c) _____

Name of signatory in block letters

To,

The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) Insert the name and trade or business address of the Registered Proprietor (applicant).
(b) Cancel the words in italics if there are no registered users.
(c) Signature of the registered proprietor.

FORM TM-41

**Fee: See entry No.42
of the First Schedule**

Notice of opposition to proposal for conversion of specification,
under section 97(5) and rule 72.

[To be filed in duplicate and accompanied by a Statement, in duplicate, showing how the
proposed conversion would be contrary to section 49 (1)]

IN THE MATTER OF *Trade Mark No. _____ registered in the name of
_____ in class _____ of the Fourth Schedule to the rules.

I (or we) ^(a) _____ hereby give notice of my (or
our) intention to oppose the proposal for the conversion of the specification(s) of the
Trade Mark(s) advertised in the Trade Mark Journal of the _____ day of
_____ 200_____

No. _____

Page _____

The grounds of opposition are as follows:-

My (or our) address for service in Pakistan in connection with these proceedings is
proceedings

Dated this _____ day of _____ 200_____.

Signature ^(b) _____

Name of signatory in block letters

To,

The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

*The numbers of more than one trade mark dealt with by the same proposal may be
given, provided the specifications are the same.

(a) State full name and address.

(b) Signature of the person giving notice.

FORM TM-42

**Fee: See entry No.43
of the First Schedule**

Request for the consent of the Registrar to alteration of the deposited Regulations for use of a Collective or a Certification Trade Mark.
rules 40(2) and 46.

(To be accompanied by a duplicate of the application and three copies of the Regulations having the proposed alterations shown in red therein)

Application is made by ^(a) _____ who is (or are) the Proprietor(s) of a Collective mark or a Certification Trade Mark(s) No. ^(b) _____ *registered in Class ____ * in respect of ^(c) _____ *that the deposited Regulations for governing the use of the said Mark(s) may be altered in the manner shown in red in the accompanying copies of the Regulations as proposed to be altered and for the consent of the Registrar to such alteration.

Dated this _____ day of _____ 200 ____.

Signature ^(d) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- (a) State name and address of the proprietor(s) as registered.
- (b) If the same regulations apply to more than one registration, the numbers of all the registrations should be stated.
- (c) State the specification of the respective registrations.
- (d) Signature of the applicant.

*Additional numbers and specifications may be given in a signed schedule on the back of the Form.

FORM TM-43

**Fee: See entry No.44
of the First Schedule**

Application to the Registrar for an order Expunging or Varying an entry in the Register relating to a collective mark or certification Trade Mark or Varying the Deposited Regulations.
rules 42 and 45.

(To be accompanied by three copies each of the application and of a statement of case)

IN THE MATTER OF a Collective mark or a Certification Trade Mark No. _____ registered in the name of _____ in class _____.

I (or we) ^(a) _____ being an aggrieved person/aggrieved persons, hereby apply for an order of the Registrar that :

1. ^(b) The entry in the Register in respect of the above-mentioned Trade

Mark may be ^(c)

Expunged.
Varied in the following
manner:-

2. ^(b) The deposited Regulations governing the use of the above-mentioned Trade Mark may be varied in the following manner:-
The grounds ^(d) of my (or our) application are as follows:-

The facts and matters set forth in the enclosed statement of case are true to the best of my (or our) knowledge, information and belief.

My (or our) address for service in Pakistan in connection with these preceding is:-

Dated this _____ day of _____ 200_____.

Signature ^(e) _____

Name of signatory in block letters

To,

The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

-
- (a) State full name, address and nationality.
(b) Strike out either paragraph that is not applicable.
(c) Strike out one of these lines.
(d) Specify the grounds.
(e) Signature(s).

FORM TM-44

**Fee: See entry No.45
of the First Schedule**

Notice under paragraph 11 of the Fourth Schedule to the Ordinance:
Claim to have registrability of the mark applied for before commencement of this
Ordinance determined under the Ordinance (Conversion of application)

I (we) claim to have the registrability of the under mentioned mark determined
in accordance with the provisions of the Trade Marks Ordinance, 2001. I acknowledge
that this notice is irrevocable.

1. Give details of the application you made
under Trade Marks Act, 1940: Number Class
2. Full name, address of the applicant:
3. Name of agent (if applicable) address for
service in Pakistan which all
correspondence should be sent:

Signature _____
Name of signatory in block letters

To,

The Registrar of Trade Marks,
The Trade Marks Registry,
Karachi.

(1)

Note: You cannot amend a mark under the Ordinance, 2001. If you want to amend the
mark you must file Form TM16, before or with this form.

(2)

The new filing date of your converted application will be the date of the
commencement of Trade Mark Ordinance, 2001.

FORM TM-45

Fee: See entry No.46 of the First Schedule

Fee is required to be paid for each category you have indicated

Request for information about applications and registered marks
Under Section 109

1. Give details of the application or registration to which the request relates.	Number.	Class.
2. Indicate for which category or categories of events you require notification. (A to H as detailed below) (A separate fee is payable for each category indicated)		
Category – You will be notified of A. Application published or withdrawn, refused or deemed abandoned before publication. B. Current or future formal opposition filed against a new trade mark application. C. Application registered or withdrawn, refused or deemed abandoned after publication. D. Unpaid renewal (registration in additional renewal fee period). E. Registration renewed or expired. F. Full surrender or successful revocation resulting in the removal of a mark from the register. G. Assignment application received. H. Assignment in full or partial assignment.		
3. If your request is for an event not listed in 2 above, give details here.		
4. Full name, address and post code to which notifications should be sent.		

