
**Council for Trade-Related Aspects of
Intellectual Property Right**

Original: English/
anglais
inglés

**MAIN DEDICATED INTELLECTUAL PROPERTY
LAWS AND REGULATIONS NOTIFIED UNDER
ARTICLE 63.2 OF THE AGREEMENT**

SINGAPORE

The present document reproduces the text¹ of the Trade Marks Rules, as notified by Singapore under Article 63.2 of the Agreement (see document IP/N/1/SGP/3).

**Conseil des aspects des droits de propriété
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET REGLEMENTATIONS CONSACREES A LA
PROPRIETE INTELLECTUELLE NOTIFIEES AU TITRE
DE L'ARTICLE 63:2 DE L'ACCORD**

SINGAPOUR

Le présent document contient le texte¹ du Règlement sur les marques de fabrique ou de commerce, notifiée par Singapour au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/SGP/3).

**Consejo de los Aspectos de los Derechos de Propiedad
Intellectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA PROPIEDAD
INTELLECTUAL NOTIFICADOS EN VIRTUD DEL PÁRRAFO 2
DEL ARTÍCULO 63 DEL ACUERDO**

SINGAPUR

En el presente documento se reproduce el texto¹ del Reglamento sobre Marcas de Fábrica o de Comercio, notificado por Singapur de conformidad con el párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/SGP/3).

¹ In English only./En anglais seulement./En inglés solamente.

TRADE MARKS ACT
(CHAPTER 332, SECTION 66)

TRADE MARKS RULES

S 86/91

S 335/92

S 160/93

S 420/94

S 231/95

S 230/96

S 16/97

S 463/97

[1st March 1991]

PRELIMINARY

Citation.

1. These Rules may be cited as the Trade Marks Rules.

Definitions.

2. —(1) In these Rules, unless the context otherwise requires —

“agent” means an agent duly authorised to the satisfaction of the Registrar;

“folio” means 100 words, each figure being counted as one word;

“specification” means the designation of goods or, as the case may be, services in respect of which a trade mark or a registered user of a trade mark is registered or proposed to be registered .

(2) The word “month”, where it occurs in any decision, direction or other document issued by the Registrar, means calendar month unless the context otherwise requires.

(3) Any period of time fixed by these Rules or by any decision, direction or other document for the doing of any act shall be reckoned in accordance with paragraphs (4), (5) and (6).

(4) Where the act is required to be done within a specified period after or from a specified date, the period begins immediately after that date.

(5) Where the act is required to be done within or not less than a specified period before the specified date, the period ends immediately before that date.

(6) Where the act is required to be done within a specified number of clear days before or after a specified date, at least that number of days must intervene between the day on which the act is done and that date.

Subst. by S 335 /92 wef 1.8.92

Fees.

3. The fees to be paid in respect of any matters arising under the Act shall be those specified in the First Schedule and, in any case where a form specified in that Schedule as the corresponding form in relation to any matter is required to be used, that form shall be accompanied by the fees specified in respect of that matter.

Forms.

4. The forms mentioned in these Rules are those set out in the Second Schedule, modified as necessary to enable them to be used, accompanied by the appropriate fee (if any) and such forms shall be used in all cases in which they are applicable and may be modified as directed by the Registrar to meet other cases.

Classification of goods and services.

5. —(1) For the purposes of trade mark registrations in respect of goods and of registrations of registered users thereof, goods are classified in accordance with Part I of the Third Schedule.

(2) For the purposes of trade mark registrations in respect of services and of registrations of registered users thereof, services are classified in accordance with Part II of the Third Schedule.

DOCUMENTS

Size, etc., of documents.

6. Subject to any other directions that may be given by the Registrar, all applications, notices, counter-statements, papers having representations affixed, or other documents required by the Act or by these Rules to be left with or sent to the Registrar shall be submitted on foolscap paper of a size of approximately 33 centimetres by 20 centimetres, and shall have on the left-hand part thereof a margin of not less than 4 centimetres.

Signature on documents.

7. —(1) A document 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 authorised to sign the document.

(2) A document signed for or on behalf of a body corporate shall be signed by a director or the secretary or other principal officer of the body corporate, or by any other person who satisfies the Registrar that he is authorised to sign the document.

(3) A document signed for or on behalf of an unincorporated body or association of persons may be signed by any person who appears to the Registrar to be duly qualified.

Service of documents.

8. Any document authorised or required by the Act or these Rules to be sent to or by the Registry may be sent through the post and, if so sent, shall be deemed to be sent by properly addressing, prepaying and posting a letter containing the document and, unless the contrary is proved, shall be deemed to have been sent at the time at which the letter would be delivered in the ordinary course of post.

Subst. by S 335 /92 wef 1.8.92

Furnishing of address.

9. —(1) Where any person is by the Act or these Rules required 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 business of the person whose address is given.

(2) The Registrar may require the address to include the name of the street, the number of the block of building and the number of the premises or name of premises, if any, and the postal code.

Address for service.

10. —(1) The Registrar may require an applicant, opponent, agent or a registered proprietor or registered user of a trade mark who does not reside or carry on business within Singapore to give an address for service within Singapore and that 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, submit on Form T.M. 1 an address for service for entry in the register and such address may be entered by the Registrar.

(3) All applications on Form T.M. 1 shall be signed by the applicant for registration or the registered proprietor or registered user, as the case may be, unless in exceptional circumstances the Registrar otherwise allows.

(4) 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.

(5) 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.

(6) The Registrar may, at any time that a doubt arises as to the continued availability of an address for service entered in the register, 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 two months of making such a request, the Registrar receives no confirmation of that address, he may strike it off the register.

Subst. by S 335 /92 wef 1.8.92

AGENTS

Agents.

11. —(1) Any application, request or notice which is required or permitted under the Act or these Rules to be made or given to the Registrar, and all other communications between the applicant or a person making such a request or giving such a notice and the Registrar, and between the proprietor or the registered user of a trade mark and the Registrar or any other person, may be signed, made or given by or through an agent authorised by that person in writing.

(2) In any particular case, the Registrar may require the personal signature or presence of any person.

(3) The Registrar may, by notice in writing to an agent, require him to produce evidence of his authority.

(4) An agent authorised by any person mentioned in paragraph (1) shall lodge Form T.M. 1 to enter his address as the address for service, and service upon the agent at the address for service on record of any document shall be deemed to be service upon the person so authorising him, all communications directed to be made to such person may be addressed to the agent, and all attendances upon the Registrar relating thereto may be made by or through the agent.

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REGISTRABILITY OF TRADE MARKS

Trade marks subject to statutory restriction.

