



LAWS OF SEYCHELLES

TRADE MARKS DECREE

CHAPTER 239

(SUBSIDIARY LEGISLATION)

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Section 35

THE TRADE MARKS REGULATIONS

S.I. 112 of 1977.

(4th January, 1978)

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1. These Regulations, may be cited as the Trade Marks Regulations. Citation.
2. In these Regulations, unless inconsistent with the context - Interpretation.
S.I. 92/1992.
- "agent" means an agent duly authorized to the satisfaction of the Registrar;
- "Office" means the Trade Marks Office;
- "specification" means the designation of goods or services in respect of which a trade mark, or a registered user of a trade mark, is registered or proposed to be registered.
3. The fees which shall be payable in respect of any application, registration and other matters under the Decree and these Regulations shall be the fees prescribed in the First Schedule. Fees.
4. The forms herein referred to are those contained in the Second Schedule and such forms shall be used in all cases to which they are applicable, and may be modified as directed by the Registrar to meet other cases. Forms.
5. For the purposes of - Classification of
Goods or
services.
S.I. 92/1992.
- (a) trade marks registrations.
- (b) trade marks registered on or after the date of commencement of the Decree or registrations of registered users thereunder, goods and services are classified in the manner appearing in the Third Schedule. Size etc. of
documents.
S.I. 92/1992.
6. Subject to any other directions that may be given by the Registrar, all documents authorized or required by the Decree or these Regulations, to be filed at the Office, shall, unless the Registrar otherwise directs, be written, typewritten, lithographed or printed in the English language upon strong paper, in dark, indelible ink, on one side only, of a size approximately 13 inches by 8 inches, and shall have on the left-hand part thereof a margin of not less than 1½ inches

Signature of documents by partnerships, companies and associations.

7. A document purporting to be signed for or on behalf of a partnership shall contain the names of all the partners in full and shall be signed by all the partners or by any qualified partner stating that he signs on behalf of the partnership, or by any other person who satisfies the Registrar that he is authorized to sign the document. A document purporting to be signed for or on behalf of a body corporate shall be signed by a director or by the secretary or other principal officer of the body corporate, or by any other person who satisfies the Registrar that he is authorized to sign the document. A document purporting to be signed for or on behalf of an association of persons may be signed by any person who appears to the Registrar to be duly qualified.

Services of documents. S.I. 92/1992.

8. All documents authorized or required by the Decree or these Regulations to be filed at the Office or with any other person may be sent through the post by a prepaid letter; any document so sent shall be deemed to have been filed 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.

Address.

9.(1) Where any person is by the Decree or these Regulations bound to furnish the Registrar with an address, the address given shall in all cases be as full as possible for the purpose of enabling any person easily to find the place of trade or business of the person whose address is given.

(2) The Registrar may require the address to include the name of the street and the number of the street or name of the premises and Post Office Box Number if any.

Address for service.

10.(1) The Registrar may require an applicant, opponent or agent, or a registered proprietor or registered user of a trade mark, who does not reside or carry on business within Seychelles, to give an address for service within Seychelles and such address may be treated as the actual address of that person for all purposes connected with the matter in question.

(2) Any registered proprietor or registered user of a trade mark, or any person about to be registered as such, may, if he so desires, give an address for service for entry in the register, and such address may be entered by the Registrar.

(3) In any case in which no address for service is entered in the register, the Registrar may treat the trade or business address of the registered proprietor or registered user as therein entered as his address for service for all purposes connected with the registration.

(4) Any written communication addressed to a party or person as aforesaid at an address given by him, or treated by the Registrar, as his address for service shall be deemed to be properly addressed.

(5) The Registrar, at any time that a doubt arises as to the continued availability of an address for service entered in the register, may request the person for whom it is entered, by letter addressed to his trade or business address in the register, to confirm the address for service, and if within three months of making such request the Registrar receives no confirmation of that address, he may strike it off the register.

11.(1) Except as otherwise required by these Regulations, any application, request or notice which is required or permitted by the Decree or these Regulations, to be made or given to the Registrar, and all other communications between an applicant or a person making such a request or giving such a notice and the Registrar, and between the registered proprietor or a registered user of a trade mark and the Registrar or any other person, may be signed made or given by or through an agent.

Agency.

(2) Any such applicant, person making request or giving notice, proprietor or registered user may appoint an agent to act for him in any proceeding or matter before or affecting the Registrar under the Decree and these Regulations by signing and sending to the Registrar an authority to that effect in the form T.M. No. 1, or in such other written form as the Registrar may deem sufficient. In case of such appointment, service upon the

agent of any document relating to the proceeding or matter shall be deemed to be service upon the person so appointing him, all communications directed to be made to such person in respect of the proceeding or matter may be addressed to such agent, and all attendances upon the Registrar relating thereto may be made by or through such agent. In any particular case the Registrar may require the personal signature or presence of an applicant, opponent, proprietor, registered user or other person.

(3) The Registrar shall not be bound to recognise as such agent any person -

- (a) who has been proved to him to have been guilty of conduct discreditable to a trade mark agent; or
- (b) who has been convicted of a criminal offence and sentenced to imprisonment without the option of a fine; or
- (c) who has been suspended from practice as a legal practitioner or whose name has been struck off the roll of legal practitioners whether in Seychelles or elsewhere.

Registrable trade marks.

12.(1) The Registrar may refuse to accept any application for the registration of a mark upon which any of the following appear -

- (a) the words "Patent", "Patented", "Registered", "Registered Design", "Copyright", "To counterfeit this is a forgery", or words to like effect;
- (b) the words "Red Cross" or "Geneva Cross", and representations of the Geneva and other crosses in red, or of the Swiss Federal Cross in white or a red, ground or silver on a red ground, or such representations in a similar colour or colours.

(2) Where there appears in a trade mark the registration of which is applied for a representation of a cross in any colour, not being one of those mentioned in subregulation (1) (b) the

Registrar may require the applicant as a condition of acceptance to undertake not to use the cross device in red, or in white on a red ground or silver on a red ground, or in any similar colour or colours.

13. Where a representation of the armorial bearings, insignia, orders of chivalry, decorations or flags of any state, city, borough, town, place, society, body corporate, institution or person appears on a mark, the Registrar, before proceeding to register the mark, shall, if he so requires, be furnished with a consent to the registration and use of such emblems from such official or other person as appears to the Registrar to be entitled to give consent, and in default of such consent he may refuse to register the mark.

Arms of city etc.

14. Where the name or representation of any person appears on a trade mark, the Registrar shall, if he so requires, before proceeding to register the mark be furnished with consent from him or, in the case of a person recently dead, from his legal representative, and in default of such consent he may refuse to register the mark.

Consent of person to use of name or representation.

15.(1) Where the name or description of any goods or services appears on a trade mark, the Registrar may refuse to register such mark in respect of any goods or services other than the goods or services so named or described.

Name or description of goods or services on a trade marks.
S.I. 92/1992.

(2) Where the name or description of any goods or services appears on a trade mark, which name or description in use varies, the Registrar may permit the registration of the mark for those and other goods or services, and in that case the applicant shall state in his application that the name or description will be varied when the mark is used upon goods or services covered by the specification other than the named or described goods or services.

16(1) Any person who proposes to apply for the registration of a trade mark in respect of any goods or services may apply to the Registrar on form T.M. No. 29 or form T.M. No. 28 in a case where he is also making an application under regulation 104, for advice as to whether the trade mark, of which duplicate representations shall accompany the form appears to the Registrar *prima facie* to be inherently adapted to distinguish within the

Preliminary advice by Registrar as to distinctiveness.
S.I. 92/1992.

meaning of section 7 of the Decree, in relation to those goods or services, and shall apply separately in relation to goods or services comprised within different classes of goods or services in the Third Schedule.

(2) A notice of withdrawal of an application for the registration of a trade mark given under section 36 (3) of the Decree for the purpose of obtaining repayment of any fee paid on the filing of the application shall be given in writing within two months from the date of the notice of the Registrar's objection.

Form of
application.
Specification.
S.I. 92/1992.

17.(1) An application to the Registrar for the registration of a trade mark shall be signed by the applicant or his agent. For a trade mark other than a certification or defensive trade mark the application shall be made on form T.M. No. 2. For a certification or a defensive trade mark the application shall be made on form T.M. No. 5 or form T.M. No. 31 respectively. Each application shall be for registration in respect of goods or services in one class of the Third Schedule only.

(2) In the case of an application for registration in respect of all the goods or services included in a class, or of a large variety of goods or services, the Registrar may refuse to accept the application unless he is satisfied that the specification is justified by the use of the mark which the applicant has made, or intends to make if and when it is registered.

Address for
application.
S.I. 92/1992.

18. An application for the registration of a trade mark shall be addressed and filed with the Registrar at the Office.

Representation
of mark.
S.I. 92/1992.

19.(1) Every application for the registration of a trade mark 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 such materials as the Registrar may consider suitable. Part of the mounting shall be affixed in the space aforesaid and the rest may be folded.

(3) In the case of word marks represented in plain letters, the word shall be printed or stencilled in letters of not less than $\frac{3}{8}$ inch in size.

20. There shall be filed with every application for registration of a trade mark (other than a certification trade mark) four additional representations of the mark on form T.M. No. 3. The representation of the mark on the application and its duplicate (if any) and the additional representations shall correspond exactly. 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 or his agent.

Additional forms
and
representation.
S.I. 92/1992.

21. Applications for the registration of the same 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, the registration in respect of the goods or services included in each separate class shall be deemed to be a separate registration for all the purposes of the Decree.

Separate
applications.
S.I. 92/1992.

22. The Registrar, if dissatisfied with any representation of a mark, may at any time require another representation satisfactory to him to be substituted before proceeding with the application.

Representations
to be satisfactory.

23. Where application is made for the registration of a series of trade marks under Section 18 (2) of the Decree, a representation of each trade mark of the series shall be included, all as aforesaid, in the application form, in the duplicate thereof (if any) and four representations of each trade mark of the series shall be pinned on the accompanying form T.M. No. 3.

Series of trade
marks.

24.(1) 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 the accompanying form T.M. No. 3, a sufficient transliteration and translation 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 or his agent.

Transliteration
and translation.

(2) Where a trade mark contains a word or words in a language other than English or French, 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.

Search.
S.I. 92/1992.

25. Upon receipt of an application for the registration of a trade mark in respect of any goods or services the Registrar shall cause a search to be made amongst the registered marks pending applications, for the purpose of ascertaining whether there are on record in respect of the same goods or services or description of goods or services any marks identical with the mark applied for, or so nearly resembling it as to render the mark applied for 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.

Acceptance
absolute or
conditional;
objection.
S.I. 92/1992.

26. After such search, and consideration of the application, and of any evidence of use or of distinctiveness or of any other matter which the applicant may furnish or may be required to furnish, the Registrar may accept the application absolutely, or he may object to it, or he may express his willingness to accept it subject to such conditions as he may think right to impose.

Registrar's
objections.

Hearing.

27. If the Registrar object to the application, he shall inform the applicant of his objections in writing, and unless within two months the applicant applies for a hearing or makes a considered reply in writing to those objections he shall be deemed to have withdrawn his application.

Registrar's
conditions etc.
S.I. 92/1992.

Hearing.

28. If the Registrar is willing to accept the application subject to any conditions he shall communicate such willingness to the applicant in writing, and, if the applicant objects to such conditions, he shall within two months from the date of the communication apply for a hearing or communicate his considered objections in writing, and if he does not do so he shall be deemed to have withdrawn his application. If the applicant does not object to such conditions, he shall forthwith notify the Registrar in writing and alter his application accordingly.

Decision of
Registrar.

29.(1) The decision of the Registrar, at a hearing in accordance with regulation 27 or 28 or without a hearing if the applicant has duly communicated his considered objections or

considered reply, in writing, and has stated that he does not desire to be heard, shall be communicated to the applicant in writing, and if the applicant objects to such decision he may within two months by applying upon form T.M. No. 4 require the Registrar 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 such statement in writing. The date when such statement is sent to the applicant shall be deemed to be the date of the Registrar's decision for the purpose of appeal.

30. The Registrar may call on an applicant to insert in his application such disclaimer as the Registrar may think fit, in order that the public generally may understand what the applicant's rights, if his mark is registered, will be.

Disclaimer.

31. An application for the registration of a defensive trade mark under section 24 of the Decree shall be filed with the Registrar on form T.M. No. 31, and shall be accompanied by a statement of case setting forth the full particulars of the facts on which the applicant relies in support of his application, verified by an affidavit or solemn declaration made by the applicant or some other person approved for the purpose by the Registrar. The applicant may file with this declaration, or subsequently such other evidence as he may desire to furnish, and the Registrar shall consider the whole of the evidence before deciding on the application. In all other respects and where they are appropriate and it is not otherwise stated, these Regulations shall apply to such applications as they apply to applications for the registration of ordinary trade marks.

Application
under Section
24.
S.I. 92/1992.

32. An application for the registration of a certification trade mark shall be made to the Registrar on form T.M. No. 5 and shall be accompanied by four additional representations of the trade mark on form T.M. No. 3.

Application for
Certification
trade mark.

Authorization to proceed.

33.(1) These Regulations shall apply to such applications as they apply to applications for the registration of ordinary trade marks, except that for references therein to acceptance of an application there shall be substituted references to authorization to proceed with the application, and that the applicant shall not be deemed to have abandoned his application if in the circumstances of regulation 27 or 28 he does not apply for a hearing or reply in writing.