Signature ^(e) _____
Name of signatory in block letters

Dated this _____ day of _____ 200_____.

To,
The Registrar of Trade Marks,
Trade Marks Registry,
Karachi.

- Specific notes: (1) Since Trade Marks Register is a public record any one can ask to be told about any action on any application or registration. The form lists the categories which you can be notified about. This form is not open to public inspection and information is disclosed only to the person filing the form.
- (2) A separate form should be used for each trade mark number.
- (3) A separate fee is payable for each category you want to be notified of.
- (4) If there is not enough space for your answer to any section of this form, use separate sheets. Number each one and write on the form how many extra sheets you have used.

FORM TM-46

Fee: See entry No.47 of the First Schedule

Request for certificate of the Registrar (Section 11 & 121(2), Rule 84

IN THE MATTER OF *the Trade Mark No. _____ registered in
_____ Class _____

I (or we) (a) _____ hereby
request the Registrar to furnish me (or us) with (b) his certificate to the effect that
(c) _____
_____ (d) a certificate of registration of Trade Mark for use in
obtaining registration in _____

Dated this _____ day of _____ 200__.

Signature ^(e) _____
Name of signatory in block letters

To

The Registrar of Trade Marks,
The Trade Marks Registry,
Karachi.

*These words be varied to suit other cases.

- (a) Insert name, address and nationality of the person making the request.
- (b) Strike out words that are not applicable.
- (c) Set out the particulars which the Registrar is requested to certify.
- (d) Insert the name of country.
- (e) Signature of the person making the request.

FORM TM-47

**Fee: See entry No.48
of the First Schedule**

Request for entry on the Register and Advertisement of a Note of Certificate of validity by the Court under section 112, Rule 86

IN THE MATTER OF Trade Mark(s) No.(s) _____ registered in class _____ in the name of _____

I (or We) (a) _____ hereby request the Registrar to add to the above numbered entry (entries) of (a) Trade Mark(s) in the Register, and to advertise in the Trade Marks Journal a note that in (b) _____ the _____ Court

Court certified that the validity of the said registration(s) came into question and was decided in favour of the proprietor of the Trade Mark in the terms of the accompanying officially certified copy of the certificate of validity.

Dated this _____ day of _____ 200_____.

Signature ^(c) _____
Name of signatory in block letters

To
The Registrar of Trade Marks,
The Trade Marks Registry,
Karachi.

-
- (a) State the name and address of the Registered proprietor.
 - (b) State the nature of the proceedings, with the names of the parties to them, in which the certificate was given.
 - (c) Signature of person interested.

FORM TM-48

(To be stamped under the Stamp Act, 1899)
Form of Authorization of Agent in a matter or proceeding under the Ordinance
(Section 127, Rule 10)

I (or We) (a) _____ hereby authorize
(b) _____ of _____ to Act as my
(or our) agent for (c) _____
and request that all notices, requisitions and communications relating thereto may be sent
to such agent at the above address.

I (or we) hereby revoke all previous authorizations, if any, in respect of the same
matter or proceeding.

Dated this _____ day of _____ 200__.

Signature ^(d) _____
Name of signatory in block letters

Address ^(e) _____

(To be struck out if the person appointing the agent desires his own address to be treated
as the address for service after registration).

I (or we) also authorize the said (b) _____ to complete Form TM-
50 requesting the entry of address for service as part of my (or our) registration obtained
under the above authorization.

Dated this _____ day of _____ 200__.

Signature ^(d) _____
Name of signatory in block letters

Signature ^(e) _____
Name of signatory in block letters

To

The Registrar of Trade Marks,
The Trade Marks Registry,
Karachi.

-
- (a) Insert full name, address and nationality. See rule 8.
(b) Insert name and address of agent.
(c) State the particular matter or proceeding for which the agent is appointed,
giving the reference number if known.
(d) To be signed by the person appointing the agent.
(e) Insert the full trade or business address of the person appointing the agent.

FORM TM-49

Paragraph 5 of First Schedule, Paragraph 6 of Second Schedule, Rule 39(1) & 43(1)
(To be accompanied by a duplicate of the draft regulations and in the case of a textile
mark to be accompanied by two duplicates of the draft regulations).

Regulations for governing the use of a Collective or a Certification Trade Mark
No. _____ in class in respect of (a) _____

(For Official Use)

Advertised in the Trade Marks Journal No. _____ at page _____
on the _____ day of _____ 200____.
Date of application and registration _____ 200____.

(a) Here specify the goods of the registration.

FORM TM-50

**Fee: See entry No.49
of the First Schedule**

Form of request by a Registered Proprietor or a registered Licensee of a trade mark or a
person about to be so registered, to enter, alter or substitute an address for service as part
of his registration.
Section 126, Rules 9 & 70

Request is made by (a) _____ who is
about to be registered as (or) who is the Registered (b) Proprietor (Licensee) of Trade
Marks(s) No. _____ *registered in class
_____ for the (c) inclusion, addition, alteration or
substitution of an address for service in Pakistan in or to the entry thereof so that the
address for service in Pakistan may read : (d) _____

Dated this _____ day of _____ 200____.

Signature ^(e) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
The Trade Marks Registry,
Karachi.

- (a) Here insert the full name and trade or business address of the person making the
request.
(b) Strike out from the italicized words those that are not applicable and strike out one of
the words 'Proprietor' or 'Licensee' as the case may be.
(c) Cancel words that are not applicable.
(d) State here the precise entry or changed entry desired.
(e) Signature.