12. —(1) The Registrar may refuse to accept any application for the registration of a trade mark on which appears —

(a) the words or abbreviations or foreign equivalent of the words “Patent” , “Patented”, “Registered”, “Registered Design”, “Registered Trade Mark”, “Copyright”, “To counterfeit this is a forgery”, or words to the like effect;

(b) representations of the President or any colourable imitations thereof; or

(c) 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 on a red ground or silver on a red ground, or such representations in a similar colour or colours.

(2) Where there appears on 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 paragraph (1) (c), 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.

Singapore's Crest, Presidential Coat of Arms, Royal Arms, etc.

13. The following features may not appear on trade marks the registration of which is applied for:

- (a) representations of the Republic of Singapore's Crest, Presidential Coat of Arms, Royal or Imperial Arms, crests, armorial bearings or insignia, or devices so nearly resembling any of the foregoing as to be likely to be mistaken for them;
- (b) representations of the Royal or Imperial crowns, or of the Republic of Singapore's flag, or of the Royal, Imperial or National flags;
- (c) any words such as "Royal", "Imperial", "Presidential", or "Singapore Government" or any letters or devices if used in such a manner as to be likely to lead persons to think that the applicant either has or recently has had Royal, Imperial, Presidential or Singapore Government's patronage or authorisation, whether or not such be the case;
- (d) the word "ANZAC".

Arms of city, etc.

14. Where a representation of the name, initials, armorial bearings, insignia, orders of chivalry, decorations, flags or devices of any state, settlement, city, borough, town, place, society, body corporate, government body, statutory board, institution or person appears on a trade mark, the Registrar, before proceeding to register the mark, may require to 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.

Persons living or recently dead.

15. 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 his consent or, in the case of a person recently dead, from his legal representatives, and in default of such a consent he may refuse to register the mark.

Goods or services described on a trade mark.

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

(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.

Preliminary advice.

17. —(1) Any person who proposes to apply for the registration of a trade mark in Part A or B of the register in respect of any goods or services may apply to the Registrar on Form T.M. 3 in a case where he is making an application for advice as to whether the trade mark, of which duplicate representations shall accompany that Form, appears to the Registrar prima facie to be inherently adapted to distinguish within the meaning of section 10 of the Act or inherently capable of distinguishing within the meaning of section 11 of the Act, as the case may be, 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 set out in the Third Schedule.

(2) A notice of withdrawal of an application for the registration of a trade mark given under section 65 (3) of the Act for the purpose of obtaining repayment of any fee paid on the filing of the application shall be given in writing within one month from the date of the notice of the Registrar's objection.

APPLICATION FOR REGISTRATION

Form of application and specification.

18. —(1) An application for the registration of a trade mark in Part A or B of the register shall be made on Form T.M. 4 and shall be signed by the applicant in accordance with rule 7 or by his agent.

(2) Each application shall be for registration in respect of goods or services in only one class set out in the Third Schedule.

(3) 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.

(4) Where, by reason of an application to register a trade mark made or deemed to have been made in a foreign state as defined in section 75 (6) of the Act, a claim for priority under that section is made in an application for registration of the mark filed with the Registrar, the application shall state the name of the country in question and the date of the application made or deemed to have been made there, and the applicant shall file a certificate (with translations if necessary) by the registrar or other registering authority of that country or shall otherwise to the satisfaction of the Registrar verify the application made or deemed to have been made there.

Representation of trade mark.

19. —(1) Every application for registration of a trade mark shall contain a clear and durable representation of the mark in the space provided on the application form for that purpose.

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

Additional representations of trade mark.

20. There shall be sent with every application for registration of a trade mark 4 additional representations of the mark on Form T.M. 5 exactly corresponding to that in the application form, and noted with all such particulars as may from time to time be required by the Registrar. The particulars shall, if required, be signed by the applicant or his agent.

Representations to be of durable nature.

21. All representations of marks must be clear and of a durable nature but the applicant may, in case of need, supply in place of representations on Form T.M. 5 sheets of strong foolscap of the prescribed size with the representations affixed thereon and noted as aforesaid.

Separate applications.

22. 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 shall henceforth for the purpose of fees and otherwise be deemed to have been made on separate and distinct applications in respect of the goods or services included in each class.

Representations to be satisfactory.

23. 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.

Specimens of trade marks in exceptional cases.

24. —(1) Where a drawing or other representation or specimen cannot be given in the manner aforesaid, a specimen or copy of the trade mark may be sent either of full size or on a reduced scale, and in such form as the Registrar may think most convenient.

(2) The Registrar may also, in exceptional cases, deposit in the Registry a specimen or copy of any trade mark which cannot conveniently be shown by a representation, and may refer thereto in the register in such manner as he may think fit.

Series of trade marks.

25. When an application is made for the registration of a series of trade marks under section 28 of the Act, a representation of each trade mark of the series shall be affixed, as aforesaid, to the application form, and to each of the accompanying Form T.M. 5.

Transliteration and translation.

26. —(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 each of the accompanying Form T.M. 5, a sufficient transliteration and translation to the satisfaction of the Registrar of each of such words, and every such indorsement shall state the language to which the word belongs and shall be signed by the applicant or his agent.

(2) Where a trade mark contains a word or words in a language other than English, the Registrar may ask for an exact translation thereof together with the name of the language, and the translation and name, if he so requires, shall be indorsed and signed as aforesaid.

PROCEDURE ON RECEIPT OF AN APPLICATION FOR REGISTRATION OF A TRADE MARK

Search.

27. —(1) Upon receipt of an application for the registration of a trade mark, the Registrar shall, for the appropriate purpose specified in paragraph (2) or (3), cause a search to be made amongst registered marks and pending applications; 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.

(2) In the case of an application for the registration of a trade mark in respect of any goods, the appropriate purpose mentioned in paragraph (1) is that of ascertaining whether, for the same goods, for the same description of goods or for services or a description of services associated with the goods or goods of that description, there are on record 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.

(3) In the case of an application for the registration of a trade mark in respect of any services, the appropriate purpose mentioned in paragraph (1) is that of ascertaining whether, for the same services, for the same description of services or for goods or a description of goods associated with the services or services of that description, there are on record 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.

Acceptance and objection.

28. —(1) After such search, and consideration of the application, and of any evidence of use or of distinctiveness or 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, amendments, disclaimers, modifications or limitations as he may think right to impose.

(2) When the Registrar accepts the application, with or without conditions, disclaimers or limitations or after amendments or modifications have been effected, he shall issue Form T.M. 6. Unless within two months from the date thereof the applicant complies with the requirements therein and returns the Form duly checked and signed, he shall be deemed to have withdrawn his application.

Objections and response.

29. If the Registrar objects to the application, he shall inform the applicant of his objections in writing, and unless within two months from the date of the Registrar's letter 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.