(2) The address of an applicant to register a certification trade mark shall be deemed to be a trade or a business address for all purposes for which such an address is required by these Regulations.

Case; draft. Regulations. S.I. 92/1992.

34. The applicant shall file with the Registrar with his application or when required by the Registrar a case setting out the grounds on which he relies in support of his application together with draft regulations for governing the use of the mark in form T.M. No. 32, all being in duplicate. The Registrar may communicate to the applicant any observations he may have to make on the sufficiency of the case or the suitability of the draft regulations and the applicant may modify either of those documents.

Directions by the registrar.

35. If the Registrar decides to authorize the application to proceed he may at any time call for such evidence, if any, as he thinks fit, and shall if required hear the applicant before giving directions as provided in paragraph 1 (5) of the Second Schedule to the Decree. When such directions have been given and the application has been accepted, the regulations for governing the use of the mark approved by the Registrar, as well as the form of application, shall be open to public inspection.

Advertisement of application.

36.(1) An application for the registration of a trade mark required or permitted to be advertised by section 14 (1) of the Decree, shall be advertised in the *Gazette*. In the case of an application with which the Registrar proceeds only after the applicant has lodged the written consent to the proposed registration of the registered proprietor of another trade mark or another applicant, the words "By Consent" shall appear in the advertisement.

(2) If no representation of the trade mark be included in the advertisement of the application the applicant shall refer in such advertisement to the place or places where a specimen or representation of the trade mark is deposited for exhibition.

37. For the purpose of such advertisement the applicant may, at the appropriate time, supply a printing block (or more than one, if necessary) of the trade mark satisfactory to the Registrar, of such dimensions as may from time to time be approved or directed by the Registrar, or shall supply such information or other means of advertising the trade mark as may be required by the Registrar; and the Registrar, if dissatisfied with the printing block supplied by the applicant or his agent, may require a fresh block before approving of the advertisement.

Wood block or
electro-type
printing.

38. When an application relates to a series of trade marks differing from one another in respect of the particulars mentioned in section 18 (3) of the Decree, the applicant may be required to supply a printing block (or more than one, if necessary) satisfactory to the Registrar of any or each of the trade marks constituting the series; or the Registrar may, if he thinks fit, direct that there shall be inserted with the advertisement of the application a statement of the manner in which the several trade marks differ from one another.

Advertisement
of series.
S.I. 92/1992.

39. Advertisements under section 14 and section 32 (2) and (4) of the Decree shall mutatis mutandis be made in the same manner as advertisements relating to an application for registration.

Advertisement
under sections
14 and 32(2)
and (4).

40. Any person may within two months from the date of any advertisement in the Gazette of an application for registration of a trade mark give notice on form T.M. No. 6 to the Registrar of opposition to the registration.

Opposition.

41. The notice shall include a statement of the grounds upon which the opponent objects to the registration. If registration is opposed on the ground that the mark resembles marks already on the register, the numbers of such trade marks and the date of the Gazette in which they have been advertised

Notice of
opposition.

shall be set out. The notice shall be accompanied by a duplicate which the Registrar will forthwith send to the applicant.

Counter
statement.
S.I. 92/1992.

42. Within two months from the receipt of such duplicate the applicant shall file with the Registrar a counter-statement on form T.M. No. 7 setting out the grounds on which he relies as supporting his application. The applicant shall also set out what facts, if any, alleged in the notice of opposition he admits. The counter-statement shall be in duplicate.

Evidence in
support of
opposition.
S.I. 92/1992.

43. Upon receipt of the counter-statement and duplicate the Registrar shall forthwith send the duplicate to the opponent and within two months from the receipt of the duplicate the opponent shall file with the Registrar such evidence by way of affidavit or solemn declaration as he may desire to adduce in support of his opposition and shall deliver to the applicant a copy of such evidence.

Evidence in
support of
application.
S.I. 92/1992.

44.(1) If an opponent files no evidence he shall, unless the Registrar otherwise directs, be deemed to have abandoned his opposition but, if he does file evidence, then, within two months from the receipt of the copies of such evidence, the applicant shall file with the Registrar such evidence by way of affidavit or solemn declaration as he desires to adduce in support of his application and shall deliver to the opponent a copy thereof.

(2) An applicant, shall unless the Registrar otherwise directs, be deemed to have withdrawn his application if, within the period of two months referred to in subregulation (1), he -

- (a) fails to file with the Registrar such evidence as he desires to adduce in support of his application; or
- (b) fails to notify the Registrar in the event of his not desiring to adduce evidence in support of his application.

Evidence in
reply by
opponent.
S.I. 92/1992.

45. Within two months from the receipt by the opponent of the copy of the applicant's affidavit or solemn declaration the opponent may file with the Registrar evidence by affidavit or solemn declaration in reply, and shall deliver to the applicant a

copy of such evidence. This evidence shall be confined to matters strictly in reply.

46. No further evidence shall be filed on either side but, in any proceedings before the Registrar, he may at any time if he thinks fit give leave to either the applicant or the opponent to file any evidence upon such terms as to costs or otherwise as he may think fit.

Further
evidence.
S.I. 92/1992

47. Where there are exhibits to affidavits or solemn declarations filed in an opposition, a copy or impression of each exhibit 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 filed 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.

Exhibits.
S.I. 92/1992.

48. Upon completion of the evidence 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 fourteen days after the date of the notice, unless the parties consent to a shorter notice. Within seven days from the receipt of the notice any party who intends to appear shall so notify the Registrar on form T.M. No. 8. A party who receives notices as aforesaid and who does not, within seven days from the receipt thereof, so notify the Registrar on form T.M. No. 8 may be treated as not desiring to be heard and the Registrar may act accordingly.

Hearing.

49. Where in opposition proceedings any extension of time is granted to any party, the Registrar may thereafter, if he thinks fit, without giving the said party a hearing, grant any reasonable extension of time to any other party in which to take any subsequent step.

Extension of
time.

50. Where a party giving notice of opposition or an applicant sending a counter-statement after receipt of a copy of such a notice neither resides nor carries on business in Seychelles, the Registrar may require him to give security in such form as the Registrar may deem sufficient for the costs of the proceedings before the Registrar, for such amount as to the Registrar may

Security for
costs.

seem fit, and at any stage in the opposition proceedings may require further security to be given at any time before giving his decision in the case

Costs in
uncontested
case.

51. In the event of an opposition being uncontested by the applicant, the Registrar in deciding whether costs should be awarded to the opponent shall consider whether proceedings might have been avoided if reasonable notice had been given by the opponent to the applicant before the notice of opposition was lodged.

Opposition to
application.

52. Within two months from the date of any advertisement in the Gazette of an application for the registration of a certification trade mark, any person may give notice to the Registrar on form T.M. No. 35 of opposition and regulations 41 to 51 inclusive shall apply mutatis mutandis to the proceedings thereon, with substitution of form T.M.No. 36 for form T.M.No. 7, and of form T.M.No. 37 for form T.M.No. 8. In any case of doubt any party may apply to the Registrar for directions.

Non completion
within twelve
months.

53. Where registration of a trade mark is not completed within twelve months from the date of application by reason of default on the part of the applicant, the Registrar shall on form T.M.No. 9 give notice in writing to the applicant at his trade or business address of the non-completion, but if the applicant has authorized an agent for the purpose of the application he shall instead send the notice to the agent and shall send a duplicate thereof to the applicant. If after fourteen days from the date when the notice was sent, or such further time as the Registrar may allow, the registration is not completed, the application shall be deemed to be abandoned.

Entry in register.
S.I. 92/1992.

54.(1) As soon as may be after the expiration of two months from the date of the advertisement in the Gazette of any application for the registration of a trade mark, the Registrar shall, subject to section 15 (1) of the Decree, and upon payment of the prescribed fee on form T.M.No. 10, enter the trade mark in the register. In those cases, where the applicant has supplied a printing block in accordance with regulation 37, he shall file with his fee a representation of the trade mark agreeing in all respects

with the representation then appearing on the form of application, to be affixed by the Registrar to the certificate of registration as required by regulation 57. The entry of a trade mark in the register shall give the date of the registration, the goods or services in respect of which it is registered, and all particulars named in section 4 of the Decree, including both the trade or business address and the address for service (if any), particulars of the trade, business, profession, occupation or other description of the proprietor, particulars of any undertakings by the proprietor, entered on the form of application, particulars affecting the scope of the registration or the rights conferred by the registration and such other particulars as are prescribed.

(2) In the case of an application as aforesaid which the registrar accepts only after the applicant has filed the written consent to the proposed registration of the registered proprietor of another trade mark or another applicant for registration, the afore-said entry in the register shall state that it is "By Consent" and shall give the number of the previous registration or the application for registration.

55.(1) Where a mark is registered as associated with any other mark or marks the Registrar shall note in the register in connexion with the first-mentioned mark the numbers of the marks with which it is associated and shall also note in the register in connexion with each of the associated marks the number of the first-mentioned mark as being a mark associated therewith.

Associated
marks.

(2) An application by a registered proprietor under Section 20 (6) of the Decree to the Registrar to dissolve the association between two or more associated trade marks shall be made on form T.M. No. 19 and shall include a statement of the grounds of the application.

Death of applicant before registration.

56. In case of the death of any applicant for the registration of a trade mark after the date of his application, and before the trade mark applied for has been entered in the register, the Registrar, after the expiration of the prescribed period of advertisement and the determination of any opposition to the application may, on being satisfied of the applicant's death enter in the register in place of the name of such deceased applicant, the name, address and description of the person owning the trade mark, on such ownership being proved to the satisfaction of the Registrar.

Certificate of registration.

57. Upon the registration of a trade mark the Registrar shall issue to the applicant a certificate in form T.M. No. 11 and shall affix thereto a copy of the mark, which may be a representation thereof supplied by the applicant under regulation 54.

Renewal of registration.

58. At any time not more than six months before the expiration of the last registration of a trade mark any person may leave at the Office a fee for the renewal of the registration of the mark with form T.M. No. 12, and, if he is not the registered proprietor, shall sign a statement on the form that he is directed by the registered proprietor to pay the fee (if such be the case) and shall give his address. Before taking any further step the Registrar may either -

- (a) require the person leaving the fee to furnish within fourteen days an authority to pay the fee signed by the registered proprietor, and if he does not furnish such authority may return the fee and treat it as not received ; or
- (b) communicate with the registered proprietor stating that the fee has been received and that the registration will in due course be renewed.

Notice before removal of trade mark from register

59. At a date not less than three months and not more than six months before the expiration of the last registration of a mark, if no fee with form T.M. No. 12 has been received, the Registrar shall notify the registered proprietor in writing of the approaching expiration

Second notice.

60. At a time not less than fourteen days and not more than one month before the expiration of the last registration of a mark the

Registrar may, if no fee as aforesaid has been received, send a notice in writing to the registered proprietor at his trade or business address as well as at his address for service, if any.

61. If at the date of the expiration of the last registration of a mark the renewal fee has not been paid, the Registrar shall advertise the fact forthwith in the *Gazette*. If he receives the renewal fee with form T.M. No. 12, together with an additional fee accompanying form T.M. No. 13, at any time during the period between such date of expiration and one month after such advertisement, he may renew the registration without removing the mark from the register.

Advertisement of non-payment.

62. Where, at the expiration of one month from the advertisement mentioned in regulation 61, the fees therein mentioned have not been paid, the Registrar may remove the mark from the register as of the date of the expiration of the last registration, but may, upon payment of the renewal fee with form T.M. No. 12 together with a restoration fee accompanying form T.M. No. 14, restore the mark to the register if satisfied that it is just so to do and upon such conditions as he may think fit to impose.

Removal trade mark from register.

63. Where a trade mark has been removed from the register, the Registrar shall cause to be entered in the register a record of the removal and of the cause thereof.

Record of removal of mark.

64. Upon the renewal or restoration and renewal of a registration a notice to that effect shall be sent to the registered proprietor and the renewal or restoration and renewal shall be advertised in the *Gazette*.

Notice and advertisement of renewal and restoration.

65. Where a person becomes entitled by assignment or transmission to a registered trade mark he may, conjointly with the registered proprietor, make application to the Registrar on form T.M. No. 16 to register his title.

Joint application for entry of assignment of transmission.

66. Where a person becomes entitled to a registered trade mark in the manner referred to in regulation 65, and no conjoint application as therein mentioned is made, he shall make application to the Registrar on form T.M. No. 17 to register his title.

Application for entry of assignment or transmission by subsequent proprietor.

Particulars to be stated in application.

67. An application under regulation 65 or 66 shall contain the name, trade or business address and description of the person claiming to be entitled, together with full particulars of the instrument, if any, under which he claims and such instrument, shall be produced for inspection by the Registrar. The full names of all the partners in a partnership shall be given in the body of the application. The Registrar may in any case 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.

Case accompanying application.

68. Where in the case of an application on form T.M. No. 16 or No. 17 the person applying for registration of his title does not 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 affidavit or solemn declaration.

Proof of title.

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

Application for entry of assignment without goodwill.
S.I. 92/1992.