*Additional numbers may be given in a signed schedule on the back of the form.

FORM TM-51

Fee: See entry No.50 of the First Schedule

Application under section 82(2) & First Schedule to register a collective mark for a specification of goods or services included in a class from a convention country under section 25, Rules 15 & 39(1) (To be filled in triplicate and accompanied by six representations of the collective mark and three copies of draft regulation with Form TM-49)

On representation to be fixed within this space and six others to be sent separately. Representation of the larger size may be folded but must then be mounted upon linen or other suitable material affixed thereto. See rule 17.

Application is hereby made for registration in the register of Trade Mark of the accompanying collective mark in class(1) _____
in respect of (2) _____ in the name of (3) _____ whose address is (4) .

The first application in a country to register the collective mark has been made in on .

A certified copy certified by an official of the convention country in which the first application was filed is enclosed (alongwith its translation in English).

I (we) request that the collective mark may be registered with priority date based on the above mentioned first application in a convention country under the provisions of section 25 of the Ordinance.

All communications relating to this application may be sent to the following address in Pakistan:

Dated this _____ day of _____ 20_____.

Signature: _____
name of signatory in block letter

To,

The Registrar of Trade Marks,
The Trade Marks Registry,
Karachi.

- (1). Insert the serial number of the class as indicated in Schedule IV to the Trade Marks Rules.
- (2). Specify the goods or services. Only goods and services included in one and the same class should be specified. Please consult Schedule IV attached to the Rules to check the class of goods and services or the Book on International Classification of goods issued by the International Bureau for the Protection of Intellectual Property, Geneva.
- (3). Insert legible the full name, description and nationality of the applicant.
- (4). Insert full business address.

FORM TM-52

**Fee: See entry No.51
of the First Schedule**

Application under section 83(2) Second Schedule to register a certification trade mark for specification of goods or services included in a class from a convention country under section 25, Rule 15 & 43(1).

(To be filed in duplicate accompanied by three copies of the draft regulation with Form TM-49).

On representation to be fixed within this space and six others to be sent separately. Representation of the larger size may be folded but must then be mounted upon linen or other suitable material affixed thereto. See rule 17.

Application is hereby made for registration in the register of Trade Mark of the accompanying certification trade mark in class(1)_____ in respect of (2)_____ in the name of (3) _____ whose address is (4)_____. The applicants(s) is (are) not carrying on business in the goods or services of the kind for which the registration of the said certification trade mark is sought.

The first application in a country to register the certification trade mark has been filed in _____ on _____.

A certified copy certified by an official of the convention country in which the first application was filed is enclosed (alongwith its translation in English).

I (we) request that the certification trade mark may be registered with priority date based on the above mentioned first application in a convention country under the provisions of section 25 of the Ordinance.

All communications relating to this application may be sent to the following address in Pakistan:

Dated this _____ day of _____ 200 _____.

Signature: _____
name of signatory in block letter

To,
The Registrar of Trade Marks,
The Trade Marks Registry,
Karachi.

-
- (1) Insert the serial number of the class as indicated in Schedule IV to the Trade Marks Rules.
 - (2) Specify the goods or services. Only goods and services included in one and the same class should be specified. Please consult Schedule IV attached to the Rules to check the class of goods and services or the Book on International Classification of goods issued by the International Bureau for the Protection of Intellectual Property, Geneva.
 - (3) Insert legible the full name, description and nationality of the applicant.
 - (4) Insert full business address.

FORM TM-53

Fee: See entry No.52 of the First Schedule

Application for registration of trade marks consisting exclusively of letters or numerals or any combination thereof relating solely to textile goods for specification of goods included in any of the items of the Fifth Schedule. (Rule 96)

(To be filed in duplicate accompanied by six additional representations of the trade mark).

One representation to be fixed within this space and six others to be sent separately.

Application is hereby made for registration of the accompanying trade mark in class(1) _____ in respect of (2) _____ in the name of (3) _____ whose address is(4) _____, who claim(s) to be the proprietor(s) thereof and by whom the said mark is proposed to be used(5) being used since _____ in respect of said goods or services.

All communications relating to this application may be sent to the following address in Pakistan:

Dated this _____ day of _____ 200 _____.

Signature: _____

Name of signatory in block letters

To,

The Registrar of Trade Marks,
The Trade Marks Registry,
Karachi.

1. The Registrar's direction may be obtained if the class of goods or services is not known. The duly signed additional representation by the applicant or his agent should bear the mark, the name, address and description of the applicant, the description of goods or services, the item of textile goods mentioned on the Fifth Schedule, the period of use of the trade mark, the trade description and address for service in Pakistan.
2. Specify the items of textile goods mentioned in the Fifth Schedule consisting exclusively of letters or numerals or any combination thereof in respect of which application is made. A separate sheet detailing the goods or services may be used.
3. Insert legibly the full name, description (occupation or calling and nationality of the applicant. In the case of a body corporate or firm the country or incorporation or the names and descriptions of the partners composing the firm and the nature of registration, if any, as the case may be should be stated.
4. Insert full trade or business address of the applicant.
5. Strike out the words if not applicable. If use is claimed the date of commencement of use by the applicant should be stated.

FORM TM-54

Fee: See entry No.53 of the First Schedule

Application for registration of a textile trade mark (other than a certification trade mark or a collective mark) containing exclusively of numerals or letters or any combination thereof for specification of goods or services included in one item of the Fifth Schedule under Rule 12 from a convention country under

Section 25

(To be filed in duplicate accompanied by six additional representations of the trade mark).

