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REGISTERED DESIGNS ACT
(CHAPTER 266)

REGISTERED DESIGNS
(AMENDMENT) RULES 2021

In exercise of the powers conferred by section 74 of the Registered Designs Act, the Minister for Law, after consulting with the Intellectual Property Office of Singapore, makes the following Rules:

Citation and commencement

1. These Rules are the Registered Designs (Amendment) Rules 2021 and come into operation on 1 October 2021.

Amendment of rule 37

2. Rule 37 of the Registered Designs Rules (R 1) (called in these Rules the principal Rules) is amended by deleting paragraph (2A) and substituting the following paragraph:

“(2A) Subject to paragraph (3), the Registrar must refuse to accept an application under paragraph (1) if paragraph (2) or (2AA) is not complied with.”.

Amendment of rule 56B

3. Rule 56B(1) of the principal Rules is amended by deleting the words “within one month” and substituting the words “within 6 weeks”.

Amendment of rule 56D

4. Rule 56D of the principal Rules is amended by inserting, immediately after paragraph (2), the following paragraph:

“(3) Paragraphs (1) and (2) do not apply to any taxation of costs of a registered owner of a registered design who is entitled

under section 43(2) of the Act to the registered owner’s costs as between solicitor and client.”.

Deletion and substitution of rule 56E

5. Rule 56E of the principal Rules is deleted and the following rule substituted therefor:

“Certificate of taxation

56E. When a bill of costs has been taxed, the Registrar must make the Registrar’s certificate for the amount of the taxed costs.”.

Amendment of rule 58A

6. Rule 58A of the principal Rules is amended by deleting the word “malfunction” in paragraphs (3)(d) and (4)(a) and substituting in each case the words “interruption in the operation”.

Deletion of rule 58H

7. Rule 58H of the principal Rules is deleted.

Amendment of rule 62

8. Rule 62 of the principal Rules is amended by deleting paragraph (3) and substituting the following paragraphs:

“(3) Where the Court has certified under section 43(1) of the Act —

- (a) that the registration of a design is found to be valid in any proceedings before the Court; and
- (b) the fact that the validity of the registration was contested in the proceedings,

the registered owner may file a written request with the Registrar to add to the entry of the registered design in the Register a note that the certificate has been given in the course of the proceedings, and a copy of the certificate must be filed together with the written request.

(4) The Registrar, must on receipt of the written request mentioned in paragraph (3) and the copy of the certificate, add the note to the entry of the registered design in the Register.

(5) Where the Registrar has certified under section 43(1) of the Act —

(a) that the registration of a design is found to be valid in any proceedings before the Registrar; and

(b) the fact that the validity of the registration was contested in the proceedings,

the Registrar must add to the entry of the registered design in the Register a note that such certificate has been given in the course of the proceedings.”.

Amendment of First Schedule

9. Items 12, 22, 23 and 28 of the First Schedule to the principal Rules are deleted.

Amendment of Second Schedule

10. Item 18 of the Second Schedule to the principal Rules is deleted.

Amendment of Fourth Schedule

11. Item 11 of the Fourth Schedule to the principal Rules is amended by deleting the words “and obtaining the Registrar’s certificate or order”.

Saving and transitional provision

12. Despite rule 3, rule 56B(1) of the principal Rules as in force immediately before 1 October 2021 continues to apply to or in relation to any award of costs made before that date by the Registrar.

[G.N. Nos. S 778/2004; S 556/2005; S 587/2011; S 742/2014; S 148/2017; S 574/2017; S 435/2020]

Made on 8 September 2021.

LAI WEI LIN
*Permanent Secretary,
Ministry of Law,
Singapore.*

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