70.(1) An application under regulation 65 or 66 relating to an assignment on or after the commencement of the Decree of a trade mark in respect of any goods or services shall state -

- (a) whether the trade mark was, at the time of the assignment, used in a business in any of those goods or services; and
- (b) whether the assignment was made otherwise than in connexion with the goodwill of that business,

and, if both those circumstances subsisted, then the applicant shall file with the Registrar a copy of the Registrar's directions to advertise the assignment, obtained upon application under section 19 (7) of the Act and regulation 74, and such proof, including

copies of advertisements or otherwise, as the Registrar may require that his directions have been fulfilled; and if the Registrar is not satisfied that the directions have been fulfilled he shall not proceed with the application.

(2) For the purposes of Section 26 (3) of the Act, the period within which a corporation may be registered as the subsequent proprietor of a registered trade mark, upon application made under regulation 65 or 66 shall be six months from the date of advertisement in the Gazette of the registration of the trade mark or such further period not exceeding six months as the Registrar may allow, on application being made to him on form T.M. No. 15 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.

71. When the Registrar is satisfied as to the title of the person claiming to be registered he shall cause him to be registered as proprietor of the trade mark in respect of the relevant goods or services, and shall enter in the register his name, trade or business address and description and particulars of the assignment or transmission.

Entry in register.
S.I. 92/1992.

72. Where pursuant to an application under regulation 65 or 66, and as the result of a division and separation of the goods or services of a registration or a division and separation of places or markets, different persons become registered under the same official 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 Decree.

Separate
Registration.
S.I. 92/1992.

73. Any person who desires to obtain the Registrar's certificate under Section 19 (5) of the Decree, or his notification of approval under section 19 (6) of the Decree, shall file with the Registrar, with his application on form T.M. No. 38 or 39, 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

Registrar's
certificate or
approval as to
certain
assignments and
transmissions.
S.I. 92/1992.

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 affidavit or solemn declaration. 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. Where a statement of case is amended, two fair copies thereof in its final form shall be filed with the Registrar. The Registrar shall seal a copy of the statement of case in its final form to the certificate or notification.

Registrar's directions for advertisement of assignment without goodwill or trade mark in use.

74.(1) An application to the Registrar under section 19 (7) of the Act shall be made by the assignee on form T.M. No. 40 and shall state the date on which the assignment was made. The application 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 of the registered trade mark that has been assigned therewith in accordance with section 19 (3) of the Decree. 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 such an application in a case to which section 19 (6) of the Decree applies unless his approval has been obtained under the said subsection and a reference identifying the Registrar's notification of approval is included in the application

(3) A request to the Registrar for an extension of the period within which the application may be made, which shall be on form T.M. No. 41 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.

Alteration of address in register.

75. A registered proprietor or registered user of a trade mark whose trade or business address or address for service is changed so that the entry in the register is rendered incorrect shall

forthwith request the Registrar on form T.M. No. 18 to make the appropriate alteration of the address in the register, and the Registrar shall alter the register accordingly if he is satisfied in the matter.

76. An application to the Registrar under any of the sections of the Decree for the making, expunging or varying of any entry in the register shall be made on form T.M. No.26, and shall be accompanied by a statement setting out fully the nature of the applicants' interest, the facts upon which he bases his case and the relief which he seeks. Where the application is made by a person who is not the registered proprietor of the trade mark in question it shall be accompanied by a copy of the application and a copy of the statement, and these copies shall be transmitted forthwith by the Registrar to the registered proprietor.

Application to rectify, or remove a trade mark from the register.

77. Upon such application being made, and copy thereof transmitted to the registered proprietor, if necessary, regulations 42 to 51 inclusive shall apply mutatis mutandis to the further proceedings thereon; but the Registrar, shall not rectify the register or remove the mark from the register merely because the registered proprietor has not filed a counter statement. In any case of doubt any party may apply to the Registrar for directions.

Further procedure.

78. Any person other than the registered proprietor alleging interest in a registered trade mark in respect of which an application is made on form T.M. No. 26 may apply to the Registrar on form T.M. No. 27 for leave to intervene, stating thereon 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. Before dealing in any way with the application for leave to intervene the Registrar may require the applicant to give an undertaking to pay such costs as in the circumstances he may award to any party.

Intervention by third parties.

79. An application to the Registrar under section 31 (1) of the Decree for the alteration of the register by correction, change, cancellation or striking out goods or services, or for the entry of a disclaimer or memorandum, may be made by the registered proprietor of the trade mark or by such person as may satisfy the Registrar that he is entitled to act in the name of the registered proprietor.

Application under section 31(1).
S.I. 92/1992.

Evidence

80. In the case of an application as in regulation 79, the Registrar may require such evidence by affidavit, solemn declaration or otherwise as he may think fit as to the circumstances in which the application is made.

Advertisement of certain application

81. Where application is made to enter a disclaimer or memorandum relating to a trade mark, the Registrar, before deciding upon such application, shall direct the applicant to advertise the application in the *Gazette* in order to enable any person desiring so to do to state, within two months of the advertisement, any reasons in writing against the making of the entry of the disclaimer or memorandum.

Certificate of validity to be noted.

82. Where the Court has certified with regard to the validity of a registered trade mark, the registered proprietor thereof may request the Registrar on form T. M. No. 44 to add to the entry in the register a note that the certificate of validity has been granted in the course of the proceedings, which shall be named in the form. A certified copy of the certificate shall be sent with the request and the Registrar shall so note the register and direct the proprietor to publish the note in the *Gazette*.

Alteration of registered mark..

83. Where a person desires to apply under section 32 of the Decree that his registered trade mark may be added to or altered, he shall make his application on form T.M. No.25 and shall furnish the Registrar with four copies of the mark as it will appear when so added to or altered.

Advertisement before decision. S.I 92/1992

84. The Registrar shall consider the application and shall, if it appears to him expedient direct the registered proprietor to advertise the application in the *Gazette* before deciding it. Within two months from the date of such advertisement any person may give notice of opposition to the application on form T.M. No.42 accompanied by a duplicate of the notice, and may also file therewith a further statement of his objections in duplicate. The Registrar shall send the duplicate notice, and the duplicate of any further statement of objections to the applicant and regulations 42 to 51 inclusive shall apply *mutatis mutandis* to the further proceedings thereon. In any case of doubt any party may apply to the Registrar for directions.

85. If the Registrar decides to allow the application he shall add to or alter the mark in the register and, if the mark so added to or altered has not been advertised under regulation 84, he shall direct the registered proprietor to advertise it in the *Gazette*.

Advertisement
after decision.

86. In connexion with an application to alter a registered trade mark the Registrar may at any time call on the applicant to supply a printing block satisfactory to the Registrar and suitable for advertising the mark with the addition or alteration as aforesaid, if in the opinion of the Registrar an advertisement describing the addition or alteration in words would not be likely to be understood by the persons interested in the matter.

Supply of
printing block.

87. An application on any of the grounds mentioned in the Second Schedule to the decree, made by an aggrieved person to the Registrar for an order expunging or varying an entry in the register of or relating to a certification trade mark, or varying the relevant deposited regulations, shall be made on form T.M. No. 34 and shall include full particulars of the grounds on which the application is made.

Orders for
rectification of
certification trade
mark entries and
regulations.

88. An application by the registered proprietor of a certification trade mark for an alteration of the deposited regulations and the consent of the Registrar thereto shall be form T.M. No. 33. Where the Registrar causes such an application to be advertised the time within which any person may give notice to the Registrar of opposition to the application shall be two months from the date of the advertisement.

Alteration of
certification trade
mark regulations.

89. An application to the Registrar for the registration under section 25 of the Decree of a person as a registered user of a registered trade mark shall be made by that person and the registered proprietor on form T.M. No. 45.

Application for
entry of registered
user.

90. The date of entry of a registered user in the register shall be the date upon which the application for registration as a registered user was made. In addition to the trade or business address of the registered user it may include an address for service. A notification in writing of the registration of a registered user shall be sent to the registered proprietor of the trade mark, to the

Entry and
notification.

registered user and to every other registered user whose name is entered in relation to the same registration of a trade mark, and shall be inserted by the registered proprietor in the Gazette.

Registered proprietor's application to vary entry.

91. An application by the registered proprietor of a trade mark for the variation of the registration of a registered user of that trade mark shall be made on form T.M. No. 46, and shall be accompanied by a statement of the grounds on which it is made, where the registered user in question consents by the written consent of that registered user.

Application by registered proprietor or user to cancel entry.

92. An application by the registered proprietor or any registered user of a trade mark for the cancellation of the registration of a registered user of that trade mark shall be made on form T.M. No. 47 and shall be accompanied by a statement of the grounds on which it is made.

Application to cancel entry of registered user.

93. An application by any person for the cancellation of the registration of a registered user shall be made on form T.M. No. 48 and shall be accompanied by a statement of the grounds on which it is made.

Notification of hearing.
S.I. 92/1992.

94. The Registrar shall notify in writing applications under regulations 91, 92, 93 to the registered proprietor and each registered user (not being the applicant) under the registration of the trade mark. Any person so notified who intends to intervene in the proceedings shall within two months of the receipt of such notification give notice to the Registrar on form T.M. No. 49 to that effect and shall file therewith a statement of the grounds of his intervention. The Registrar shall thereupon send copies of such notice and statement to the other parties, so that the intervention may be known to the applicant, the registered proprietor, the registered user whose registration is in suit, and any other registered user who intervenes. Any such party may, within such time or times as the Registrar may appoint, file evidence in support of his case, and the Registrar after giving the parties an opportunity of being heard may accept or refuse the application or accept it subject to such conditions as he may think right to impose.

95.(1) An application under section 31 (2) of the Decree shall be made on form T.M. No. 18 or No. 21 or No. 22, as may be appropriate, by a registered user of a trade mark, or by such person as may satisfy the Registrar that he is entitled to act in the name of a registered user; and the Registrar may require such evidence by affidavit or solemn declaration or otherwise as he may think fit as to the circumstances in which the application is made.

Registered user's application under Section 31(2).
SI. 92/1992

(2) In case of the registration of a registered user of a period, in accordance with Section 25 (6) (d) of the Decree the Registrar shall cancel the entry of the registered user at the end of the period. Where some or all of the goods or services are struck out from those in respect of which a trade mark is registered, the Registrar shall at the same time strike them out from those specifications of registered users of the trade mark in which they are comprised. The registrar shall notify every cancellation or striking out under this sub-regulation to the registered users whose permitted use is affected thereby and the registered proprietor of the trade mark.

96. If any particular case the Registrar is satisfied that the circumstances are such as to justify an extension of the time for doing any act or taking any proceedings under these regulations, not being a time expressly provided in the Decree or prescribed by regulation 70 or 74, he may extend the time upon such notice to other parties, and proceedings thereon, and upon such terms as he may direct, and the extension may be granted though the time has expired for doing the act or taking the proceeding.

Extension of time.

97. Whenever the last day fixed by these Regulations for doing any act or thing at the Office shall fall on a day when the Office is not open which day shall be an excluded day for the purpose of these Regulations, it shall be lawful to do the act or thing on the first day following such excluded day which is not an excluded day.

Excluded days.

98. An application for a hearing shall be made within one month from the date of notification by the Registrar of any objection to an application or the date of any other indication that he proposes to exercise a discretionary power.

Application for hearing.

Notice of hearing.

99.(1) Upon receiving such application the Registrar shall give the person applying fourteen day's notice of a time when he may be heard.

(2) Within seven days from the date when such notice would be delivered in the ordinary course of a post the person applying shall notify the Registrar whether or not he intends to be heard on the matter.

Notification of decision.

100. The decision of the Registrar in the exercise of any such discretionary power as aforesaid shall be notified to the person affected.

Amendment of documents.

101. Any document or drawing or other representation of a trade mark may be amended, and any irregularity in procedure which in the opinion of the Registrar may be excused without detriment to the interests of any person may be corrected, if the Registrar thinks fit, and on such terms as he may direct.

Certificates by Registrar.

102. The Registrar may give a certificate, other than a certificate under Section 15 (2) of the Decree, as to any entry, matter or thing which he is authorized or required by the Decree or these regulations to make or do, upon receipt of a request therefor on form T.M. No. 30 from any person who, if the Registrar thinks fit to so require, can show an interest in the entry, matter or thing to his satisfaction. The Registrar shall not be obliged to include in the certificate a copy of any mark unless he is furnished by the applicant with a copy thereof suitable for the purpose.

Manner in which and person before whom affidavit or solemn declaration is to be taken.

103. The affidavits and solemn declarations required by the Decree and regulations, or used in any proceedings thereunder, shall be accepted if made and subscribed before any judge, magistrate, notary public under his signature and seal of office, or by the Registrar of a Court of Justice.

Searches.
S.I. 92/1992.

104. Any person may request the Registrar on form T.M. No. 28 to cause a search to be made in respect of specified goods or services classified in any one class of the Third Schedule to ascertain whether any mark is on record at the date of the search which 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.

105. A copy of every application made to the Court under the Decree shall be served on the Registrar.

Copy of application to Court to be served on Registrar.

106. Where an order has been made by the Court in any case under the Decree, the person in whose favour such order has been made, or such one of them, if more than one, as the Registrar may direct, shall forthwith leave at the Office a certified copy of such order, together with form T.M. No. 43 if required. The register may, if necessary, thereupon be rectified or altered by the Registrar.

Order of Court

107. Whenever an order is made by the Court under the Decree the Registrar may, if he thinks fit that the order should be made public, require the applicant or the appellant, as the case may be, to publish it in the *Gazette*.

Publication of order of Court.