One representation to be fixed within this space and six others to be sent separately.

Application is hereby made for registration in the register of the accompanying trade mark in class(1) _____ in respect of (2) _____ in the name(s) of (3) _____ whose address is(4) _____, who claim(s) to be the proprietor thereof and by whom the said mark is proposed to be used(5) / being used since _____ in respect of goods or services.

The first application in a convention country to register the trade mark has been made in _____ on _____.

A certified copy certified by an official of the convention country in which the first application was filed is enclosed (alongwith its translation in English).

I (we) request that the trade mark may be registered with priority date based on the above mentioned first application in a convention country under the provisions of section 25 of the Ordinance.

All communications relating to this application may be sent to the following address in Pakistan:

Dated this _____ day of _____ 200 _____.

Signature: _____

Name of signatory in block letters

To,

The Registrar of Trade Marks,
The Trade Marks Registry,
Karachi.

1. The Registrar's direction may be obtained if the class of goods or services is not known. The duly signed additional representation by the applicant or his agent should bear the mark, the name, address and description of the applicant, the description of goods or services, the item of textile goods mentioned on the Fifth Schedule, the period of use of the trade mark, the trade description and address for service in Pakistan.
2. Specify the items of textile goods mentioned in the Fifth Schedule consisting exclusively of letters or numberless or any combination thereof in respect of which application is made. A separate sheet detailing the goods or services may be used.
3. Insert legibly the full name, description (occupation or calling and nationality of the applicant. In the case of a body corporate or firm the country or incorporation or the names and descriptions of the partners composing the firm and the nature of registration, if any, as the case may be should be stated.
4. Insert full trade or business address of the applicant.
5. Strike out the words if not applicable. If use is claimed the date of commencement of use by the applicant should be stated.

FORM TM-55

**Fee: See entry No.54
of the First Schedule**

Request for Search under Rule 87

The Registrar is hereby request under rule 88 to search in Class* _____
in respect of (a) _____ to ascertain whether any trade
marks are on record which resemble the trade mark sent herewith in duplicate (each
representation being mounted on a sheet of strong paper approximately 13 inches by 8
inches in size).

Dated this _____ day of _____ 200_____.

Signature ^(d) _____
Name of signatory in block letters

(c) _____

To,

The Registrar of Trade Marks,
The Trade Marks Registry,
Karachi.

*The Registrar's direction should be obtained if the class is not known.

- (a) Here specify the goods (in the class stated) in respect of which the search is to be made.
- (b) Signature.
- (c) Address.

FORM TM-56

**Fee: See entry No.55
of the First Schedule**

Application for Extension of Time
See section 123, rule 80

Application No.....

Application is hereby made by (a) _____ for extension of time by
_____ month(s), for complying with the requirements of the
Registrar communicated under his letter No. _____
dated the _____ or (strike the portion not required) for
filing notice of opposition or counter-statement to registration of a trade mark
No. _____ in class _____ advertised in Trade Marks Journal
No. _____ at page _____ on the day of _____ 200_____, or (strike the portion not
required) for supplying evidence in support of the application/opposition proceedings.

The reasons for making application are as under:-
Dated this _____ day of _____ 200_____.

Signature ^(b) _____
Name of signatory in block letters

To,

The Registrar of Trade Marks,
The Trade Marks Registry,
Karachi.

- (a) Insert full name, address and nationality of the applicant.
- (b) Signature of the applicant.

FORM TM-57

Fee: See entry No.56
of the First Schedule

SECOND SCHEDULE
TRADE MARKS ORDINANCE, 2001

Restoration of the Trade Mark abandoned for non-compliance of the requirements of the Registry.

[See section 33(5) and rule 25(b), 27(2) & 27(3)]

I, (or we) (a) _____ hereby request that the Trade Mark No. _____ in class _____ be restored to the file and be proceeded with according to the Rules.

The application was abandoned, vide letter No. _____ dated the _____ from the Registry.

The reasons for making the application are as under:-

Dated this _____ day of _____ 200_____.

Signature ^(c) _____
Name of signatory in block letters

To,
The Registrar of Trade Marks,
The Trade Marks Registry,
Karachi.

- (a) Insert full name, address and nationality of the applicant.
(b) Signature of the applicant.

FORM TMA-1

Fee: See entry No.62
of the First Schedule

SECOND SCHEDULE
TRADE MARKS ORDINANCE, 2001
 Application for registration as a trade mark agent.
 Rule 119
 (To be filed in duplicate)

I beg to apply for registration as a trade mark agent under the Trade Marks Ordinance, 2001.

(a) A certificate of character from _____ is enclosed herewith.

I hereby declare that I am not subject to any of the disabilities stated in clauses (i), (ii), (iii) and (iv) of rule 117 of the Trade Marks Rules and that the information given below is true to the best of my knowledge and belief:-

1. Name in full beginning with surname, if any (in capital letters) _____
2. Permanent home address _____
3. Place or places of business _____
4. Father's name _____
5. Nationality _____
6. Date and place of birth _____
7. Period of residence in Pakistan _____
8. Occupation in full _____
9. Particulars of qualifications for registration as a trade mark agent (b) _____
10. Whether at any time removed from the Register of trade mark agents and, if so, the reasons for such removal _____

Signature: _____

Name of signatory in block letters

Date _____

To,

The 1[Federal Government],
 Through the Trade Marks Registry,
 Karachi.