30. —(1) If the Registrar is willing to accept the application subject to any conditions, amendments, disclaimers, modifications or limitations, he shall communicate his willingness to the applicant in writing.

(2) If the applicant objects to such conditions, amendments, disclaimers, modifications or limitations, 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.

Subst. by S 335 /92 wef 1.8.92

(3) If the applicant does not object to such conditions, amendments, disclaimers, modifications or limitations, he shall, within the stipulated time, notify the Registrar in writing and alter his application accordingly, and if he does not do so, he shall be deemed to have withdrawn his application.

Registrar's decision.

31. —(1) The decision of the Registrar, at a hearing as in rule 29 or 30 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 or in such other manner as the Registrar thinks fit.

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(2) If the applicant objects to the decision, he may, within one month from the date of the decision by filing Form T.M. 7, require the Registrar to state in writing the grounds of, and the materials used by him in arriving at, his decision.

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(3) 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 his decision in writing.

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

Disclaimer.

32. 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.

DEFENSIVE TRADE MARKS

Application for defensive trade mark.

33. —(1) An application for the registration of a defensive trade mark under section 41 of the Act shall be made on Form T.M. 8 and shall be accompanied by a statement of case setting forth full particulars of the facts on which the applicant relies in support of his application, verified by a statutory declaration made by the applicant or some other person approved for the purpose by the Registrar.

(2) The applicant may file with the statutory declaration, or within such time as the Registrar may allow, such other evidence as he may desire, whether after request made by the Registrar or otherwise, and the Registrar shall consider the whole of the evidence before deciding on the application.

(3) In all other respects, and where they are appropriate and it is not otherwise stated, these Rules shall apply to such applications as they apply to applications for the registration of ordinary trade marks.

CERTIFICATION TRADE MARKS

Application for certification trade mark.

34. An application for the registration of a certification trade mark under section 68 of the Act shall be made to the Registrar on Form T.M. 9, and shall be accompanied by two duplicates of the application on copies of Form T.M. 9 and by 6 additional representations of the trade mark on Form T.M. 5.

Application of Rules.

35. —(1) These Rules shall apply to such applications as they apply to applications for the registration of ordinary trade marks, except that the applicant shall not be deemed to have abandoned his application if in the circumstances of rule 29 or 30 he does not apply for a hearing or apply in writing.

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

Case and draft regulations.

36. —(1) The applicant shall file 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 on Form T.M. 10, all being in duplicate.

(2) The Registrar may send to the applicant any observations which 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.

(3) The Registrar may at any time call for such evidence, if any, as he thinks fit and shall, if he so requires, hear the applicant before acting as provided in section 68 (10) of the Act.

(4) When the application has been accepted, the approved regulations, as well as the form of application, shall be open to public inspection.

ADVERTISEMENT

Advertisement of application.

37. —(1) An application for the registration of a trade mark required or permitted to be advertised by section 18 or 68 of the Act shall be advertised in the *Gazette* during such times and in such manner as the Registrar may direct.

(2) 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 or the applicant for the registration of another trade mark, the words “By Consent” and the number of the other mark shall appear in the advertisement.

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

Photographs or artworks.

38. —(1) For the purposes of such advertisement, the applicant may, at the appropriate time, supply or be required to supply 3 copies of the photographs or artworks (in black and white) of the trade mark agreeing in all respects with the representation then appearing on the application form and shall be 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.

(2) The Registrar, if dissatisfied with the photographs or artworks supplied by the applicant or his agent, may require fresh copies to be supplied before proceeding with the advertisement.

(3) In the case of an application for a colour mark, the applicant shall supply, in addition to the aforesaid, 10 copies of the photographs or artworks in colour.

Advertisement of series of trade marks.

39. —(1) When an application relates to a series of trade marks differing from one another in respect of the particulars mentioned in section 28 of the Act, the applicant may be required to furnish the photographs or artworks in accordance with rule 38 of any or of each of the trade marks constituting the series.

(2) The Registrar may, if he thinks fit, insert with the advertisement of the application a statement of the manner in respect of which the several trade marks differ from one another.

Advertisements under sections 19 and 38.

40. Advertisements under sections 19 (9) and 38 (2) and (4) of the Act shall be made in the same manner, with such modifications as may be required to suit the circumstances, as advertisements relating to an application for registration.

OPPOSITION TO REGISTRATION

Notice of opposition.

41. —(1) 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 (in duplicate) in writing to the Registrar on Form T.M. 11 of opposition to the registration; and the Registrar shall forthwith send the duplicate to the applicant.

(2) Any request for the first extension of time to lodge Form T.M. 11 shall be made to the Registrar within two months from the date of the advertisement in the *Gazette* of an application for registration of the trade mark.

(3) Any subsequent request for extensions of time to lodge Form T.M. 11 shall be made to the Registrar before the expiry of any extension of time already granted .

(4) The total extension of the period for which the Registrar may allow to lodge Form T.11. 11 shall not exceed 6 months from the date of the advertisement in the *Gazette* of an application for registration of the trade mark.

Subst. by S 335 /92 wef 1.8.92

Contents of notice.

42. —(1) The notice shall contain a statement of the grounds upon which the opponent objects to the registration.

(2) If registration is opposed on the ground that the mark resembles another mark already on the register or the registration of which is the subject of a current application, the number and class of that other mark and (except in the case of a mark the subject of an application not yet advertised) the number of the *Gazette* in which it has been advertised shall be set out in the notice.

Counter-statement.

43. Within two months from the date of the Registrar's letter forwarding the duplicate notice of opposition provided in rule 41, the applicant shall file with the Registrar a statement on Form T.M. 12 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 accompanied by a duplicate.

Evidence in support of opposition.

44. Upon receipt of the counter-statement and duplicate provided in rule 43, the Registrar shall forthwith send the duplicate to the opponent and within two months from the date of the Registrar's letter forwarding the duplicate, the opponent shall file with the Registrar such evidence by way of statutory declaration as he may desire to adduce in support of his opposition and shall, at the same time, send to the applicant a copy of that evidence.

Evidence in support of application.

45. —(1) If the opponent files no evidence in accordance with rule 44, he shall, unless the Registrar otherwise directs, be deemed to have abandoned his opposition.

(2) If he does file evidence then, within two months from the date of receipt of the copy of evidence provided for in rule 44, the applicant shall file such evidence by way of statutory declaration as he desires to adduce in support of his application and shall, at the same time, send to the opponent a copy of that evidence.

(3) If the applicant files no evidence in accordance with paragraph (2), he shall, unless the Registrar otherwise directs, be deemed to have abandoned his application.

Evidence in reply by opponent.