FIRST SCHEDULE**TARRIFF OF FEES**

Matter or Proceeding	Amount Rs.	Corresponding Form
1. On application not otherwise charged to register a trade mark for a specification of goods or services included in one class.	300	T.M. No. 2
1. (a) On application to register a series of trade marks under Section 18 (2) of the Decree for a specification of goods or services included in one class.	300	T.M. No. 2
(b) On application to register a defensive trade mark for a specification of goods or services included in one class.	400	T.M. No. 31
1. (c) On application to register a certification trade mark under Section 34 of the Decree for a specification of goods or services included in one class.	400	T.M. No. 5
1. (d) On application made at the same time under Section 34 of the Decree to register one certification trade mark for specifications of goods or services not all included in one class	400	T.M. No. 5
In respect of every class.	100	T.M. No. 5
Total fee in no case to exceed Rs. 2100 for any number of classes.		
2. On a request to the Registrar to state grounds of decision relating to an application to register a trade mark and materials used	250	T.M. No. 4

Matter or Proceeding	Amount Rs.	Corresponding Form
3. On notice of opposition before the Registrar under Section 14 of the Decree for each application opposed, by opponent	300	T.M. No. 6
3. (a) On lodging a counter-statement in answer to a notice of opposition under section 14 of the Decree for each application opposed, by the applicant; or in answer to an application under any of the sections 23, 24, 29, and 30 of the Decree, by the proprietor in respect of each trade mark; or in answer to a notice of opposition under section 32 or 33 of the Decree, for each application or conversion opposed, by the proprietor	250	T.M. No. 7
3. (b) On the hearing of each opposition under section 14 of the Decree, by applicant and by opponent respectively; or on the hearing of an application under any of the sections 23, 24, 29 and 30 of the Decree, by applicant and by proprietor respectively; or on the hearing of an opposition under section 32 or 33 of the Decree, by proprietor and by opponent respectively	300	T.M. No. 8
3. (c) On notice of opposition before the Registrar under the Decree, for each application opposed by the opponent (Certification Trade Mark)	300	T.M. No. 35
3. (d) On lodging a counter-statement in answer to a notice of opposition before the Registrar for each application opposed, by the applicant (Certification Trade Mark)	250	T.M. No. 36

Matter or Proceeding	Amount Rs.	Corresponding Form
3. (e) On the hearing of each opposition before the Registrar by applicant and by opponent respectively (Certification Trade Mark)	300	T.M. No. 37
4. For one registration of a trade mark not otherwise charged for a specification of goods or services included in one class	75	T.M. No. 10
4. (a) For one registration of a series of trade marks under section 18 of the Decree for a specification of goods or services included in one class;		
For the first mark	75	T.M. No. 10
And for every other mark of the series	30	-
4. (b) For registration under section 34 of the Decree of a certification trade mark for a specification of goods or services included in one class	75	T.M. No. 10
4. (c) For registration upon applications made at the same time of one certification trade mark under section 34 of the Decree, for specifications of goods or services not all included in one class;		
In respect of every class	75	T.M. No. 10
Total fee in no case to exceed Rs. 3000 for any number of classes		
4. (d) For one registration of a defensive trade mark for a specification of goods or services included in one class	300	T.M. No. 10
5. Upon each addition to the registered entry of a trade mark of a note that the mark is associated with a newly registered mark	20	T.M. No. 10

Matter or Proceeding	Amount Rs.	Corresponding Form
5. (a) On an application to dissolve the association between registered marks	150	T.M. No. 19
6. On application to register a registered user of a registered trade mark in respect of goods or services within the specification thereof	300	T.M. No. 45
6. (a) On application to register the same registered user of more than one registered trade mark of the same registered proprietor in respect of goods or services within the respective specifications thereof and subject to the same conditions and restrictions in each case:		
For the first mark	300	T.M. No. 45
And for every other mark of the proprietor included in the application and statement of case	30	-
6. (b) On application by the proprietor of a single trade mark, under section 25 of the Decree, to vary the entry of a registered user thereof:	150	T.M. No. 46
6. (c) On application by the proprietor of more than one trade mark, under section 25 of the Decree, to vary the entries of a registered user thereof:		
For the first mark	150	T.M. No. 46
And for every other mark of the proprietor for which the same user is registered, included in the application	20	-
6. (d) On application by the proprietor or registered user of a single trade mark, under sec-		

Matter or Proceeding	Amount Rs.	Corresponding Form
tion 25 of the Decree, for cancellation of the entry of a registered user thereof	150	T.M. No. 47
6. (e) On application by the proprietor or registered user of more than one trade mark, under section 25 of the Decree, for cancellation of the entries of a registered user thereof:		
For the first mark	150	T.M. No. 47
And for every other mark of the proprietor for which the same user is registered, included in the application	20	-
6. (f) On application, under section 25 of the Decree, to cancel the entry of a registered user of a single trade mark	150	T.M. No. 48
6. (g) On application, under section 25 of the Decree, to cancel the entries of a registered user of more than one trade mark:		
For the first mark	150	T.M. No. 48
And for every other mark of the same proprietor for which the same user is registered, included in the application	20	-
6. (h) On notice, under Section 25 of the Decree and regulation 94, of intention to intervene in one proceeding for the variation or cancellation of entries of a registered user of trade marks	75	T.M. No. 49
7. On request to enter in the register and advertise a certification of validity, under section 40 of the Decree and regulation 82.		
For the first registration certified	150	T.M. No. 44

Matter or Proceeding	Amount Rs	Corresponding Form
And for every other registration certified in the same certificate	30	
7. (a) On application under section 26 of the Decree, and regulation 70, for extension of time for registering a corporation as subsequent proprietor of trade marks on one assignment:		
Not exceeding two months	75	T.M. NO. 15
Not exceeding four months	100	T.M. NO. 15
Not exceeding six months	150	T.M. NO. 15
8. On application for certificate of the Registrar, under Section 19 (5) of the Decree and regulation 73:		
For the first mark proposed to be assigned	100	T.M. No. 38
And for every other mark of the same proprietor included in that assignment	20	-
8. (a) On application for approval of the Registrar, under Section 19 (6) of the Decree and regulation 73:		
For the first mark	100	T.M. No. 39
And for every other mark of the same proprietor included in the same transfer	20	-
8. (b) On application for directions by the Registrar for advertisement of assignment of trade mark in use, without goodwill :		
For one mark assigned	75	T.M. No. 40
And for every other mark assigned with the same devolution of title	20	--

Matters or Proceeding	Amount Rs.	Corresponding Form
8. (c) On application for extension of time for applying for directions for advertisement of assignment of trade marks in use, without goodwill, in respect of one devolution of title :		
Not exceeding one month	75	T.M. No. 41
Not exceeding two months	100	T.M. No. 41
Not exceeding three months	150	T.M. No. 41
9. On application 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	100	T.M. No. 16 or No. 17
If made after expiration of six months but within twelve months from the date of acquisition of proprietorship	150	T.M. No. 16 or No. 17
If made after expiration of twelve months from the date of acquisition of proprietorship	200	T.M. No. 16 or No. 17
9. (a) On application to register a subsequent proprietor of more than one trade mark standing in the same name, the devolution of title the same in each case :		
If made within six months from the date of acquisition of proprietorship		T.M. No. 16 or No. 17

Matter or Proceeding	Amount Rs.	Corresponding Form
For the first mark	100	
And for every other mark	20	
If made after expiration of six months but within twelve months from the date of acquisition of proprietorship :		
For the first mark	150	T.M. No. 16 or Mo. 17
And for every other mark	20	
If made after expiration of twelve months from the date of acquisition of proprietor- ship :		
For the first mark	200	T.M. No. 16 or No. 17
Any for every other mark	20	
10. On application to change the name or description of a proprietor or a registered user of a single trade mark where there has been no change in the proprietorship or in the identity of the user.	75	T.M. No. 21
10. (a) On application to change the name or description of a proprietor or a registered user of more than one trade mark standing in the same name, where there has been no change in the proprietorship or in the identity of the user, the change being the same in each case :		
For the first mark	75	T.M. No. 21
And for every other mark	30	--

Matter or Proceeding	Amount Rs.	Corresponding Form
11. For renewal of registration of a trade mark at expiration of last registration	150	T.M. No. 12
11. (a) For renewal of registration of a series of trade marks under Section 18 of the Decree at expiration of last registration :		
For the first mark of the series	150	T.M. No. 12
And every other mark of the series	30	
11. (b) For renewal of registrations of the same certification trade mark with the same date for goods in more than one class :		
In respect of every class	150	T.M. No. 12
Total fee in no case to exceed Rs. 3000 for any number of classes		
11. (c) Additional fee under regulation 61	75	T.M. No. 13
11. (d) Restoration fee under regulation 62	150	T.M. No. 14
12. On an application to the Registrar for leave to add to or alter a single registered mark	100	T.M. No. 25
12. (a) On application to the Registrar for leave to add to or alter more than one registered trade mark of the same proprietor, being identical marks, the addition or alteration to be made, in each case, being the same :		
For the first mark	100	T.M. No. 25
And for every other mark	75	--
12. (b) On notice of opposition to application for leave to add to or alter registered trade marks, for each application opposed	300	T.M. No. 42

Matter or Proceeding	Amount Rs.	Corresponding Form
13. For altering one or more entries of the trade or business address or address for service of registered proprietor or a registered user of trade mark where the address in each case is the same and is altered in the same way :		
For the first entry	75	T.M. No. 18
And for every other entry	30	--
14. For every entry in the register of a rectification thereof or an alteration therein not otherwise charged	30	T.M. No. 43
15. For cancelling the entry or part of the entry of a trade mark upon the register on the application of the registered proprietor of the trade mark	20	T.M. No. 22 or No. 23
16. On application, under any of the sections of the Decree, for rectification of the register or removal of trade mark from the register	150	T.M. No. 26
16. (a) On application, for leave to intervene in proceedings under any of the sections of the Decree, for rectification of the register or removal of trade mark from the register	150	T.M. No. 27
17. On application for correction of one clerical error or effecting one amendment in one document before registration of any matter	30	T.M. No. 20
17. (a) On application for correction of clerical errors after registration of any matter, in respect of each trade mark	30	T.M. No. 20
17. (b) On application for amendment of trade mark before advertisement, in respect of each application	30	T.M. No. 20

Matter or Proceeding	Amount Rs.	Corresponding Form
18. On request by registered proprietor of a trade mark for entry of disclaimer or memorandum in the register	50	T.M. No. 24
19. On application to the Registrar under regulation 87 to expunge or vary the registration of a certification trade mark or to vary the deposited regulations of a certification trade mark or certification trade marks of the same registered proprietor where the regulations are substantially the same	150	T.M. No. 34
19. (a) On request to the Registrar by the registered proprietor of a certification trade mark to permit alteration of the deposited regulations thereof :		
For the regulations of one such registration	75	T.M. No. 33
For the same or substantially the same regulations of each other registration proposed to be altered in the same way and included in the same request	20	
20. For a search under regulation 104 in respect of one class :		
Without application for the Registrar's advice under regulation 16	75	T.M. No. 28
With application to the Registrar's advice under regulation 16	100	T.M. No. 28
21. On request for the Registrar's preliminary advice under regulation 16, for each trade mark submitted in respect of one class	100	T.M. No. 29
22. For certificate of the Registrar (other than certificate under section 15 of the Decree) relating to the registration of a trade mark	50	T.M. No. 30

Matter or Proceeding	Amount Rs.	Corresponding Form
23. For certificate of the Registrar (other than certification under section 15 of the Decree) relating to the registration of a series of trade marks under section 18 of the Decree	50	T.M. No. 30
24. For permission to search in files and documents :		
For each file searched	20	
24. (a) For permission to search indices including terminal index	20	
25. For typewritten copy of any document, for every 100 words	20	
26. For photographic copy of documents or drawings, per sheet	20	
27. For certifying office copies, MSS, or photographic or printed matter	20	
28. On every authorization of an agent For the purpose of these fees (except as specifically provided above) every mark of a series under section 18 of the Decree, or any preceding similar enactment, shall be deemed to be a mark sperately registered.	30	T.M. NO. 1

SECOND SCHEDULE

S.I. 92/1992.

Form T.M. No. 1

Regulation 11

Fee 30/-

TRADE MARKS DECREE

FORM OF AUTHORIZATION OF AGENT

I/We (1)
 have appointed (2)
 of
 to act as my/our agent for (3)
 No.

(1) The full names of all the partners in a firm must be inserted, and the kind and country of incorporation of bodies corporate stated.

and request that all notices, requisitions and communications relating thereto may be sent to such agent at the above address.

I/We hereby revoke all previous authorizations, if any, in respect of the same matter or proceeding.

I/We hereby declare that I am/We are a (4)

Dated this day of, 19.....

(5)

(2) Here insert name and address of agent.

Address (6)

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

I/We also authorize the said (2)

..... to complete the entry of an address for service as part of any registration obtained under the above authorization.

(3) Here state the particular matter or proceeding for which the agent is appointed, giving the reference number, if known.

(4) Here state nationality.

Dated this day of, 19

(5) To be signed by person appointing the agent.

(5)

.....

Address (6)

(6) Here insert the full trade or business address of the person appointing the agent.

The Registrar

Trade Marks Office,

Form T.M. No. 2

Regulation 17

TRADE MARKS DECREE

Fee 1 or 1(b)

**APPLICATION FOR REGISTRATION OF TRADE MARK IN
THE REGISTER**

One representation to be fixed within
this space and four others to be printed
on to and sent with Form T.M. No. 3

(1) Here specify the goods or services. Only goods or services included in one and the same class should be specified. A separate application form required for each class.