(a) The certificate testifying to the character of the candidate should be from a person not related to the candidate and being a District magistrate or the Chief Administrative Officer of the District where the candidate usually resides, or from any other person whom the Registrar may consider fit.

(b) Either original diploma, certificates and other documents in support of qualifications claimed, or copies thereof duly attested by a Magistrate, a Notary Public or 2[person authorized to attest documents] must be sent with the application.

3[Particulars in respect of the period of service with a registered trade mark agent or an advocate practicing before the Trade marks Registry or, as the case may be, of the post held in the Trade Marks Registry, may be specified.]

FORM TMA-2

Fee: See entry No.65
of the First Schedule

SECOND SCHEDULE

TRADE MARKS ORDINANCE, 2001

Application for the restoration of the name of a person to the Agents' Registrar
(Rule 123)

(To be filed in duplicate)

I, (a) _____ of _____
hereby apply for the restoration of my name to the Agents' Register in which my name
was entered under No. _____ My name was removed on
_____ under clause (a), (b), (c), or (d)
of rule 122(1)&(2) of the Trade Marks Rules, 2002.

Dated this..... day of 200.....

Signature _____
Name of signatory in block letters

To,
The 1[Federal Government],
Through the Trade Marks Registry,
Karachi.

(a) Insert name and address in full.

FORM TMA-3

Fee: See entry No.66
of the First Schedule

SECOND SCHEDULE

TRADE MARKS ORDINANCE, 2001

Application for an alteration of any entry in the Agents' Register. (Rule 124)
(To be filed in duplicate)

I, (a) _____ of _____
being a registered agent
(Registration No. _____) hereby request that my name, address, business
address or qualifications entered in the Agents' Register may be altered as follows:-

Dated this..... day of 200.....

Signature _____
Name of signatory in block letters

To,
The 1[Federal Government],
Through the Trade Marks Registry,
Karachi.

(a) Insert name and address in full.

THE THIRD SCHEDULE

[See rule 3]

**FORMS TO BE USED BY THE REGISTRAR
LIST OF FORMS**

Form No.	Section of the Ordinance.	Title.
(1)	(2)	(3)
0-1	33(5)	Notice of Non-completion of Registration.
0-2	33(4)	Certificate of Registration of Trade Marks.
0-3	35(2)	Notice of Expiration of Last Registration.

FORM O-1

GOVERNMENT OF PAKISTAN
THE TRADE MARKS REGISTRY, KARACHI
TRADE MARKS ORDINANCE, 2001

Notice of Non-completion of Registration. Section 33(5).

No.....
Notice is hereby given, as required by section 33(5) of the Trade Marks Ordinance, 2001, that the registration of the trade mark, in respect of which application numbered as above was made on the ----- day of -----200-- has not been completed by reason of default on the part of the applicant.

Unless registration is completed within twenty-one days from the date of this notice, the application will be treated as abandoned.

Dated this..... day of 200.....

Registrar of Trade Marks.

To,

.....
.....

FORM O-2

GOVERNMENT OF PAKISTAN
THE TRADE MARKS REGISTRY, KARACHI
TRADE MARKS ORDINANCE, 2001

Certificate of Registration of Trade Mark. Section 33(4)

TRADE MARK No.....
Dated.....

Certified that the Trade Mark, of which a representation is annexed hereto has been registered in the name of.....
in class under No..... as of the date
in respect of
Sealed at my direction, this day of 200.....

Registrar of Trade Marks.

Registration is for ten years from the date first above-mentioned and may then be renewed for a period of ten years, and also at the expiration of each period of ten years thereafter. (See section 35 of the Trade Marks Ordinance 2001 and rules 45-39(2)(b) of the Trade Marks Rules, 2003.

Note. Upon any change of ownership of this Trade Mark, or change in address, application should at once be made to register the change.

FORM O-3

GOVERNMENT OF PAKISTAN
THE TRADE MARKS REGISTRY, KARACHI
TRADE MARKS ORDINANCE, 2001

Notice of expiration of last Registration. Section 35(2)
registered Trade Mark No.....
Class.....

Notice is hereby given as required in section 35(2) of the Trade Marks Ordinance, 2001, that the registration of the aforesaid trade mark will expire on and that the registration can be renewed for a further period of ten years on receipt in this office of an application on the enclosed form TM-12 accompanied by the prescribed fee of Rs..... on or before the said date.

Dated this.....day of.....200.....
Registrar of Trade Marks,

FORM O-4.

**Fee: See entry No.63
of the First Schedule**

GOVERNMENT OF PAKISTAN
MINISTRY OF COMMERCE
TRADE MARKS ORDINANCE, 2001
Certificate of Registration as a trade mark agent
[Rule 121]

No.....

This is to certify that..... of
was registered on this.....day of200....., in
the Register of trade mark agents maintained under rule 115 of the Trade Marks Rules,
2003.

Registrar of the Trade Marks,
Government of Pakistan.

THE FOURTH SCHEDULE

[SEE RULES 11, 71 AND 88]

CLASSIFICATION OF GOODS AND SERVICES

Names of the Classes

(Parts of an article or apparatus are, in general, classified with the actual article or apparatus, except where such parts constitute articles included in other classes).

