

*to J. Lamin
Room 3476 Main House.*

STATUTORY INSTRUMENTS

1978 No. 1120

TRADE MARKS

The Trade Marks (Amendment) Rules 1978

<i>Made</i>	- - - -	28th July 1978
<i>Laid before Parliament</i>	-	2nd August 1978
<i>Coming into Operation—</i>		
<i>All Rules except Rule 3</i>		8th August 1978
<i>Rule 3</i>	- - -	1st November 1978

Whereas, in pursuance of the requirements of section 40(3) of the Trade Marks Act 1938(a), the Secretary of State has, before making the following Rules under that Act, published notice of his intention to make such Rules and of the place where copies of the draft Rules might be obtained by advertising such notice in the Trade Marks Journal and the Official Journal (Patents) on 5th July 1978 and 12th July 1978, being the manner which he considered most expedient so as to enable persons affected to make representations to him before the Rules were finally settled:

Now, therefore, the Secretary of State in exercise of powers conferred by sections 40 and 41 of the Trade Marks Act 1938 and now vested in him (b), and with the sanction of the Treasury, hereby makes the following Rules:—

1. These Rules may be cited as the Trade Marks (Amendment) Rules 1978 and shall come into operation as respects rules 1, 2 and 4 on 8th August 1978 and as respects rule 3 on 1st November 1978.

2. The Interpretation Act 1889(c) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament and as if these Rules and the Rules hereby revoked were Acts of Parliament.

3. On 1st November 1978, for Schedule 1 to the Trade Marks Rules 1938(d), as amended (e), there shall be substituted the Schedule hereto and the Trade Marks (Amendment No. 3) Rules 1975(f) shall thereupon be revoked.

(a) 1938 c. 22.

(b) S.I. 1970/1537.

(c) 1889 c. 63.

(d) S.R. & O. 1938/661.

(e) The relevant amending instruments are S.I. 1964/227, 1975/1532.

(f) S.I. 1975/1532.

4. Where on or after 8th August 1978 but before 1st November 1978 Form T.M. No. 11 is filed in respect of the renewal of registration of a trade mark or a series of trade marks the last registration of which mark or series of marks is due to expire on or after 1st November 1978, the fee payable in respect of such renewal shall be that which would be payable if the said form were filed on or after 1st November 1978 and rule 3 of these Rules had come into operation.

28th July 1978.

Stanley Clinton Davis,
Parliamentary Under-Secretary of State,
Department of Trade.

We sanction the making of these Rules.

27th July 1978.

T. E. Graham,
J. Dormand,
Two of the Lords Commissioners
of Her Majesty's Treasury.

SCHEDULE

LIST OF FEES PAYABLE

Matter or Proceeding	Amount	Corresponding Form
	£	
1 On application not otherwise charged to register a trade mark for a specification of goods included in one class	23-00	T.M.-No. 2 Textile-No. 2
1a On application to register a series of trade marks under section 21(2) for a specification of goods included in one class ...	23-00	T.M.-No. 2 Textile-No. 2
1b On application to register a defensive trade mark for a specification of goods included in one class	34-50	T.M.-No. 32
1c On application under section 37 to register a certification trade mark for a specification of goods included in one class ...	30-00	T.M.-No. 6
1d On applications made at the same time under section 37 to register one certification trade mark for specifications of goods not all included in one class— In respect of every class Total fee in no case to exceed £520 for any number of classes.	30-00	T.M.-No. 6

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