
STATUTORY INSTRUMENTS

1980 No. 221

TRADE MARKS

The Trade Marks (Amendment) Rules 1980

<i>Made - - - -</i>	19th February 1980
<i>Laid before Parliament</i>	21st February 1980
<i>Coming into Operation</i>	
<i>Rules 1 and 3</i>	14th March 1980
<i>Rule 2</i>	6th May 1980

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 23rd January 1980 and 30th January 1980, 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 1980 and shall come into operation as respects rules 1 and 3 on 14th March 1980 and as respects rule 2 on 6th May 1980.

2. For Schedule 1 to the Trade Marks Rules 1938(c) there shall be substituted the Schedule hereto and the Trade Marks (Amendment) Rules 1978(d) shall thereupon be revoked.

3. Where on or after 14th March 1980 but before 6th May 1980 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 6th May 1980, the fee payable in respect of such renewal shall be that which would be payable if the said form were filed on or after 6th May 1980 and rule 2 of these Rules had come into operation.

Reginald Gyre,
Department of Trade.

15th February 1980.

(a) 1938 c. 22.

(b) S.I. 1970/1537.

(c) S.R. & O. 1938/661; the relevant amending instruments are S.I. 1964/227, 1978/1120.

(d) S.I. 1978/1120.

We sanction the making of these Rules.

David Waddington,
Carol Mather,

Two of the Lords Commissioners
of Her Majesty's Treasury.

19th February 1980.

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 ...	31-00	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 ...	31-00	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 ...	46-50	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 ...	40-50	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 £810 for any number of classes.	40-50	T.M.-No. 6
2 On a request to the Registrar to state grounds of decision relating to an application to register a trade mark and materials used ...	15-00	T.M.-No. 5
3 On notice of opposition before the Registrar under section 18, for each application opposed, by opponent ...	15-00	T.M.-No. 7

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3a On lodging a notice to a notice 18, for each applicant; application under section 21 and 33, by each trade mark proprietor on notice of opposition under section 36 conversion

3b On the hearing of an application under section 18, for each applicant; application under section 26, 27, 32, 33, 34, 35 or section 36 by an opponent

3c On notice of opposition under section 2(2) of Schedule 2 of the Trade Marks Act 1994

3d On lodging a notice of opposition to a notice of application under paragraph 2(2) of Schedule 2 of the Trade Marks Act 1994

3e On the hearing of an application under paragraph 2(2) of Schedule 2 of the Trade Marks Act 1994

4 For one registration of a trade mark for goods included in one class

4a For one registration of a trade mark for goods included in one class—
For the Registrar
And for the Registrar

4b For registration of a certification trade mark for goods included in one class

4c For registration of a certification trade mark for goods included in one class—
In respect of every class
Total fee for any number of classes