1. Chemicals used in industry, science and photography, as well as agriculture, horticulture, forestry; manures (natural and artificial); fire extinguishing compositions, tempering substances and chemicals preparations for soldering, chemical substances for preserving foodstuff, tanning substances, adhesives used in industry, unprocessed artificial resins; unprocessed plastics.
2. Paints, varnishes, lacquers, preservatives against rust and against deterioration of wood, coloring matters, dyestuffs; mordents; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.
3. Bleaching preparations and other substances for laundry use, cleaning, polishing, scouring and abrasive preparations, soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices.
4. Industrial oils and greases (other than edible oils and fats and essential oils); lubricants, dust absorbing wetting and binding compositions; fuels (including motor spirit) and illuminants, candles, tapers, nightlights and wicks.
5. Pharmaceutical, veterinary and sanitary substances; infants' and invalids' foods; dietetic substances adapted for medical use; plasters, materials for bandaging; material for stopping teeth, dental wax, disinfectants, preparations for killing weeds and destroying vermin; fungicides, herbicides.
6. Common metals and their alloys, anchors, anvils, bells, rolled and metal building materials, transportable building of metals; materials of metal for railway tracks, chains (except driving chains for vehicles); non-electric cables and wires of common metal; locksmith's work; metallic pipes and tubes; safes and cash boxes; steel balls; horseshoes; nails and screws; ironmongery; small items of metal hardware; other goods in non-precious metal not included in other classes; ores.
7. Machines and machine tools, motors and engines (except for vehicles), machine coupling and transmission components (except for land vehicles) agricultural implements, incubators for eggs.
8. Hand tools and implements (hand-operated); cutlery, forks and spoons; side arms; razors.
9. Scientific, nautical, surveying and electrical apparatus and instruments (including wireless), photographic, cinematographic; optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments, coin or counter-freed apparatus; talking machines; cash registers, calculating machines, apparatus for recording, transmission reproduction of sound or images, magnetic data carriers, recording discs, automatic vending machines and mechanisms for coin apparatus, data processing equipment and computers; fire extinguishing apparatus.
10. Surgical, medical, dental and veterinary instruments and apparatus, artificial limbs, eyes and teeth, orthopedic articles; suture materials.
11. Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.

12. Vehicles, apparatus for locomotion by land, air or water.
13. Firearms, ammunition and projectiles, explosives; fireworks.
14. Precious metals and their alloys and goods in precious metals or coated therewith (except cutlery, forks and spoons), jewellery, precious stones, horological and other chronometric instruments.
15. Musical Instruments (other than talking machines and wireless apparatus).
16. Paper and paper articles, cardboard and cardboard articles; printed matter, newspapers and periodicals, books; book-binding materials, photographs, stationery, adhesives materials (stationery), artists' materials, paint brushes, typewriters and office requisites (other than furniture), instructional and teaching material (other than apparatus), playing cards; (printers') type and clichés (stereotype); plastic materials, for packaging (not included in other classes).
17. Gutta percha, rubber, balata and substitutes, articles made from these substances and not included in other classes, materials for packing, stopping or insulating, asbestos, mica and their products; hose pipes (non-metallic); plastics in extruded form for use in manufacture.
18. Leather and imitations of leather, and articles made from these materials, and not included in other classes, animal skins, hides, trunks and travelling bags, umbrellas, parasols and walking sticks, whips, harness and saddlery.
19. Building materials (non-metallic), natural and artificial stone, cement, lime, mortar, plaster and gravel; pipes of earthenware or cement; road-making materials; asphalt, pitch and bitumen, portable buildings; monuments; not of metal, chimney pots; non-metallic rigid pipes for building; non-metallic; transportable buildings.
20. Furniture, mirrors, picture frames; articles (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.
21. household and kitchen utensils and containers (not of precious metal or coated therewith), combs and sponges, brushes (other than paint brushes), brush-making materials, articles for cleaning purposes, steelwool, glassware, porcelain and earthenware not included in other classes; unworked or semi-worked glass (except glass used in building).
22. Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes) padding and stuffing materials (except of rubber or plastics) raw fibrous textile materials.
23. Yarns and threads, for textile use.
24. Textiles and textile goods, not included in other classes, bed and table covers.
25. Clothing, footwear, headgear.
26. Lace and embroidery, ribbons and braid, buttons, hooks and eyes, pins and needles, artificial flowers.
27. Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors, wall hangings (non-textile).
28. Games and playthings, gymnastic and sporting articles not included in other classes, decorations for Christmas trees.

29. Meat, fish, poultry and game, meat extracts, preserved, dried and cooked fruits and vegetables, jellies, jams, fruit sauces, eggs, milk and milk products; edible oils and fats; pickles.
30. Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, biscuits, cakes, pastry and confectionery, ices, honey, treacle, yeast, baking-powder, salt, mustard, pepper, vinegar, sauces, (condiments), spices; ice.
31. Agricultural, horticultural and forestry products and grains not included in other classes, live animals, fresh fruits and vegetables, seeds, natural plants and flowers, foodstuffs for animals, malt.
32. Beers, mineral and aerated waters and other non-alcoholic drinks, syrups and other preparations for making beverages; fruit drinks and fruit juices.
33. Alcoholic beverages (except beers).
34. Tobacco; smokers' articles, matches.

SERVICES

35. Advertising, business management, business administration, office functions.
36. Insurance, financial affairs; monetary affairs; real estate affairs.
37. Building construction; repair, installation services.
38. Telecommunications.
39. Transport, packaging and storage of goods; travel arrangement.
40. Treatment of materials.
41. Education, providing of training, entertainment, sporting and cultural activities.
42. Providing of food and drink, temporary accommodation, medical, hygienic and beauty care, veterinary and agricultural services, legal services; scientific and industrial research; computer programming, services that can not be classified in other classes.