46. —(1) Within two months from the date of receipt by the opponent of the copy of the applicant's evidence provided for in rule 45, the opponent may file with the Registrar evidence in reply by way of statutory declaration and shall, at the same time, send to the applicant a copy of that evidence.

(2) Evidence in reply shall be confined to matters strictly in reply to the applicant's evidence.

Further evidence.

47. 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.

Exhibits.

48. —(1) Where there are exhibits to 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 copy or impression cannot conveniently be furnished, the originals shall be left with the Registrar in order that they may be open to inspection.

(2) The original exhibits shall be produced at the hearing unless the Registrar otherwise directs.

Opposition hearing.

49. —(1) 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.

(2) Any party who intends to appear shall so notify the Registrar on Form T.M. 13 before the hearing.

(3) Any party who does not so notify the Registrar on Form T.M. 13 before the hearing may be treated as not desiring to be heard, and the Registrar may proceed with the hearing in the absence of that party, or may without proceeding with the hearing give his decision or dismiss the proceedings, or make any other order as he thinks fit.

(4) If subsequent to notifying the Registrar on Form T.M. 13 a party does not appear at the hearing, the Registrar may proceed with the hearing in the absence of that party, or may without proceeding with the hearing give his decision or dismiss the proceedings, or make any other order as he thinks fit.

(5) If, at the hearing, neither party appears, the proceedings may be struck out of the list without prejudice, however, to the restoration thereof, on the direction of the Registrar.

(6) Any decision obtained where any party does not appear at the hearing may be set aside by the Registrar on the application of that party on such terms as he thinks fit.

(7) An application under this rule for the restoration of any proceedings or the setting aside of any decision made pursuant to paragraph (5) or (6) shall be made within 7 days after the proceedings have been struck out of the list or after the hearing, as the case may be.

Registrar's decision in opposition proceedings.

50. The Registrar shall forward a copy of his decision and grounds thereof to each of the parties to the opposition within 3 months of the hearing.

Extension of time.

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

Security for costs.

52. Where a party filing notice of opposition under rule 41 or a counter-statement under rule 43 neither resides nor carries on business in Singapore, the Registrar may require him to give security, in such form as the Registrar may think sufficient, for the costs of the proceedings before the Registrar for such amount as the Registrar may consider 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 cases.

53. Where an opposition is 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 certification trade mark.

54. —(1) 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. 11 of opposition under section 68 (11) of the Act, and rules 41 to 53 shall apply to the proceedings thereon.

(2) Any person may give notice to the Registrar on Form T.M. 14 of opposition under section 68 (12) of the Act, and rules 41 to 53 shall apply with such modifications as may be required to suit the circumstances.

(3) For the purposes of this rule, Form T.M. 12 shall be substituted with Form T.M. 15 and Form T.M. 13 shall be substituted with Form T.M. 16.

(4) In case of doubt, any party may apply to the Registrar for directions.

NON-COMPLETION

Non-completion.

55. Where registration of a trade mark is not completed within 12 months from the date of the application by reason of default on the part of the applicant, the Registrar may give notice in writing to the applicant at his trade or business address of the non-

completion, but if the applicant has authorised an agent for the purpose of the application, he may instead send the notice to the agent and may send a duplicate thereof to the applicant. If after 14 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 AND ASSOCIATED MARKS

Entry in register.

56. —(1) As soon as practicable 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 any opposition and the determination thereof, and subject to section 21 of the Act, enter the trade mark in the register.

(2) 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 specified in section 4 of the Act, including—

- (a) the name and the trade or business address of the proprietor (including the name of the sole proprietor and the names of all the partners where the proprietor is a firm);
- (b) the address for service;
- (c) particulars of the trade, business, profession, occupation or other description of the proprietor;
- (d) particulars of any undertakings given by the proprietor and entered on the form of application; and
- (e) particulars affecting the scope of the registration or the rights conferred by the registration.

(3) In the case of an application which the Registrar accepts only after the applicant has lodged the written consent to the proposed registration of the registered proprietor of another trade mark or another applicant for registration, the aforesaid entry in the register shall state that it is “By consent” and shall give the number of the other registration or application for registration.

Associated marks.

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

(2) An application by a registered proprietor under section 26 (2) of the Act to the Registrar to dissolve the association between two or more associated marks shall be made on Form T.M. 17 and shall include a statement of the grounds of the application.

Death of applicant before registration.

58. If any applicant for the registration of a trade mark dies 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 the 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.

59. Upon the registration of a trade mark, the Registrar shall issue to the applicant a certificate of registration in Form T.M. 18 and shall affix thereto a copy of the mark.

RENEWAL

Renewal of registration.

60. —(1) At any time not more than 3 months before the expiration of the last registration of a trade mark, any person may file Form T.M. 19 together with a fee for the renewal of the trade mark.

(2) If that person is not the registered proprietor, he shall sign a statement on that Form that he is directed by the registered proprietor to pay the fee (if such be the case) and shall give his address.

(3) Before taking any further step the Registrar may—

(a) require the person leaving the fee to furnish within 5 days an authority to pay the fee signed by the registered proprietor, and if he does not furnish such authority may treat the application as abandoned; 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 renewal.

61. At any time not less than two months nor more than 3 months before the expiration of the last registration of a trade mark, if Form T.M. 19, accompanied by the appropriate fee, has not been received, the Registrar shall send a notice in writing to the registered proprietor, at his address for service, notifying him of the approaching expiration.

Advertisement of non-payment; late renewal.

62.

Deleted by S 335 /92 wef 1.8.92.

Removal of trade mark from register.

63. The Registrar may remove a trade mark from the register as of the date of the expiration of the last registration in the circumstances where —

(a) at the date of the expiration of the last registration of the trade mark, Form T.M. 19 and the accompanying fee have not been received; or;

Subst. by S 335 /92 wef 1.8.92

(b) the forms and fees have been received pursuant to rule 60 and the applicant:

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(i) fails to comply with the Registrar' s directions or requests relating to the renewal of the mark within the stipulated period; or

(ii) decides to withdraw or abandon his application.

Application for restoration of trade mark.

64. —(1) An application for restoration of a trade mark which has been removed from the register under rule 63 shall be made on Form T.M. 21 accompanied by the appropriate fee and statutory declaration stating the grounds for the application.

(2) Where Form T.M. 19, accompanied by the renewal fees, has not been filed previously, it shall be filed together with Form T.M. 21.

(3) The Registrar may in any case require the applicant to furnish such additional evidence or information, by statutory declaration or otherwise, as he thinks fit.

(4) The Registrar may restore the mark to the register and renew its registration if he is satisfied that it is just to do so, and upon such conditions as he may think fit to impose.

Record of removal.

65. 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 its cause.

Notice and advertisement of renewal or restoration.