Application is hereby made for registration in the register of the accompanying trade mark in Class
in respect of (1)

.....
in the name of (2)
trade or business address is (3)

(2) Here insert legibly the full name, description and nationality of the individual firm or body corporate making the application. The names of all partners in a firm must be given in full. If the applicant is a body corporate, the kind and country of incorporation should be stated.

trading as (4)
by whom it is (5) proposed to be used and who claim(s) to be the proprietors thereof.
(6)

Dated this day of, 19.....
.....

(3) Here insert the full trade or business address of the applicant.

(4) Here insert
the trading style
(if any)

My/Our address for service in Seychelles

.....
.....

(5) If the mark
is already in
use, strike out
the words:
"proposed to
be" and insert
"being".

.....

**The Registrar,
The Trade Marks Office**

Form T.M. No. 3

Regulations 20, 23, 24 and 32

TRADE MARKS DECREE

ADDITIONAL REPRESENTATION OF TRADE MARK TO
ACCOMPANY APPLICATION FOR REGISTRATION

Four representations of the trade mark must be pinned within this space. They must correspond exactly in all respects with the representations affixed to the application form

Form T.M. No. 4

Regulation 29

TRADE MARKS DECREE

Fee 250/

REQUEST FOR STATEMENT OF GROUNDS OF DECISION

IN THE MATTER OF
the Registrar is hereby requested to state in writing the grounds of his decision,
dated the day of, 19..... after hearing on the
day of, 19 and the materials used by him in arriving at the decision.

Dated this day of, 19.....

My/Our address for service in Seychelles

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

If the Registrar has made any requirement to which the applicant does not object,
the applicant shall comply therewith before the Registrar issues the grounds of his
decision.

The Registrar,

The Trade Marks Office,

Form T.M. No. 5

Regulations 17 and 32

TRADE MARKS DECREE

Fee : 1 (d)

**APPLICATION FOR REGISTRATION OF CERTIFICATION
TRADE MARK**

One representation to be fixed within this space, and four others to be pinned on to and sent with the form T.M. No.3

Application is hereby made for Registration of the accompanying certification trade mark in Class
in respect of (1)
of (2)
whose address is (3)

(1) Here specify the goods or services. Only goods or services in one and the same class should be specified. A separate application form required for each class.

Dated this day of, 19.....

My/Our address for service in Seychelles :

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

(2) State the full name, description and nationality of the applicant.

If the applicant is a body corporate the kind and country of incorporation should be stated.

(3) Here insert the full address of the applicant.

The Registrar

The Trade Marks Office

Form T.M. No. 6

Regulation 40

TRADE MARKS DECREE

Fee : Rs. 300

NOTICE OF OPPOSITION TO APPLICATION FOR REGISTRATION OF A TRADE MARK

(To be lodged in duplicate)

IN THE MATTER of an application No.

by of

(1) State full name and address.

I/We (1)

hereby give notice of my/our intention to oppose the registration of the trade mark advertised under the above number for Class

in the *Gazette* of the

day of 19, No.

page

The grounds of opposition are as follows :

(2) If registration is opposed on the ground that the mark resembles marks already on the register numbers of those marks and of the Gazettes in which they have been advertised

.....

.....

.....

.....

(2)

Dated this day of, 19

.....

My/Our address for service in Seychelles :

.....

.....

.....

The Registrar,
The Trade Marks Office.

Form T.M. No. 7

Regulation 42, 77 or 84

TRADE MARKS DECREE

Fee : Rs. 250

FORM OF COUNTER-STATEMENT

(To be lodged in duplicate)

IN THE MATTER OF an opposition No., to
Application No.

I/We,

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

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

I/We admit the following allegations in the notice of opposition :-

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

Dated this day of 19

Signature

My/Our address for service in Seychelles :

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

The Registrar,
The Trade Marks Office,

Form T.M. No. 8

Regulations 48, 77 or 84

TRADE MARKS DECREE

Fee : Rs. 300

**NOTICE TO THE REGISTRAR OF ATTENDANCE AT
HEARING**

(1) State full name and address.

I/We (1)
of

hereby give notice that the hearing of the arrangements in the case of:

(2) Strike out words here that are not applicable, so as to state one of the cases (a) to (e) only 1

- (2)(a) Opposition No. application for registration of trade mark No.
- (b) Application that the entry in the register in respect of trade marks No. may be removed;
- (c) may be amended by alteration of or addition to the trade mark;
- (d) may be amended by a conversion of the specification of goods or services;
- (e) may be amended otherwise than by any change in the mark or of the specification on conversion.

which, by the Registrar's Notice to me/us dated the day of, 19....., is fixed of a.m. or p.m. at the Trade Marks Office on the day of19, will be attended by me/us or by some person on my/our behalf.

Dated this day of”, 19

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

The Registrar
The Trade Marks Office,

TRADE MARKS DECREE

NOTICE OF NON-COMPLETION OF REGISTRATION

NO.

The Registrar, as required by Section 15 of the Trade Marks Decree and regulation 53 of the Trade Marks Regulations, has to point out that the registration of the trade mark, in respect of which your application numbered as above was made on the day of, 19 has not been completed by reason of your default. Unless it is completed within fourteen days from this date the application will be treated as abandoned.

Dated this day of, 19.....

To
.....
.....
.....

The Trade Marks Office.

TRADE MARKS DECREE

NOTICE OF NON-COMPLETION OF REGISTRATION

NO.

The Registrar, as required by Section 15 of the Trade Marks Decree and regulation 53 of the Trade Marks Regulations, has to point out that the registration of the trade mark, in respect of which your application numbered as above was made on the day of, 19 has not been completed by reason of your default. Unless it is completed within fourteen days from this date the application will be treated as abandoned.

Dated this day of, 19.....

To
.....
.....
.....

The Trade Marks Office.

Form T.M. No 10

Regulation 54

TRADE MARKS DECREE

Fee : 4,4(a), 4(b), 4(c), or 4(d) and 5,

FEE FOR REGISTRATION OF A TRADE MARK

(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 on the form of application)

The prescribed fee for the registration of the trade mark No.in class is hereby transmitted.

Dated this day of, 19

.....

The Registrar,

The Trade Marks Office,

Form T.M. No. 11

TRADE MARKS DECREE

CERTIFICATE OF REGISTRATION

The Trade Mark shown above has been registered in the Register in the name of

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

in Class under No. as of the

....., 19....., in respect of the

Sealed at my direction, this day of 19

.....
Registrar

The Trade Marks Office,
Victoria

Registration is for 7 years from the date first abovementioned, and may then be renewed, and also at the expiration of each period of 14 years thereafter.

NOTE - Upon any change of ownership of this trade mark, or change in address, application should **AT ONCE** be made to the Registrar to register the change.

Form T.M. No. 12

Regulations 58

TRADE MARKS DECREE

Fee : 11, 11(a) or 11(b)

* RENEWAL OF REGISTRATION OF TRADE MARK

(1) State the name and address of the person leaving the fee.

I/We(1)..... of..... hereby leave the prescribed fee of for renewal of registration of the trade mark No. in class which I am/we are directed by the proprietor of the trade mark, to pay.

If the fee is left by the proprietor himself, this passage should be struck out.

Dated this day of, 19.....

The statement on the back of this form must be filled in and signed.

The Registrar, The Trade Marks Office,

(2) If the fee is not left by the proprietor himself, insert his name and address here.

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

(To appear on the back of the form)

The Registrar is requested to send notice of renewal of the registration to the registered proprietor at the following address :

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

Dated this day of, 19

Form T.M. No. 13

Regulation 61

TRADE MARKS DECREE

Fee : Rs. 75

Additional Fee of Rs. 75 to accompany Renewal Fee (Form T.M. No. 12) within one month after advertisement of Non-payment of Renewal Fee

(To accompany form T.M. No. 12)

In pursuance of the notice issued by the Registrar, I/We hereby transmit the additional fee of Rs. 75 (along with form T.M. No. 12) for the renewal of the registration of trade mark No. in Class

Dated this day of 19

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

NOTE - This form must be signed by the person(s) signing the form T.M. No. 12 which accompanies it.

The Registrar,
The Trade Marks Office,

Form T.M. No.14

Regulation 62

TRADE MARKS DECREE

Fee : Rs 150

**RESTORATION OF TRADE MARK REMOVED FROM REGISTER
FOR NON-PAYMENT OF FEE**

(To accompany form T.M. No. 12)

In pursuance of the notices issued by the Registrar, I, WE hereby transmit the restoration fee of Rs 150 (along with form T.M. No. 12) for the restoration to the register of the trade mark No. in class

Dated this day of, 19.....

.....
.....

NOTE -This form must be signed by the person(s) signing the form T.M. No. 12 which accompanied it.

The Registrar

The Trade Marks Office.

Form T.M. No. 15

Regulation 70.

TRADE MARKS DECREE

Fee 7(a)

Application for extension of time, for the registration of the name of a Corporation as Subsequent Proprietor of a Trade Mark in the Register.

Application is hereby made by (1) of for

(1) Here state the name and address of the applicant.

an extension of time by (2) months of the period of six months allowed by section 26 of the Trades Marks Decree regulation 70 for registering its name, by force of one assignment, as proprietor of the following trade mark(s) registered upon application(s) conforming to Section 26 of the Decree.

(2) Here insert "two" or "four" or "six".

(3) Registration Number	Class
.....
.....
.....

(3) Additional numbers may be given in a signed schedule on the back of the form

Dated this day of, 19.....

The Registrar,
The Trade Marks Office.

Form T.M. No. 16

Regulation 65

TRADE MARKS DECREE

Fee : 9 or 9(a)

(1) State name and address of registered proprietor or other assignor or transmitter	Joint request to the Registrar by Registered Proprietor and Transferee to register the Transferee as Subsequent Proprietor of Trade Marks upon the same devolution of title.
--	--

(2) State full name, trade, address and nationality of transferee	We (1)
---	--------------

(3) Name of transferee	and (2)
------------------------	---------------

(4) Description of transferee	hereby request, under regulation 65, that the name of (3)
-------------------------------	---

*Additional numbers may be given in a signed schedule on the back of the form. carrying on business as (4)
--	--

(5) Trade or business address of transferee	at (5)"
	may be entered in the register of trade marks as proprietor of the trade mark(s) No. *in class
	as from the (6)

(8) The trade mark at the time of the assignment was (8) (not used in a business in the goods or services in question, and the assignment (8) took/did not take place on or after the commencement of the Decree, otherwise than in connexion with the goodwill of a business in the goods or services, (8) and there is sent herewith a copy of the Registrar's direction to advertise the assignment, a copy of each of the advertisement complying therewith, and a statement of the dates of issue of any publication containing them.	(7).....
--	----------

Dated this day of 19,

(9)

(10)

Our address for service in Seychelles :—

.....
.....

- (6) Date of acquisition of proprietorship.
- (7) Full particulars of the instrument of assignment or transmission if any, or statement of case.
- (8) Strike out any words not applicable.
- (9) Signature of assignor or transmitter.
- (10) Signature of transferee.

The Registrar,
The Trade Marks Office,

—

—

Form T.M. No. 17

Regulation 66.

TRADE MARKS DECREE

Fee : 9 or 9(a)

Request to the Registrar to register a Subsequent Proprietor of a Trade Mark or Trade Marks upon the same devolution of title

(1) Here state full name, trade or business address, nationality and description *Additional numbers may be given in a signed schedule on the back of the form.

I/We (1)
.....
hereby request that my/our names
entered in the register of trade marks as proprietor(s) of address,
trade marks(s) No. * in class
as from the (2)
I am/We are entitled to the trade mark(s) by virtue of (3)
.....
.....

(2) Date of acquisition of proprietorship.

(4) The trade mark at the time of the assignment was (4) not/used in a business in the goods or services in question, and the assignment (4) took/did not take place on or after the commencement of the Decree otherwise than in connexion with the goodwill of a business in the goods or services, (4) and there is sent herewith a copy of the Registrar's direction to advertise the assignment.

(3) Here insert particulars of the instrument of assignment or transmission, if any, or statement of case.

Dated this day of 19
.....

(4) Strike out words not applicable.

My/Our address for service in Seychelles :-
.....
.....
.....

NOTE - The instrument under which the transferee claims should preferably accompany this form.

The Registrar,
The Trade Marks Office,

Form T.M. No. 18

Regulations 75, 79 and 95

TRADE MARKS DECREE

Fee : 13

Request for Acleration of Trade or Business Address or Ad-
dress for Service in Registrar of Trade Marks.

IN THE MATTER OF the trade mark(s) No. *
registered in Class

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

I/We
of
being the registered proprietor(s)/user(s) of the trade mark(s)
numbered as above, request that my/our trade address in the
register of trade mark be altered to
.....

Dated thisday of 19.....

The Registrar,
The Trade Marks Office,
Victoria

Form T.M. No. 19

Regulation 55

TRADE MARKS DECREE

Fee Rs. 150.

Application to the Registrar to dissolve the Association between a registered Trade Mark and (an) other registered Trade Mark(s).

(To be accompanied by a Statement of Case)

IN THE MATTER of a trade mark No. registered in Class

I/We.....

being the registered proprietor(s) of the above-numbered trade mark, hereby apply that the association of this trade mark with the following trade mark(s) registered in my/our name :-

No. registered in Class

No. registered in Class

may be dissolved and the register amended accordingly.