THE FIFTH SCHEDULE

[See rule 96]

List of items of textile goods referred to in rule 96

No. of item

1. Grey Longcloth. Shirtings, Cellular, Limbric, Poplin; Sheetings, Printers and Leopard Cloth - Including all abovementioned gray cloth, with no colour in the body except a woven coloured heading.
2. Grey Drills, Jeans and Duck - Including only gray cloth and not striped drills with gray grounds.
3. Grey Twills.
4. Grey Salitha, T-Cloths and Domestics.
5. Grey Coarse Cloth.
6. Grey Chadars of Plain Weave and Khadi Chadars - Including all chadars of plain weave with no colour in the body but with or without a woven coloured heading or fancy heading, but not including check Chadars and striped Chadars.
7. Grey Chadars of Twill Weave - Including only gray twill chadars with no colour in the body except a woven coloured heading.
8. Grey Dhoties including Tahmad. This item relates only to gray ground dhoties (of all dimensions) with or without artificial silk, coloured yarn, folded yarn, or printed borders and headings).
9. Grey Series and Scarves and Sari Cloth - Including only gray ground Series (of all dimensions) with or without artificial silk, coloured yarn or printed borders and headings and sari cloth in piece length but not including Series with striped or check grounds, and dyed and printed Series.
10. Grey Dosuti.
11. Grey Jaconets, Jagannathi, Mulls and Mulmulls.
12. Grey pagree Cloth.
13. Grey Matting Weave and Canvas including Filter cloth.
14. Sambura Cloth - Grey Drill with red and black headings and coloured runner in the centre.
15. Whole Grey Dobby Cloth and Doria.
16. Bleached Longcloth, Shirtings, Cellular, Limbric, Poplin, Sheetings and Printers - Including all the above mentioned plain cloths with no colour in the body except a woven coloured heading.
17. Bleached drills, jeans and Duck - See note under item 16.
18. Bleached Twills-See note under item 16. This item does not include Striped Twills on bleached ground.

19. Bleached T Cloths and Domestics – See note under item 16.
20. Bleached Coarse cloth - See note under item 16.
21. Bleached Chadars – Including chadars of plain and twill weave.
22. Bleached Mulls, Jaconets and Nainsooks - See note under item 16.
23. Bleached Madapollams and Cambrics - See note under item 16.
24. Bleached Dhoties including Tahmad – This item relates only to plain bleached ground dhoties (of all dimensions) with artificial silk, coloured yarn, folded yarn or printed borders and headings.
25. Bleached Saries and Scarves – Including only plain bleached ground Saries (of all dimensions) with artificial silk, coloured yarn or printed borders and headings, but not including Saries with Stripes or checks and dyed and printed Saries.
26. Bleached Dsuti - See note under item 16.
27. Bleached voiles and Muslims - See note under item 16.
28. Bleached Dorias and Fancies – including bleached cloth with bleached folded yarn stripes or checks.
29. Bleached Matting Weave and Canvas - See note under item 16.
30. Bleached Pagree Cloth - See note under item 16.
31. Embroidered Voiles, Muslims etc. Bleached.
32. Bleached Flannel and Flannelettes and all bleached cloths raised on one side kind cotton Velvet.
33. Dyed Longcloth, Shirtings, Cellular, Limbric, Poplin and Sheetings – Including the above mentioned cloths dyed in the piece.
34. Dyed Drills - See note under item 33. This item also includes coloured warp or weft drills.
35. Dyed Twills - See note under item 33.
36. Dyed T – Cloth and Domestics - See note under item 33.
37. Dyed Coarse Cloth - See note under item 33.
38. Dyed Chadars - See note under item 33.
39. Dyed Dhoties including Tahmad, Saries and Shawls – This item includes dhoties, saries or shawls dyed in the piece.
40. Dyed Fancies – Including fancies with single colour warp or weft fancies or printed yarn in the warp or weft or both.
41. Dyed Pugree Cloth - See note under item 33.
42. Dyed Voiles – Including bordered voiles.

43. Dyed Flannelettes – Including Grey and self-coloured Flannelettes and all dyed cloths raised on one side and cotton velvet.
44. Dyed Mulls.
45. Dyed Umbrella Cloth.
46. Coatings and Traouserings (including Sholapuri, Chennai, Cloth, Sunproof cloth, Tussore, Kashmere Cloth, Serges, Thana Cloth, Tweeds, Mazri, Malatia and Corduroy) – In addition to the goods enumerated above, this item includes cotton dyed coatings and coatings with artificial silk in the warp or in the weft as stripes or checks, either alone or in combination with dyed cotton yarn.
47. Striped Drills and Jeans and Striped Twills – Including striped drills or twills with gray, bleached or coloured ground.
48. Bed ticking – With coloured warp and gray or bleached weft.
49. Striped Coarse cloth – Including both gray and bleached grounds.
50. Striped shirtings, Striped Susis and Striped Zephyrs – Including striped shirtings, etc., with gray bleached or coloured ground but not including artificial silk striped goods.
51. Check shirtings. Check Susis and Check Zephyrs - See note under item 50.
52. Check Chadars – Including plain check chadar and twill check chadar on gray, bleached or coloured grounds.
53. Lungis and Sarongs.
54. Woven coloured Saries and Scarves – (This includes saries and scarves with striped or check grounds, but does not include saries and scarves in which there is artificial silk in the body of the cloth).
55. Check Cholas and Gumchas.
56. Artificial Silk Striped Shirtings – This includes (a) artificial silk shirtings with an artificial silk warp and weft. (b) an artificial silk warp. Or (c) artificial silk only in stripes, either alone or in combination with coloured cotton yarn.
57. Artificial Silk Check Shirtings – On gray white and coloured grounds.
58. Artificial Silk Brocads and 'All over Styles'.
59. Artificial Silk Dhoties. Saries and Scarves and Sari Cloth -(This item includes dhoties and saries in which an artificial silk warp or weft or both are used. It does not include dhoties, etc. in which artificial silk is used only in the borders).
60. Crepe Cloth - Grey. Bleached and dyed. This item also includes crepe cloth yarn printed.
61. Dyed and striped Dosuti - Including striped Dosuti bleached in the piece.
62. Printed dhoties, Shawls, Rumals, Saries and other printed garments - Including Voile Saries also.
63. Printed longcloth, Shirtings, Cellular, Limbric, Poplins and Sheetings - Grey bleached and dyed grounds.