66. Upon the renewal or restoration and renewal of a registration, a notice to that effect shall be sent to the registered proprietor.

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ASSIGNMENTS AND TRANSMISSIONS

Application for entry of assignment or transmission.

67. —(1) Where a person becomes entitled by assignment or transmission to a registered trade mark, he shall make application to the Registrar on Form T.M. 22 to register his title.

(2) Applications under this rule shall be signed, in the case of an individual by the applicant, in the case of a partnership by one or more qualified partners thereof signing on behalf of the partnership, and in the case of a body corporate by a director or by the secretary or other principal officer of the body corporate, signing on behalf thereof, unless in exceptional circumstances the Registrar otherwise allows.

(3) Where an applicant for the registration of a trade mark is also the registered proprietor of a trade mark registered in respect of relevant goods or services and both the registered mark and the mark the subject of the application are assigned or transmitted (other than on death) to the same person, that person may include in his application under this rule an application to be treated as the applicant for registration; and in such a case the application shall proceed and rule 56 shall apply as if that person were the applicant.

(4) Rule 68 (3) and (4) shall apply in respect of an application under paragraph (3) as it applies in respect of an application under this rule.

(5) For the purposes of paragraph (3), relevant goods or services are—

(a) in the case of an application for the registration of a trade mark in respect of any goods—

(i) the same goods;

(ii) the same description of goods; or

(iii) services or a description of services associated with the goods or goods of that description; and

(b) in the case of an application for the registration of a trade mark in respect of any services—

(i) the same services;

(ii) the same description of services; or

(iii) goods or a description of goods associated with the services or services of that description.

Particulars to be stated in application.

68. —(1) An application under rule 67 shall contain the name, trade or business address, nationality and description of the applicant, together with full particulars of the instrument, if any, under which he claims, and such instrument shall be produced for inspection by the Registrar, preferably at the time of application.

(2) The full names of all the partners in a partnership shall be given in the application.

(3) There shall be filed with the application, for retention by the Registrar, an attested copy of any instrument of which particulars are given, but such a copy shall not be open to public inspection.

(4) The Registrar may at any time, by notice in writing sent to the applicant, require him to produce for inspection any instrument of which an attested copy has been filed.

Case accompanying application.

69. —(1) Where an applicant under rule 67 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.

(2) If the Registrar so requires, his case shall be verified by a statutory declaration on Form T.M. 23.

Proof of title.

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

Entry of assignment in register.

71. —(1) When the Registrar is satisfied as to the title of the applicant under rule 67, he shall cause him to be registered as a 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.

(2)

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Separate registrations.

72. Where pursuant to an application under rule 67, 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 separately under the same official number as subsequent proprietors of a trade mark, each of the resulting sep-

arate registrations in the names of those different persons shall be deemed to be a separate registration for all the purposes of the Act.

Registrar' s certificate or notification of approval.

73. —(1) Any person who desires to obtain the Registrar' s certificate under section 42 (5) of the Act, or his notification of approval under section 42 (6) of the Act shall send to the Registrar, with his application on Form T.M. 24 or T.M. 25, 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.

(2) The Registrar may call for any evidence or further information that he may consider necessary, and the statement of case shall be amended if required to include all the relevant circumstances and shall, if required, be verified by a statutory declaration; and if the statement of case is amended, two fair copies in its final form shall be filed.

(3) 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. The Registrar shall seal a copy of the statement of case in its final form to the certificate or notification.

ALTERATION OF NAME AND ADDRESS

Alteration of name or address.

74. —(1) An application requesting the Registrar to correct any error, or enter any change, in the name, trade or business address or body description in any application lodged with the Registry or in the register under section 37 of the Act shall be on Form T.M. 26.

(2) An application to alter the name shall be accompanied by documents from the relevant authority showing the change of name.

(3) The Registrar shall make the appropriate alteration of the name, trade or business address, or body description in the register or the application, as the case may be, if he is satisfied in the matter.

Alteration of address for service.

75. —(1) An application requesting the Registrar to alter the address for service in the register or in the application for registration of a trade mark shall be on Form T.M. 1.

(2) The Registrar shall alter the register or the application accordingly if he is satisfied in the matter.

(3) All applications under this rule or rule 76 made on Form T.M. 1 shall be signed by the registered proprietor or the registered user or the applicant, as the case may be, unless in exceptional circumstances the Registrar otherwise allows.

Address altered by public authority.

76. —(1) Where the trade or business address or address for service of a registered proprietor or a registered user or an applicant is altered by a public authority, so that the changed address designates the same premises as before, an application to request the Registrar to alter the trade or business address under rule 74 or to alter the address for service under rule 75 shall be on Form T.M. 26 or T.M. 1 as aforesaid without payment of fee.

(2) Such an application shall be accompanied by a document showing the alteration given by the public authority.

(3) If the Registrar is satisfied as to the facts of the case, he shall alter the register or the application accordingly.

ALTERATION OF APPLICATIONS FOR FOR REGISTRATION

Amendment of particulars in application.

77. —(1) An application requesting the Registrar to correct any clerical error or to amend the mark or the specification of goods or services or any other particulars (other than matters under rules 74 and 75) in the application for registration of a trade mark shall be on Form T.M. 27.

(2) An application to amend the specification of goods or services shall only be allowed in respect of goods or services within the particular class of goods or services applied for in the application for registration of the trade mark. No application for change of class of goods or services shall be allowed.

APPLICATIONS FOR RECTIFICATION OR REMOVAL

Application for rectification or removal.

78. —(1) An application to the Registrar under section 39 or 40 of the Act for making, expunging or varying any entry in the register shall be made on Form T.M. 28 and shall be accompanied by a statement setting out fully the nature of the applicant's interest, the facts upon which he bases his case and the relief which he seeks.

(2) 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 two additional copies of the application and two additional copies of the statement, and the Registrar shall forthwith send those copies to the registered proprietor at his address for service as entered in the register.

Further procedure.

79. —(1) Upon such application being made, and a copy thereof sent to the registered proprietor, rules 43 to 53, with such modifications as necessary, shall apply to the further proceedings thereon; but the Registrar shall not rectify the register or remove the trade mark from the register merely because the registered proprietor has not filed a counter-statement.

(2) In any case of doubt arising under this rule, any party may apply to the Registrar for directions.

Intervention by third parties.

80. —(1) Any person other than the registered proprietor alleging interest in a registered trade mark in respect of which an application is made under rule 78 may apply to the Registrar on Form T.M. 29 for leave to intervene stating thereon the nature of his interest, and the Registrar may, after hearing the parties concerned if so required, refuse or grant such leave upon such terms and conditions as he may think fit.

(2) 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 he may award to any party.

Variation of regulations.