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

Dated this day of, 19

.....

The Registrar,

The Trade Marks Office,

Form T.M. No. 20

Regulations 79 and 95

TRADE MARKS DECREE

Fees; Rs. 30

Request for Correction of Clerical Error; or for Permission to amend Application.

IN THE MATTER OF (1)

I/We, being the

hereby request that

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

(1)Here insert words and reference number identifying the entry or application.

Dated this day of, 19

.....

The Registrar,
The Trade Marks Office,

Form T.M. No. 21

Regulations 79 and 95

TRADE MARKS DECREE

Request to enter Change of Name or Description of Registered proprietor (or Registered User) of Trade Mark upon the Register.

(1) Here state present name, address and description of registered proprietor or registered user.

I/We (1)
.....
.....

hereby request that my/our name(s) and description(s) may be entered in the register of trade marks as (2) proprietor(s) registered user(s) of the trade mark(s) No. * registered in Class

(2) Strike out the words that are not applicable. *Additional numbers may be given on a signed schedule on the back of the form.

I am/We are entitled to (2) the said trade mark/use the said trade mark as registered user(s).

(3) Here state the circumstances under which the change of name took place.

There has been no change in the (2) actual proprietorship/identity of the registered user(s) of the said trade mark, but (3).
.....
.....
.....

The entry at present standing in the register gives my/our name(s) and description(s) as follows

Dated this day of, 19

.....

The Registrar,
The Trade Marks Office,

Form T.M. No. 22

Regulations 79 and 80

TRADE MARKS DECREE

Fee ; RS. 5

Application by Registered Proprietor of Trade Mark for the Cancellation of Entry thereof in Register.

IN THE MATTER OF trade mark No.

Class

Name of registered proprietor

Trade or business address

Description

Application is hereby made by

of (1) (or by

a member of the firm ofinsert the

of (1)

on behalf of my said firm)

(1) Here insert the trade or business address and description of the applicant(s) or his/their firm.

that the entry in the register of trade marks of the trade mark No.

..... in Class may be cancelled

Dated this day of 19.....

The Registrar,
The Trade Marks Office,

Form T.M. No. 23

Regulations 79 and 80

TRADE MARKS DECREE

Fee: Rs. 5

Application by registered Proprietor of Trade Mark to the Registrar to strike out Goods from those for which the Trade Mark is Registered.

IN THE MATTER OF trade mark No. registered in Class

Name of Registered proprietor

Trade or business address

Description

Application is hereby made by

of (1) (or by

a member of the firm of

of (1)

on behalf of my said firm)

for the striking out of (2)

from the goods for which the trade mark No.

is registered in Class

Dated this day of, 19

The Registrar,
The Trade Marks Office.

(1) Here insert the trade or business address and description of the applicant(s) or his/their firm.

(2) Here designate the goods to struck out.

Form T.M. No. 24

Regulations 79, 80 and 81

TRADE MARKS DECREE

Fee : Rs. 15.

Request by Registered Proprietor of a Trade Mark that a Disclaimer or Memorandum relating thereto may be Registered -

Request is hereby made by (1)

of

for the addition to the entry in the register in connexion with trade mark No. in Class

of the following namely :

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

Dated this day of, 19

.....

The Registrar,
The Trade Marks Office,

(1) Here insert the name, trade or business address and description of the registered proprietor.

Form T.M. No. 25

Regulations 83 to 86

TRADE MARKS DECREE

Fee : 12 of 12(?)

Application by Registered Proprietor for an addition to or alteration of a Registered Trade Mark.

IN THE MATTER OF the trade mark No. in

(1) Here insert name, trade or business address and description.

Class

Application is hereby made by (1) of

(2) Here fill in full particulars.

being the registered proprietor(s) of the registered trade mark numbered as above, that the Registrar shall add to it or alter it in the following particulars, that is to say - (2)

Four copies of the mark as it will appear when so altered are filed therewith.

Dated this day of, 19

The Registrar,
The Trade Marks Office.

Form T.M. No. 26

Regulations 76

TRADE MARKS DECREE

Fee : Rs. 75

Application to the Registrar for the Rectification of the Register or the Removal of a Trade Mark from the Register.

(To be lodged in duplicate and accompanied by a statement of case in duplicate).

IN THE MATTER OF the trade mark No. registered in the name of in Class

I/We(1) hereby apply that the entry in the register in respect of the above-mentioned trade mark may be removed (2) rectified in the following manner

(1) Here state full name and address.

(2) Strike out the word(s) that is/are not applicable.

The grounds or my/our application are as follows :—
.....
.....
.....

No action concerning the trade mark in question is pending in the Court.

Dated this day of, 19

My/Our address for service in Seychelles :-
.....
.....
.....

The Registrar,
The Trade Marks Office.

TRADE MARKS DECREE

Fee : Rs. 75.

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

IN THE MATTER OF trade mark No. registered in the name of
in Class

I/We
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/Our interest in the trademark is
.....
.....
.....

Dated this day of, 19

My/Our address for service in Seychelles :--
.....
.....
.....

The Registrar,
The Trade Marks Office.

Form T.M. No 28

Regulations 16 and 104

TRADE MARKS DECREE

Fee : Rs 20

1.— REQUEST FOR SEARCH

The Registrar is hereby requested under regulation 104 to search in Class * in respect of (1)

to ascertain whether any trade marks are on record which resemble the trade mark sent herewith in duplicate (each representation being mounted on a half-sheet of foolscap).

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

Dated this day of, 19

(3)

(1) Here specify the goods (in the class stated) in respect of which the search is to be made.

2.- Request for Registrar's Preliminary Advice as to Distinctiveness or Capability of Distinguishing, by a Person proposing to apply for the Registration of a Trade Mark

(3) Address.

I/We(4)

(4) Here state name and address in full.

hereby request the Registrar to advise me/us whether the trade mark referred to above appears to him prima facie to be inherently adapted to distinguish or inherently capable of distinguishing my/our goods above-mentioned so as to comply with the requirements for registrability in the register.

Dated this..... day of, 19

My/Our address for service in Seychelles :-

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

NOTE - Request 1 MUST be completed.

The Registrar,
The Trade Marks Office.

Form T.M. No. 29

Regulation 16

TRADE MARKS DECREE

Fee : Rs. 10

Request for Registrar's Preliminary Advice as to Distinctiveness or Capability of Distinguishing, by a person proposing to apply for the Registration of a trade mark.

(1) Here state name and address in full. *To be sent in duplicate.

I/We(1)
.....
.....

(2) Here specify the goods. Only goods included in one and the same class should be specified. A separate form of request is required for each class.

hereby request to advise me/us whether the trade mark on the accompanying foolscap sheet* appears to him *prima facie* to be inherently adapted to distinguish or inherently capable of distinguishing my/our goods so as to comply with the requirements for registrability in the register.

The goods in respect of which I/We propose to apply for registration of the said trade mark are (2)
.....
..... in Class (3)

(3) Here insert the number of the class (if known). In case of doubt, the Registrar's direction may be obtained.

Dated this day of 19

My/Our address for service in Seychelles -
.....
.....
.....

NOTE - If and when application is made to register the trade mark obtained objections may arise if identical or resembling trade marks are found on the register. A prior notification of any such relevant marks (if any are to be found) can be obtained by a request to the Registrar made on Form T.M. No. 28.

The Registrar,
The Trade Marks Office.

Form T.M. No. 30

Regulation 102

Fee : 22 or 23

TRADE MARKS DECREE

Request for General Certificate of the Registrar (including Certificate of Registration of a Trade Mark).

IN THE NAME OF* the trade mark No. registered
in class

*These words may be varied to suit other cases.

I/We
of.....

(Here set out the particulars which the Registrar is requested to certify.

request the Registrar to furnish me/us with (2) certificate that (1)
.....

(2) Strike out words that are not applicable.

(2) a certificate of registration of the trade mark (2) for use in
obtaining registration abroad.

Dated this day of, 19

The Registrar,
The Trade Marks Office.

Form T.M. No. 31

Regulations 17 and 31

TRADE MARKS DECREE

Fee : Rs. 200

Application for Registration of an Invented Word (or words) as Defensive Trade Mark.

One representation to be fixed within this space, and six others to be pinned on to and sent with form T M No 31.

(Here specify the goods. Only goods included in one and the same class should be specified. (2) Here insert legibly the full name, description and nationality of the individual firm or body corporate making the application. The names of all partners in a firm must be given in full. If the applicant is a body corporate, the kind and country of incorporation should be stated. (3) Here insert the full trade or business address of the applicant. (4) Here insert the trading style (if any). (5) Here insert particulars of the applicant's registration of the trade mark. (6) To be furnished in duplicate.

Application is hereby made for registration of the above mark as a defensive trade mark in Class in respect of (1) in the name of (2) of (3) trading as (4) who is/are the proprietor(s) of the same trade mark registered in Class (5), in respect of under No.

The particulars of the facts on which I/We rely in support of this application are set forth in the accompanying statement of case (6).

Dated this day of, 19

My/Our address for service in Seychelles :

The Registrar, The Trade Marks Office

Form T.M. No. 32

Regulation 34.

TRADE MARKS DECREE

Regulations for governing the use of Certification Trade Mark

No. in Class in respect of

(1).....

.....

(1) Here specify the goods of the registration.

(For Official Use)

Advertised in *Gazette* No.

at page on the day of

(Date of application and registration 19).Form

T.M. No. 33

Regulation 88.

TRADE MARKS DECREE

Fee : 19(a)

Request for the consent of the Registrar to Alteration of the deposited Regulations for Use of a Certification Trade Mark.

(1) Here state name address of the proprietor(s) as registered. If the same regulations apply to more than one registrations, the numbers of all the registrations, the numbers of all the registrations should be stated.

(3) Here state the specifications of the respective registrations.

(4) Three copies should be furnished.

Application is hereby made by (1)

 who is/are the proprietor(s) of the certification trade mark(s) No. (2) * registered in Class in respect of(3) *
 that the deposited regulations for governing the use of the mark may be altered in the manner shown in red in the accompanying copies (4) of the regulations as proposed to be altered, and for the consent of the Registrar to such alteration.

Dated this day of, 19

.....

The Registrar,
 The Trade Marks Office.

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

Form T.M. No. 34

Regulation 87

TRADE MARKS DECREE

Fee : Rs. 75.

Application to the Registrar for an order or Varying and entry in the Register relating to a Certification Trade Mark or Varying the deposited Regulations.

(To be lodged in duplicate together with a statement of case in duplicate)

IN THE MATTER OF certification trade mark No.
registered in the name of
in Class

I/We (1)
.....
being (an) aggrieved person(s), hereby apply for an order of the Registrar that :

(1) Here state full name and address.

1. (2) The entry in the register in respect of the above-mentioned trade mark may be expunged/varied in the following manner
.....
.....

(2) Strike out either paragraph that is not applicable.

2. (2) The deposited regulations governing the use of the above-mentioned trade mark may be varied in the following manner
.....
.....

The grounds of my/our application are as follows :-
.....
.....

Dated this day of, 19.....

My/Our address for service in Seychelles :-
.....
.....

The Registrar,
The Trade Marks Office.

Form T.M. No. 35

Regulation 52.

TRADE MARKS DECREE

Fee : Rs. 150

Notice to the Registrar of Opposition to an Application for
Registration of a Certification Trade Mark.

(To be lodged in duplicate)

IN THE MATTER OF an application No.
by
of

(1) Here state full
name and
address.

I/We (1)
.....

hereby give notice of my/our intention to oppose the registration
of the certification trade mark advertised under the above number
for Class in the *Gazette* of the
day of, 19, No.
page

The grounds of opposition are as follows :-

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

Dated this day of, 19

My/Our address for service in Seychelles :-

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

The Registrar,
The Trade Marks Office.

Form T.M. No. 36

Regulation 52.

TRADE MARKS DECREE

Fee : Rs. 75

Form of Counter-statement in reply to the Notice to the Registrar, of Opposition to an Application for registration of a Certification Trade Mark.

(To be lodged in duplicate)

IN THE MATTER OF an opposition No. to application for registration of a certification trade mark No.

I/We the applicant(s) for registration of the above-mentioned certification trade mark, hereby give notice that the following are the grounds on which I/we rely as supporting my/our application :

.....

I/We admit the following allegations in the notice of opposition :

Dated this day of, 19

My/Our address for service in Seychelles :

.....

The Registrar
The Trade Marks Office.

Form T.M. No. 37

Regulation 52

TRADE MARKS DECREE

Fee : Rs. 100

Hearing by the Registrar of an opposition to an
Application for Registration of a Certification Trade Mark.

NOTICE OF ATTENDANCE AT HEARING

(i) Here state
name and
address.

I/we (1)
of
.....

hereby give notice that the hearing by the Registrar of the arguments in the case of opposition No. to application No. for registration of a certification trade mark, which, by the Registrar's notice to me/us dated the day of 19 is fixed for a.m. or p.m. at the Trade Marks Office on the day of, 19, will be attended by me/us or by some person on my/our behalf.

My/Our address for service in Seychelles :-

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

The Registrar,
The Trade Marks Office.

Form T.M. No. 38

Regulation 73.

TRADE MARKS DECREE

Fee : 8

Application for Certificate of the Registrar with reference to a proposed Agreement of a Registered Trade Mark.