64. Striped, Check and printed Flannelettes.
65. Pure Silk Saries.
66. Leno and Moskleno, Bandage cloth - Grey bleached dyed or striped including Gauze cloth also.
67. Terry Towels including toweling cloth - Grey, bleached dyed printed, striped or checked.
68. Buckaback towels including toweling cloth - Grayed bleached dyed printed striped or checked.
69. Honey Comb Towels including toweling cloth - Grey, bleached dyed, printed, striped or checked.
70. All other towels including toweling cloth.
71. (a) Dusters, Handkerchiefs, Rumals and Glass Cloth (serviettes)
(b) Table cloth and table covers, napkins.
72. Dobby kind Jacquard Chadars, Bedspreads, Quilts and Counterpanes including Suzm - Grey, bleached or coloured.
73. Blankets and Malida Cloth - All types including cotton and wool union blankets and shawls not dyed or printed) or lohis of any fibres.
74. Durries and carpets including Satranji (floor carpets).
75. Dyed and coloured Canvas - Dyed or woven coloured.
76. Artificial Silk Zephyrs, Alpaca, Crepe, etc. - Plain and Fancy grounds (whole colour and unstriped).
77. Motor hood cloth.
78. Buckram cloth - gray, bleached and dyed.
79. Striped voiles - Bleached and/or dyed in the piece.
80. Printed Voiles - Grey, bleached and dyed.
81. Mookta cloth - This cloth is woven with cotton warp and flax weft.
82. Artificial silk Tapestry and Upholstering Fabrics, including cotton furnishing fabrics and casement cloths - Grey, bleached, dyed and printed.
83. Bedford Cord - Bleached and dyed.
84. Printed Crepe - Grey, bleached or dyed grounds.
85. Pure Silk Coatings - Plain, striped or checked. This item also includes coatings made of artificial fibres, filaments and yarns.
86. Pure Silk shirtings - Plain, striped or checked.
87. Printed Drills, Twills and Jeans.
88. Corded Voiles - Bleached, coloured, printed kind bordered.
89. Printed Boski - Artificial silk warp, weft or both.

90. Artificial silk striped Voiles - Grey, bleached and dyed, voiles with artificial silk stripes in the body of the cloth.
91. Bordered voiles - Bleached, dyed and printed (with or without artificial silk border).
92. Artificial Silk Satins - Including satins made from 100 per cent silk or artificial silk in the warp or weft.
93. Check Voiles Grey, bleached and dyed (This item contains cotton voiles with gray, bleached or coloured grounds with check designs all over the body of the cloth).
94. Grey Flannelettes - Including all gray cloths raised on one side and cotton velvet.

THE SIXTH SCHEDULE

[See rule 82]

Scale of costs allowable in proceedings before the Registrar (rule 83)

Serial No.	Matter in respect of which cost is to be awarded.	Amount (Rs)
(1)	(2)	(3)
1.	For one day's hearing involving Examination of witness.	1,200/-
2.	For one day's hearing when there is no examination of witnesses.	500/-
3.	For adjournment of hearing granted on the petition of any party.	500/- Plus cost of re-summoning the other parties, witnesses who were due to be examined on the day.
4.	For striking out scandalous matter from an affidavit.	200/-
5.	For attendance of witnesses-	
	Subsistence allowance	500/-
	Travelling allowance-	
	By Train	Actual fare each way (vide Note below).
	By road	At 5/- per mile (vide Note below).
6.	Commission for examination of witnesses	500/- for each day's sitting.

NOTE:-The rates of subsistence allowance and travelling allowance for witnesses shall vary according to the status of the witness, subject to the maximum prescribed above.

THE SEVENTH SCHEDULE

[See rule 101(1)]

List of Associations referred to in rule 101(1)

Sr. No.	Names of Associations.	Number of persons to be recommended.
1.	Federation of Pakistan Chambers of Commerce and Industry, Karachi	3
2.	Chamber of Commerce and Industry, Karachi ..	1
3.	All-Pakistan Textile Mills Association, Karachi ..	1
4.	Pakistan Cotton Ginners Association, Hyderabad ..	1
5.	Pakistan Yarn Merchants Association, Karachi ..	1
6.	Pakistan Silk & Rayon Mills Association, Karachi ..	1
7.	Pakistan Hosiery Manufacturers Association, Karachi ..	1
8.	Pakistan Woolen Mill Owner's Association Rawalpindi.	1

[F.No 2(6)98/WTO.III]

AHMED MUKHTAR,
Section Officer.