81. —(1) An application by the registered proprietor of a certification trade mark for variation of the deposited regulations under section 68 (13) (a) of the Act and the consent of the Registrar thereto shall be made by filing Form T.M. 30.

(2) Where the Registrar causes such an application to be advertised, the time within which any person may give to him notice of opposition to the application shall be one month from the date of the advertisement.

APPLICATIONS FOR ALTERATION OF REGISTER

Application for alteration of register.

82. —(1) An application to the Registrar under section 37 of the Act 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.

(2) Applications under paragraph (1) shall be made on Form T.M. 31, T.M. 32 or T.M. 33 as may be appropriate and shall be signed by the registered proprietor or other person entitled under this rule unless in exceptional circumstances the Registrar otherwise allows.

Evidence for alteration.

83. Where an application is made under rule 82, the Registrar may require such evidence by statutory declaration or otherwise as he may think fit as to the circumstances in which the application is made.

Advertisement of certain applications.

84. Where an application is made on Form T.M. 33 to enter a disclaimer or memorandum relating to a trade mark, the Registrar, before deciding upon the application, shall advertise the application in the *Gazette* in order to enable any person desiring to do so to state, within one month of the advertisement, any reason in writing against the making of the entry of the disclaimer or memorandum.

Certificate of validity.

85. —(1) Where the court has certified as provided in section 54 of the Act with regard to the validity of a registered trade mark, the registered proprietor thereof may request the Registrar on Form T.M. 34 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 on the form.

(2) A Registry copy of the certificate shall be sent with the request, and the Registrar shall so note in the register and publish the note in the *Gazette*.

APPLICATIONS TO ALTER REGISTERED TRADE MARKS

Alteration of registered trade mark.

86. Where a person desires to apply under section 38 of the Act that his registered trade mark may be added to or altered, he shall make his application on Form T.M. 35, and shall furnish the Registrar with 4 copies of the mark as it will appear when so added to or altered.

Advertisement before decision.

87. —(1) The Registrar shall consider the application and shall, if it appears to him expedient, advertise the application in the *Gazette* before deciding it.

(2) Within one month from the date of the advertisement, any person may give notice of opposition to the application on Form T.M. 36 accompanied by the notice and statement of objections, both in duplicate.

(3) The Registrar shall send to the applicant the duplicate of the notice and of any accompanying statement of objections, and rules 43 to 53 shall apply to any further proceedings on the application with such modifications as may be required to suit the circumstances.

(4) In any case of doubt arising under this rule, any party may apply to the Registrar for directions.

Decision to allow alteration.

88. If the Registrar decides to allow the application, he shall add to or alter the trade mark in the register, and if the mark so added to or altered has not been advertised under rule 87, he shall advertise it in the *Gazette* and in any case insert in the *Gazette* a notification that the trade mark has been added to or altered.

Advertisement of altered mark.

89. Rule 38 shall apply in respect of advertisements under rules 87 (1) and 88.

REGISTERED USERS

Application for entry of registered user.

90. An application under section 30 of the Act for the registration of a person as a registered user of a registered trade mark shall be made by the registered proprietor on Form T.M. 37.

Entry and notification.

91. —(1) The entry of a registered user in the register shall state the date on which the application for such entry was made, and that date shall be deemed to be the date of registration as a registered user of the person mentioned in the entry.

(2) The entry shall state the name and the trade or business address of the registered user (including the names of all the partners where the registered user is a firm) and any address for service filed under rule 10.

(3) Notification in writing of the registration of a registered user shall be sent to the registered proprietor of the trade mark and to the registered user and shall be inserted in the *Gazette*.

Application to vary entry by registered proprietor.

92. An application by the registered proprietor of a trade mark for the variation of the registration of a registered user of that trade mark under section 30 (9) (a) of the Act shall be made on Form T.M. 38, and shall be accompanied by a statement of the grounds on which it is made and, where the registered user in question consents, by the written consent of that registered user.

Application by registered proprietor, user or assignee to cancel entry.

93. An application by the registered proprietor, registered user or assignee of a trade mark for the cancellation of the registration of a registered user of that mark under section 30 (9) (b) of the Act shall be made on Form T. M. 39 and shall be accompanied by a statement of the grounds on which it is made.

Application by any person to cancel entry.

94. An application by any person for the cancellation of the registration of a registered user under section 30 (9) (c) of the Act shall be made on Form T.M. 40 and shall be accompanied by a statement of the grounds on which it is made.

Notification and hearing.

95. —(1) When an application is made in accordance with rule 94, the Registrar shall send written notice thereof to the registered proprietor and to each registered user (not being the

applicant) whose registration is the subject of any such application and shall give notice thereof by advertisement in the *Gazette*.

(2) The registered proprietor, a registered user or any other interested person who intends to intervene in the proceedings shall, within one month of the date of the written notice, give notice to the Registrar on Form T.M. 41 to that effect and shall send therewith a statement of the grounds of his intervention.

(3) The Registrar shall send a copy of the notice and statement to the applicant, the registered proprietor, each registered user whose registration is the subject of the application and any other person who intervenes.

(4) Any such party may, within such time or times as the Registrar may appoint, file evidence in support of his case.

(5) The Registrar, after giving the parties an opportunity of being heard, may accept or refuse the application or accept it subject to any conditions, amendments, modifications or limitations which he may think right to impose.

Cancellation and striking out.

96. —(1) Where, in accordance with section 30 (5) (f) of the Act, the registration of a registered user is for a period, the Registrar shall cancel the relevant entry at the end of the period.

(2) Where some or all of the goods or services, as the case may be, 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 mark in which they are comprised.

(3) The Registrar shall send written notice of every cancellation or striking out under this rule to the registered users whose permitted use is affected thereby and to the registered proprietor of the trade mark in question.

Registered user' s application.

97. —(1) Applications under section 37 (2) of the Act 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, shall be made in accordance with rules 74 to 76.

(2) The Registrar may require such evidence by statutory declaration or otherwise as he may think fit as to the circumstances in which the application is made.

EXTENSION OF TIME

Extension of time.

98. —(1) Subject to rule 41, if in 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 proceeding under these Rules, not being a time expressly provided in the Act, he may extend the time upon such notice to other parties and upon such terms as he may direct.; and

Subst. by S 335 /92 wef 1.8.92.

(2) An extension of time may be granted though the time as expired for doing the act or taking the proceeding.

(3) Where the time, in respect of which an extension is ought is prescribed in rule 41, 43, 44, 45, 46 or 54, the party seeking the extension shall obtain the consent of every other person who s a party to the proceedings and shall send a copy of the request or extension filed with the Registrar.

Inserted by S 335 /92 wef 1.8.92

(4) Any such person who does not consent to the application shall, within one month from the date of the application, file observations on the request for extension.