(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 (1)

(1) Here insert the name and trade or business address of the registered proprietor.

address being the registered proprietor(s) of the above-numbered of the trade mark(s), for the Registrar's certificate with reference to a proposed assignment of the registered trade mark(s) No.(s)

(2) Here insert the name and trade or business address of the proposed assignee.

..... to (2)

of

(3) Signature

in circumstances that are stated fully in the accompanying statement of case.

Dated this day of, 19

(3)

The Registrar,
The Trade Marks Office

Form T.M. No. 39

Regulation 73.

TRADE MARKS DECREE

Fee : 8(a)

Application for the Approval by the Registrar of a proposed assignment, or of a transmission (on or after the commencement of the Decree) of a Trade Mark resulting in exclusive rights in different parts of Seychelles.

*To be struck out in the case of unregistered trade marks. Strike out either paragraph I or Paragraph II. (1) Insert here the name and trade or business of the proprietor. (2) Strike out either if not applicable. (3) Insert here the names and trade or of the business address of the proposed assignee(s). (4) Insert the name of the place or places in Seychelles. + Strike out the bracketed passage if not required. (5) Insert here the name trade or business of the person who claims a transmission to him.

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 (a) trade mark(s) *registered No.(s) in Class(es) *, the property of.....
1. Application is hereby made by (1) ...
of.....
the proprietor of the trade mark(s) shown in the accompanying statement of case (2) registered in his name) and (2) (used by him) in respect of the following goods
for the approval by the Registrar of a proposed assignment of the trademark(s) to (3)
of.....
in respect of the following goods
to be sold or otherwise traded in in (4)
+(and to (3)
of.....
in respect of the following goods
to be sold or otherwise traded in in (4)
in circumstances that are stated fully in the accompanying statement of case.)
II. (5)
of.....
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 (6) day of, 19
 transmitted to (7) him to (8)
 of
 (who was his predecessor in
 title) by or from (9)
 of
 by whom the trade mark was used in respect of the following
 goods, namely
 all in circumstances that are stated fully in the accompanying
 statement of case, for the approval by the Registrar of the afore-
 said transmission.

(6) Insert here the date of the transmission which must not precede the commencement of the Act.
 (7) Strike out the words *him* are not applicable.
 (8) Insert here the name and trade or business address of the predecessor in title, if any.
 (9) Insert here the name and trade or business address of the person who transmitted.

Dated this day of, 19

Assignee's address for service in Seychelles is :-

.....

The Registrar,
 The Trade Marks Office.

Form T.M. No. 40

Regulation 74.

TRADE MARKS DECREE

Fee : 8(b)

Application to the Registrar for Directions for the Advertisement of an Assignment of Trade Marks otherwise than in connexion with with the goodwill of the business.

(To be lodged in duplicate)

(1) Here insert the name and trade or business address of the assignee (applicant)

Application is hereby made by (1) of for the Registrar's directions with respect to the advertisement of an assignment to him/them of the following trade marks otherwise than in connexion with the goodwill of the business in which they were used at the time of assignment, namely

(2) Here insert the name and trade or business address of the proprietor (assignor).

I. registered Trade Marks: Registered 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 (2) of who is the assignor :

(3) 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.

*II. Unregistered trade mark (3), all being marks used in his business at the time of the assignment in respect of the goods stated below, by (2) 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 19.....

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

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

Dated this day of, 19

(4)

The Registrar,
The Trade Marks Office.

Form T.M. No. 41

Regulation 74

TRADE MARKS DECREE

Fee: 8(c)

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 connexion with the goodwill of the business.

(1) Here insert the name and trade or business address of the assignee (applicant).

Application is hereby made by (1).....³..... of..... for extension of time (2)..... month(s) in which to apply for the Registrar's directions for the advertisement of an assignment to him/ them of the following trade marks otherwise than in connexion with the goodwill of the business in which they were used at the time of assignment, namely :-

(2) Here insert "one", "two" or "three".

(3) Here insert the name and trade or business address of the proprietor (assignor).

I 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 (3) of..... who is the assignor;

II. Unregistered trade marks, all being marks used in his business at the time of assignment and in respect of the goods stated below, by (3) 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, 19

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

Date this day of, 19.....

(4) (4) Signature.

My/Our address for service in Seychelles is :

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

The Registrar,
The Trade Marks Office.

TRADE MARKS DECREE

Fee : Rs. 150.

Notice of Opposition to Application for addition to or alteration of a Registered Trade Mark.

(To be lodged in duplicate)

IN THE MATTER OF the trade mark No.
registered in the name of
in Class

I/We

hereby give notice of my/our intention to oppose the addition to alteration of the trade mark numbered and registered as above, so that it shall be in the form shown in the application advertised in the *Gazette* of the day of, 19 No. page

The grounds of opposition are as follows :—
.....
.....

Dated this day of, 19

My/Our address for service in Seychelles is :-
.....
.....
.....

The Registrar,
The Trade Marks Office.

Form T.M. No. 43

Regulation 82

TRADE MARKS DECREE

Fee: Rs. 15

Notice of Order of Court for alteration or rectification of Register of Trade Marks

IN THE MATTER OF the trade mark No. registered in Class in the name of

Notice is hereby given to the Registrar that, by an order of the Court made on the day of, 19 it was directed that

A certified copy of the order of the Court is enclosed herewith.

(1) To be signed by the person interested or his agent.

Dated this day of 19

(1)

The Registrar,
The Trade Marks Office.

Form T.M. No. 44

Regulation 82

TRADE MARKS DECREE

Fee : 7

Request to the Registrar for entry on the Register and Advertisement of a note of a Certificate of Validity by the Court.

IN THE MATTER OF trade mark(s) No. (s)
registered in Class in the name of

(1) Here state the name and address of the registered proprietor.

I/We(1).....

hereby request the Registrar to add to the numbered entry/entries of a trade mark in the Register, and to advertise in the *Gazette* a note that in (2)

(2) Here state the nature of the proceedings, with the names of the parties to them, in which the certificate was given.

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

Dated this day of, 19

The Registrar,
The Trade Marks Office.

Form T.M. No. 45

Regulation 89

TRADE MARKS DECREE

Fee : 6 or 6(2)

Application for Registration of Registered user

(To be accompanied by a statement of case giving particulars verified by an affidavit or solemn declaration made by the proprietor, or by some person authorized to act on his behalf and approved by the Registrar.)

Application is hereby made by (1)

who is/are the registered proprietor(s) of trade mark(s) No.(s) * registered in Class in respect of (2)

that (3)

of (4)

trading as (5)

who hereby joins in the application, may be registered as a registered user of the abovenumbered registered trade mark(s) in respect of (6)

subject to the following conditions or restrictions:-

(1) Here insert full name, trade or business address and description of the registered proprietor(s). *Additional numbers may be given in a signed schedule on the back of the form.

(2) Here insert the specification in the register.

(3) Here insert the full name description, and nationality of the individual firm or body corporate, proposed as registered user. the names of all partners in a firm must be given in full. In the case of a body corporate brief particulars of the kind and country of incorporation should be stated.

(4) Here insert the full trade business address of the proposed registered user.

(5) Here insert trading style or (if any).

(6) Here insert designation of goods (which must be comprised within the specification).

(7) Write None if there are no conditions or restrictions.

(8) Strike out the words that are not applicable

(7)
.....
.....

(8) The proposed permitted use is to end on the day of, 19/The proposed permitted use is without limit of period.

Dated this day of, 19.....

My/Our address for service in Seychelles is:-

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

The Registrar,
The Trade Marks Office,

Form T.M. No. 46

Regulation 91.

Fee : 6(b) or (G)c

TRADE MARKS DECREE

Application by the Registered proprietor of a Trade Mark for variation of the registration of a Registered User thereof with regard to the goods or the condition's or or restrictions.

(To be accompanied by a statement of the grounds for the application and the written consent (if given) of the registered user).

Application is hereby made by (1)

.....

the proprietor of trade mark(s) No.(s)*
registered in Class in respect of (2)

.....

that the registration of (3).....

.....

as a registered user of the above numbered trade mark(s) in

respect of (4).....

.....

may be varied in the following manner : (5)

.....

Dated this day of, 19.... respect of

The Registrar,
The Trade Marks Office.

(1) Here insert the full name, description and trade of the registered proprietor.
*Additional numbers may be given in a signed schedule on the back of the form.
(2) Here insert the specification in the register.
(3) Here insert full name, description and trade or business address of the registered user.
(4) Here insert the goods in respect of which the user is registered.
(5) Here state in terms the manner in which it is requested that the entry should be varied

Form T.M. No. 47

Regulation 92

TRADE MARKS DECREE

Fee : 6(d) or 6(e).

(1) Here insert the full name, description and trade or business address of the applicant(s).

Application by the Registered Proprietor of a Trade Mark or by any of the Registered Users of the Trade Mark for the cancellation of entry of a Registered user thereof.

(2) Strike out words that are not applicable. *Additional numbers may given in a signed schedule on the back of the form.

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

Application is hereby made by (1)

(3) Here insert the specification in the register.

being (2) the registered proprietor/registered user of trade mark(s) No.(s)* registered in class in respect of (3)

(4) Here insert the full name, description and trade or business address of the registered user whose entry is sought to be cancelled.

for cancellation of the entry under the above-mentioned registration(s) of (4)

As a registered user of the trade mark(s) in respect of (5)

(5) Here insert goods in respect of which that registered user is entered.

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

Dated this day of, 19

The Registrar,
The Trade Marks Office

) application).

IN THE MATTER OF trade mark(s) No.(s)*
registered in Class in the name of (1)

Application is hereby made by (2).....

for cancellation of the entry under the above-mentioned
registration(s) of (3)

as the registered user thereof in respect of (4)

Dated this day of, 19.....

My/Our address for service in Seychelles is -

The Registrar,
The Trade Marks Office.

*Additional numbers may be given in a signed schedule on the back of the form.
(1) Here insert the name, trade or business address and description of the registered proprietor as entered in the register.
(2) Here insert the name and address of the applicant for cancellation..
(3) Here insert the name, trade or business address and description of the registered user as entered in the register.
(4) Here insert the goods in respect of which registered user is entered.

Form T.M. No. 49

Regulation 94

TRADE MARKS DECREE

Fee . Rs. 25

Notice to the Registrar of intention to intervene in proceedings for the variation or cancellation of an entry of a Registered User of a Trade Mark.

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

(1) Insert here the name of the registered proprietor.

IN THE MATTER OF a trade mark No. registered in class in the name of (1)

(2) Insert here the name and trade or business address of the registered user.

— and

IN THE MATTER OF a registration of (2) thereunder as a registered user of the mark.

In reply to the Registrar's notification, dated the day of, 19 notice is hereby given of my intention to intervene in the proceedings in the matter.

Dated this day of, 19

My address for service in Seychelles is :-

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

The Registrar,
The Trade Marks Office.

CLASSIFICATION OF GOODS AND SERVICES

NAMES OF CLASSES

PART 1 - GOODS

1. Chemical products used in industry, science, photography, agriculture, horticulture, forestry; artificial and synthetic resins; plastics in the form of powders, liquids or pastes, for industrial use; manures (natural and artificial); fire extinguishing composition; tempering substances and chemical preparations for soldering; chemical substances for preserving foodstuffs; tanning substances; adhesive substances used in industry.
2. Paints, varnishes, lacqueurs ; preservatives against rust and against deterioration of wood; colouring matters, dyestuffs; mordants; natural resins; metal in foil and powder form for painters and decorators.
3. Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps, perfumery, essential oils, cosmetics, hair lotion, dentifrices.
4. Industrial oils and greases (other than edible oils and fats and essential oils); lubricants; dust laying and absorbing compositions; fuel (including motor spirit) and illuminants; candles, tapers, night-lights and wicks.
5. Pharmaceutical, veterinary and sanitary substances; infants' and invalids' foods; plasters; material for bandaging; material for stopping teeth, dental wax, disinfectants; preparations for killing weeds and destroying vermin
6. Unwrought and partly wrought common metals and their alloys; anchors, anvils, bells, rolled and cast building materials, rails and other metallic materials for railway tracks, chains (except driving chains for vehicles); cables and wires (non-electric); locksmiths' work; metallic pipes and tubes; safes and cash boxes, steel balls, horseshoes; nails and screws; other goods in non-precious metal not included in other classes; ores.
7. Machines and machine tools, motors (except for land vehicles); machine couplings and belting (except for land vehicles); large size agricultural implements, incubators.
8. Hand tools and instruments; cutlery; forks and spoon; side arms.

9. Scientific, nautical, surveying and electrical apparatus and instruments (including wireless), photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; coin or counter-freed apparatus, talking machines, cash registers, calculating machines, fire-extinguishing apparatus.

10. Surgical, medical, dental and veterinary instruments and apparatus (including artificial limbs, eyes and teeth).

11. Installations for lighting, heating, steam generating, cooking, refrigerating, driving, ventilating, water supply and sanitary purposes.

12. Vehicles; apparatus for locomotion by land, air, or water.

13. Firearms; ammunition and projectiles, explosive substances, 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 instrument (other than talking machines and wireless apparatus).

16. Paper, cardboard, paper and cardboard articles, not included in other classes; printed matter, newspapers and periodicals, books; bookbinding material, photographs; stationery, adhesive 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).

17. Gutta percha, indiarubber, balata and substitutes, articles made from these substances and not included in other classes; plastics in the form of sheets, blocks and rods, being for use in manufactures; materials for packing, stopping or insulating; asbestos, mica and their products; hose pipes (non-metallic).