(5) In considering whether to grant an extension of time in a case falling within paragraph (3), the Registrar shall take into account any observations filed under paragraph (4) or submitted at a hearing under rule 99.

DISCRETIONARY POWER

Hearing.

99. Before exercising adversely to any person any discretionary power given to the Registrar by the Act or these Rules, the Registrar shall, if so required, hear such person thereon.

Request for hearing.

100. Except where rule 29 or 30 applies, a request for a hearing under rule 99 shall be filed within one month from the date of the 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.

Notice of hearing.

101. —(1) Upon receipt of a request filed under rule 99, the Registrar shall send to the person making the request a notice of a time when he may be heard which shall be not less than 10 days from the date of the notice.

(2) If the person making the request intends to be heard on the matter, he shall, within 5 days from the date of the notice, file notice of his intention; if he does not do so he may be treated as not intending to be heard.

Hearing before Registrar.

102. The hearing before the Registrar of any dispute between two or more parties relating to any matter in connection with a registered trade mark or an application to register a trade mark shall be in public unless the Registrar, after consultation with those parties to the dispute who are represented at the hearing, otherwise directs.

Notification of decision.

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

POWER TO DISPENSE WITH EVIDENCE

Dispensing with evidence.

104. Where under these Rules any person is required to do any act or thing, or to sign any document or to make any declaration on behalf of himself or of any body corporate, or any document or evidence is required to be produced to or left with the Registrar, or at the Registry, and it is shown to the satisfaction of the Registrar that from any reasonable cause that person is unable to do any such act or thing, or to sign such document, or to make such declaration or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the Registrar, and upon the production of such other evidence, and subject to such terms as he may think fit, to dispense with any such act or thing, signature, declaration, document or evidence.

AMENDMENTS

Amendments and irregularities.

105. —(1) Subject to rules 74, 75 and 77, any document filed in any proceedings before the Registrar and any drawing or other representation of a trade mark may, if the Registrar thinks fit, be amended.

(2) 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 on such terms as the Registrar may direct.

CERTIFICATE

Certificates by Registrar.

106. —(1) The Registrar may give a certificate, other than a certificate under section 31 of the Act, as to any entry, matter or thing which he is authorised or required by the Act or these Rules to make or do, upon receipt of a request therefor on Form T.M. 42 from any person who, if the Registrar thinks fit so to require, can show an interest in the entry, matter or thing to his satisfaction.

(2) Except where rule 108 applies, the Registrar shall not be obliged to include in the certificate a copy of any trade mark, unless he is furnished by the applicant with a copy thereof suitable for the purpose.

Marks registered without limitation of colour.

107. Where a mark is registered without limitation of colour, the Registrar may grant a certificate of its registration, for the purpose of obtaining registration abroad, either in the colour in which it appears upon the register or in any other colour or colours; but in the latter case the certificate shall be marked “ For use in obtaining registration abroad only” .

Certificate for use in obtaining registration abroad.

108. —(1) Where a certificate of registration of a trade mark is desired for use in obtaining registration abroad, the Registrar shall include in the certificate a copy of the trade mark and may require the applicant for the certificate to furnish him with a copy of the trade mark suitable for the purpose and, if the applicant fails to do so, may refuse to issue the certificate.

(2) The Registrar may state in the certificate such particulars concerning the registration of the trade mark as to him may seem fit, and may omit therefrom reference to any disclaimers appearing in the register; but in the latter case the certificate shall be marked “ For use in obtaining registration abroad only” .

DECLARATIONS

Statutory declarations.

109. The statutory declarations required by the Act, and these Rules, or used in any proceedings thereunder, shall be made and subscribed as follows:

- (a) in Singapore, before any justice of the peace, or any commissioner for oaths or other officer authorised by law to administer an oath for the purpose of any legal proceedings;
- (b) in any part of the Commonwealth, before any court, judge, justice of the peace, notary public or any officer authorised by law to administer an oath there for the purpose of any legal proceedings; and

- (c) elsewhere, before a Consul, Vice-Consul, or other person exercising the functions of a Singapore Consul, or before a notary public, judge or magistrate.

Notice of seal of officer taking declaration.

110. Any document purporting to have affixed, impressed or subscribed thereto or thereon the seal or signature of any person authorised by rule 109, to take a declaration may be admitted by the Registrar without proof of the genuineness of the seal or signature or of the official character of the person or his authority to take the declaration.

SEARCH

Searches.

111. Any person may request the Registrar on Form T.M. 43 to cause a search to be made in respect of specified goods or services classified in any one class as set out in the Third Schedule to ascertain whether any trade 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 a search to be made and the person making the request to be informed of the result thereof.

EXCLUDED DAYS AND HOURS OF BUSINESS

Excluded days and hours of business.

112. —(1) The Registry shall be open to the public and the register shall be open to inspection, on payment of the fee specified in the First Schedule on any day (except Saturdays) which is not an excluded day, between 8.30 a.m. and 5.00 p.m. and on Saturdays between 8.30 a.m. and 1.00 p.m. or between such hours as the Registrar may direct.

(2) All Sundays and public holidays shall be excluded days for all purposes under the Act and these Rules.

Application to Court.

113. A copy of every application made to the court under the Act shall be filed by the applicant with the Registry.

Order of Court.

114. —(1) Where an order is made by the court in any case under the Act, the person in whose favour the order is made or, if there is more than one, such one of them as the Registrar may direct shall file a copy of the order with the Registry and, if rectification or alteration of the register is required, Form T.M. 44.

(2) The register shall, where appropriate, be rectified or altered by the Registrar accordingly.

TAXATION OF COSTS

Mode of beginning proceedings for taxation.

115. —(1) A party may request for party and party costs to be taxed by lodging a copy of the bill of costs at the Registry and he shall, at the same time, send to every other persons entitled to be heard in the taxation proceedings, a copy of the bill of costs.

S 335 /92 wef 1.8.92.

(2) Upon receipt of the bill of costs, the Registrar shall give to the parties entitled to be heard in the taxation proceedings notice of the date and time appointed for taxation.

Form of bill of costs.

116. —(1) Every bill of costs must set out in two separate sections the following:

- (a) work done in the cause or matter; and
- (b) all disbursements made in the cause or matter.

(2) The costs claimed for paragraph (1) must set out the sum claimed for each item.

(3) The bill of costs must set out in chronological order, with dates, all relevant events in the cause or matter .

(4) Where costs have already been awarded for any of the events set out, this fact and the amount awarded must be indicated.

Provision as to taxation proceedings.

117. —(1) If any party entitled to be heard in any taxation proceedings does not attend at the time appointed for the taxation, the Registrar may proceed with the taxation.