18. Leather and imitations of leather, and articles made from these materials, and not included in other classes; skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

19. Building materials, natural and artificial stone, cement, lime, mortar, plaster and gravel; pipes of earthenware or cement; road-making materials; asphalt, pitch and bitumen; portable buildings; stone monuments; chimney pots.

20. Furniture, mirrors, picture frames, articles (not included in other classes) of wood, cork, reeds, cane, wicker, horn, bone ivory, whalebone, shell, amber, mother-of-pearl, meerschaum, celluloid, substitutes for all these materials, or of plastics.
21. Small domestic utensils and containers (not of precious metal, nor coated therewith); combs and sponges; brushes (other than paint brushes); brush-making materials, instruments and material for cleaning purposes; steelwool; unworked or semi-worked glass (excluding glass used in building); glassware, porcelain and earthenware not included in other classes
22. Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks; padding and stuffing materials (hair, capoc, feathers, sea-weed, etc.); raw fibrous textile materials.
23. Yarns, threads.
24. Tissues (piece goods); bed and table covers, textile articles not included in other classes.
25. Clothing, including boots, shoes and slippers.
26. Lace and embroidery, ribands and braid; buttons, pressbuttons, hooks and eyes, pins and needles; artificial flowers.
27. Carpets, rugs, mats and matting; linoleums and other materials for covering existing floors, wall hangings (non-textile).
28. Games and playthings; gymnastic and sporting articles (except clothing); ornaments and decorations for Christmas trees.
29. Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables, jellies, jams, eggs; milk and other dairy products; edible oils and fats; preserves, pickles.
30. Coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes, flour and preparations made from cereals, bread, biscuits, cakes, pastry and confectionery, ices; honey, treacle; yeast; baking-powder, salt, mustard, pepper, vinegar, sauces; spices; ice.
31. Agricultural, horticultural and forestry products and grains not included in other classes; living animals, fresh fruits and vegetables; seeds; live plants and flowers, foodstuffs for animals, malt.

32. Beer, ale and porter; mineral and aerated waters and other non-alcoholic drinks; syrups and other preparations for making beverages.

33. Wines, spirits and liqueurs.

34. Tobacco, raw or manufactured; smokers' articles, matches.

PART II - SERVICES

CLASS	SERVICE
35	Accounting, Advertising, Advertising Agencies, Auctioneering, Auditing, Bill-posting, Book-keeping, Burglar alarm, Business appraisals, Business inquiries, Business investigations, Business management and organization consulting, Business management assistance, Business management consulting, Business organization consulting, Business research, Commercial information agencies, Commercial or industrial management assistance, Cost price analysis, Demonstration of goods, Direct mail advertising, Dissemination of advertising matter, Distribution of samples, Document reproduction,

Efficiency experts,
Evaluation of standing timber,
Employment agencies,
Fiduciary,
Financial appraisals,
Fire alarm,
Fiscal assessments,
Import-export agencies,
Leasing of billboards,
Legal services,
Marketing studies,
Marketing research
Office machine and equipment rental,
Offset printing,
Outdoor advertising,
Patent agencies,
Personnel management,
Photocopying,
Public relations,
Publication of publicity taxis,
Publicity,
Publicity agencies,
Publicity columns preparation,
Publicity leaflets issuing,
Public material rental,
Radio advertising,
Radio commercials,
Shop window dressing,
Shorthand,
Statements of accounts,
Statiscal information,
Television advertising,
Television commercials,
Transcription,
Trusteeship,
Typing,
Valuation of standing timber,

36 Accident insurance underwriting,
Accommodation bureaus (apartments),
Actuarial services,
Apartment house management,
Bail-bonding,
Banking,
Brokerage,
Capital investments,
Charitable fund raising,
Clearing (financial),
Clearing-house (financial),
Credit bureaus,
Customs brokerage,
Debt collection agencies,
Exchanging money,
Financial management,
Financing services,
Factoring,
Fund investments,
Fire insurance underwriting,
Guarantees,
Health insurance underwriting,
Housing agents,
Instalment loans,
Insurance brokerage,
Insurance underwriting,
Issuing of traveller's cheques
Lease-purchase financing,
Leasing of farms,
Leasing of real estate,
Lending against security,
Life insurance underwriting,
Loans (financing),
Marine insurance underwriting,
Mortgage banking,

Mutual funds,
Organization of collections,
Pawnbrokerage,
Real estate agencies,
Real estate appraisal
Real estate brokers,
Real estate management,
Safe deposit services,
Renting of apartments,
Renting of flats
Saving banks,
Sale on credit,
Securities brokerage
Surety services,
Stocks and bonds brokerage.

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- 37 Air conditioning apparatus,
 installation and repair,
 Airplane maintenance and repair,
 installation and repair,
 Anti-rust treatment for vehicles,
 Asphalting,
 Boiler cleaning and repair,
 Boiler-making,
 Building insulating,
 Building sealing,
 Burglar alarm installations and repair,
 Burglar or fire alarm installation and repair,
 Burner maintenance and repair,
 Burnishing by abrasion,
 Cabinet making,
 Car maintenance,
 Car wash,
 Cleaning of buildings,
 Cleaning of clothing,
 Clock and watch repair,
 Clothing repair,
 Construction*
 Contruction engineering,
 Coppersmithing,
 Demolition of buildings,
 Disinfecting,
 Electric appliance installation and repair,
 Elevator installation and repair,
 Factory construction,
 Film projector repair and maintenance,
 Fire alarm installation and repair,
 Freezing equipment installation and repair,
 Fulling of cloth,
 Furnace installation and repair,
 Furniture maintenance,
 Furniture restoration,

Habour construction,
Heating equipment installation and repair,
Irrigation devices installation and repair,
Kitchen equipment installation,
Laundering,
Leather care, cleaning and repair,
Lift installation and repair,
Linen ironing,
Machinery installation, maintenance and repair
Photographic apparatus repair,
Pier breakwater building,
Pipeline construction and maintenance,
Plastering,
Plumbing,
Pressing of clothing.
Pump repair
Rat exterminating,
Renovation,
Rental of bulldozers,
Rental of construction equipment,
Rental of excavators,
Retreading of tyres,
Reveting,
Rustproofing,
Safe maintenance and repair,
Sanding,
Scaffolding,
Shipbuilding,
Shoe repair,
Strong-room maintenance and repair,
Telephone installations and repair,
Tinsmithing,

Under-water construction,
Upholstering,
Upholstery repair,
Vanishing,
Vehicle cleaning,
Vehicle greasing,
Vehicle lubrication,
Vehicle polishing,
Vehicle repair,
Vehicle service stations,
Vehicle wash,
Vermin exterminating,
Vulcanization,
Warehouse construction and repair,
Washing,
Washing of linen,
Weed killing,
Window cleaning,

38 Communication by telegrams,
 Communication by telephone,
 Message delivery,
 Message sending,
 News agencies,
 Radio broadcasting,
 Sending of telegrams,

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- Telegraph services,
Telephone services,
Television broadcasting,
Telex services,
Transmission of telegrams,
Wire service.
- 39 Air transport,
Ambulance transport,
Armoured-car transport,
Arranging of cruises,
Arranging of tours,
Barge transport,
Boat rental,
Boat transport,
Booking of seats (travel),
Bus transport,
Car parking,
Car rental,
Car transport,
Carting,
Coach rental
Crating of goods,

Delivery of goods,
Diving,
Electricity distribution,
Ecorting of travellers,
Ferry-boat transport,
Freight forwarding,
Freighting,
Frozen-food locker rental,
Garage rental,
Guarded transport of valuables,
Guarding,
Hauling,
Horse rental,
Lighterage
Marine transport,
Moving,
Operating canal locks,
Parcel delivery,
Parking place rental,
Piloting,
Passenger transport,
Pleasure boat transport,
Porterage,

Refloating of ships,
Refrigerator rental,
Removals,
Rental of warehouses,
Salvage of ships,
Shipbrokerage,
Sightseeing (tourism)
Storage,
Storage of goods,
Taxi transport,
Truck rental,
Tourist offices (except for hotel reservation),
Towing,
Transport
Transport by pipelines,
Transport of travellers,
Transporting furniture,
Travel agencies,
Unloading cargo,
Vehicle rental,
Vehicle towing,
Warehousing,
Water distribution,
Water supplying.

40 Air purification,
 Applying finishes to textiles,
 Blacksmithing,
 Bookbinding,
 Chromium plating,
 Cinematographic adaptation,
 Cloth cutting,
 Cloth dyeing
 Cloth edging,
 Cloth fireproofing,
 Cloth pre-shrinking,
 Cloth treating,
 Cloth waterproofing,
 Crease-resistant treatment for clothing,
 Dressmaking,
 Dyeing services,
 Electro-plating,
 Embroidery,
 Engraving,
 Fabric bleaching,
 Fabric fireproofing,
 Fabric waterproofing
 Firing pottery,
 Flour milling,
 Food smoking,
 Fruit Crushing,

Galvanization,
Gilding,
Glass-blowing,
Grinding,
Laminating,
Leather staining,
Leather working,
Magnetization,
Metal plating,
Metal tempering,
Metal treating,
Millworking,
Nickel plating,
Paper finishing,
Paper treating,
Pattern printing,
Permanent pretreatment of fabrics,
Photographic film development,
Planing (saw mill),
Pottery firing,
Sawing (saw mill),
Shoe staining,
Silver-plating,
Skin dressing,
Soldering,
Stripping finishes,

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- Tailoring,
 - Tanning,
 - Taxidermy,
 - Textile fireproofing,
 - Textile mothproofing,
 - Textile treating,
 - Tin-plating,
 - Water treating,
 - Wood-working.
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- 41 Academies (education)
 - Amusement parks
 - Amusements,
 - Animal training,
 - Circuses,
 - (education or entertainment),
 - Correspondence courses,
 - Delivery of newspaper,
 - Educational services,
 - Entertainer services
 - Entertainment,
 - Film production
 - Gymnastic instruction,
 - Instruction services,
 - Lending libraries,

Motion picture rental,
Movie projectors and accessories,
Movie studios,
Music-halls,
Newspaper delivery,
Newspaper subscriptions,
Orchestra services,
Organisation of competitions,
(education or entertainment)
Physical education
Production of radio and television programmes,
Production of shows,
Providing recreation facilities,
Publication of books,
Publication of texts,
Radio entertainment,
Rental of motion pictures,
Rental of movies projectors and accessories,
Rental of show scenery,
Rental of sound recording,
Rental of stage scenery,
Teaching,
Television entertainment,
Theatre productions,
Theatrical booking agencies,
Tuition.

42 Agencies for introductions,
Analyses for oil-exploitation,
animal breeding,
Architectural consultation,
Architecture,
Bacterial research,
Bacteriological research,
Bacteriology,
Beauty salons,
Boarding house bookings,
Boarding houses,
Boarding schools,
Cafes,
Cafeterias,
Canteens,
Catering,
Chaperoning,
Chemical analysis,
Chemical research,
Chemistry services,
Chiropractics,
Computer programming,
Computer rental,
Construction drafting,
non-business,
Convalescent homes,

42 Agencies for introductions,
Analyses for oil-exploitation,
animal breeding,
Architectural consultation,
Architecture,
Bacterial research,
Bacteriological research,
Bacteriology,
Beauty salons,
Boarding house bookings,
Boarding houses,
Boarding schools,
Cafes,
Cafeterias,
Canteens,
Catering,
Chaperoning,
Chemical analysis,
Chemical research,
Chemistry services,
Chiropractics,
Computer programming,
Computer rental,
Construction drafting,
non-business,
Convalescent homes,

Copyright management,
Cosmetic research,
Cremation,
Day-nurseries,
Dentistry,
Detective agencies,
Dress rental,
Drilling of wells,
Editing,
Electric equipment rental,
Engineering,
Engineering drawing,
Farming equipment rental,
Fashion information,
Freight (shipping of goods),
Funerals,
Gardening,
Genealogical prospecting,
Geological prospecting
Geological research,
Geological surveys,
Guardianship,
Hairdressing salons,
Healthcare,
Horticulture,

Hospitals,
Hotel management,
Hotel reservations,
Hotels,
Housekeeping services,
Industrial decorating,
Knitting machine rental
Land surveying,
Landscaping gardening.
Legal research,
Lithographic printing,
Loft clearance,
Marriage bureaus,
Massage,
Material testing,
Mechanical research
Medical assistance,
Medical clinics,
Meteorological information,
Night guards,
Nurseries,
Nursing homes,
Oil prospecting.
Oil-field exploitation (Analyses for),
Oil-field surveys,
Oil-well testing,

Operating of lorries,
Opticians services,
Packaging design,
Patent exploitation,
Personal body guarding,
Personal letter writing,
Photographic reporting,
Photography,
Physics,
Physiotherapy,
Preparation of reports,
Printing,
Professional consultation,
non-business,
Project studies, non-business,
Providing campground facilities,
Providing facilities for exhibitions,
Providing hotel accomodation,
Psychological testing,
Public baths,
Restaurants
Retirement homes,
Room rental or leasing,

Sanatoriums,
Self-service restaurants,
Snack-bars,
Surveying,
Talking clock,
Technical research,
Textile testing,
Tourist homes,
Translation,
Undertaking,
Vending machine rental,
Veterinary assistance,
Vocational guidance,
Weather forecasting,
Wreath making.