(2) The Registrar may, if he thinks it necessary to do so, adjourn the proceedings from time to time.

Scale of costs.

118. —(1) The provisions contained in the Appendix shall apply to the taxation proceedings.

(2) Costs awarded in these proceedings before the Registrar are not intended to compensate the parties for the expense to which they may have been put.

Certificate.

119. When the bill has been taxed, the party who initiated the taxation proceedings may lodge Form T.M. 45, and the Registrar shall proceed to make his certificate for the amount of the taxed costs.

SCALE OF COSTS

INSTITUTION OF PROCEEDINGS

Item.	Costs.
1. Drawing and lodging notice of opposition or application for rectification together with the statement of case	\$150.
2. Drawing and lodging counter-statement	\$120.
3. Preparing and lodging statutory declaration	\$150-800.
4. Perusing all items above (per folio)	\$2.

INTERLOCUTORY PROCEEDINGS

5. Preparing for all interlocutory proceedings	\$25-120.
6. Attending all interlocutory proceedings	\$25-50.

PREPARATION FOR THE ATTENDANCE AT HEARING

7. Preparing for hearing	\$400-1,000.
8. Attendance at hearing	\$100-300.
9. General expenses and travelling of each witness required to attend the hearing	Up to \$50 per day.

TAXATION

10. Drawing bill of costs (per folio)	\$2.
11. Attending taxation, and obtaining the Registrar's certificate or order.	\$50-120.

FIRST SCHEDULE

Rules 3 and 112

FEES

The following fees shall be paid in respect of applications, registrations and other matters under the Act. Such fees must in all cases be paid before or at the time of doing the matter in respect of which they are to be paid.

Matter or Proceeding	Amount \$	Corresponding Form
1. On application not other wise charged to register a trade mark for a specification of goods or services included in one class	150	4
2. On application to register a series of trade marks under section 28 of the Act for a specification of goods or services included in one class	150	4
3. On application to register a defensive trade mark for a specification of goods included in one class	150	8
4. On application under section 68 of the Act to register a certification trade mark for a specification of goods or services included in one class	150	9
5. On application made at the same time under section 68 of the Act to register one certification trade mark for a specification of goods or services not all included in one class	150	9
In respect of every class (Total fee in no case to exceed \$2,000 for any number of classes)	150	9
6. On request to the Registrar to state grounds of decision relating to an application to register a trade mark and materials used	450	7
	<i>Subst. by S 420 /94 wef 1.11.94.</i>	
	<i>Subst.by 231/95 wef 1.6.95.</i>	
	<i>Subst. by S 230 /96 wef 1.6.96.</i>	
7. On notice of opposition before the Registrar under section 19 or 68 (11) of the Act, for	300	11

each application opposed, by the opponent

- | | | |
|--|--|----|
| 8. On lodging a counter-statement in answer to a notice of opposition under section 19 of the Act, for each application opposed, by the applicant; or in answer to an application under section 39 or 40 of the Act by the proprietor in respect of each trade mark; or in answer to a notice of opposition under section 38 of the Act for each application opposed by the proprietor | 250 | 12 |
| | <i>Subst. by S 230 /96 wef1.6.96.</i> | |
| 9. On the hearing of each opposition under section 19 of the Act, by the applicant and by the opponent respectively; or on the hearing of an application under section 39 or 40 of the Act, by the applicant and by the proprietor respectively; or on the hearing of an opposition under section 38 of the Act, by the proprietor and by the opponent respectively | 300 | 13 |
| | <i>Subst. by S 230 /96 wef1.6.96.</i> | |
| 10. On notice of opposition under section 68 (12) of the Act, for each application opposed, by the opponent | 300 | 14 |
| 11. On lodging a counter-statement in answer to a notice of opposition under section 68 (12) of the Act, for each application opposed, by the applicant | 250 | 15 |
| | <i>Subst. by S 230 /96 wef1.6.96.</i> | |
| 12. On hearing of each opposition before the Registrar under section 68 (12) of the Act, by the applicant and by the opponent respectively | 300 | 16 |
| | <i>Subst. by S 230 /96 wef1.6.96.</i> | |
| 13. For advertisement of an application for registration of a trade mark for a specification of goods or services included in one class | 125 | 6 |
| | <i>Subst. by S 420 /94 wef1.11.94.</i> | |
| 14. For advertisement of applications made at the same time for registration of a certification trade mark under section 68 of the Act for | 125 S 420 /94 wef 1.11.94. | 6 |

specifications of goods or services not all included in one class

In respect of every class (Total fee in no case to exceed \$2,000 for any number of classes)	100	6
15. For re-advertisement of an application for registration of a trade mark or a registered mark that has been amended or altered or for any other re-advertisement required under these Rules Subst. by S 335/ 92 wef 1.8.92	75	
16. On application to dissolve the association between registered trade marks	60	17
	<i>Subst. by S 230 /96 wef1.6.96.</i>	
17. On application to enter a registered user of a registered trade mark in respect of goods or services within the specification thereof	50	37
18. On application by the proprietor of a trade mark under section 30 (9) (a) of the Act to vary the entry of a registered user thereof	50	38
19. On application by the registered proprietor, registered user or assignee of a trade mark, under section 30 (9) (b) of the Act, for cancellation of the entry of a registered user thereof	50	39
20. On application under section 30 (9) (c) of the Act to cancel the entry of a registered user of a trade mark	50	40
21. On notice under rule 95 of intention to intervene in one proceeding for the cancellation of an entry of a registered user of a trade mark	50	41
22. On request to enter in the register and to advertise a certificate of validity, under section 54 of the Act and rule 85	60	34
	<i>Subst. by S 230 /96 wef1.6.96.</i>	
23. On application for a certificate of the Registrar under section 42 (5) of the Act and rule 73	60	24
	<i>Subst. by S 230 /96 wef1.6.96.</i>	
24. On application for approval	60	25

of the Registrar under section 42 (6) of the Act and rule 73	<i>Subst. by S 230 /96 wef1.6.96.</i>	
25. On application to register a subsequent proprietor in a case of assignment or trans mission of a trade mark	60 S 230 /96 wef 1.6.96.	22
26. On application to change the name, and/or address or description of a registered proprietor, a user, assignee or applicant of a single subst. by trade mark where there has been no change in the proprietorship of or the identity of the person (unless exempted from payment of fee under rule 76)	20	26
27. For renewal of registration of a trade mark at the expira tion of the last registration	200	19
28. For renewal of registration of the same certification trade mark with the same date for goods or services in more than one class, in respect of every class (total fee in no case to exceed \$8,000 for any number of classes)	200	19
29.		
<i>(Deleted by S335/92 wef1.8.92).</i>		
30. Restoration fee under rule 64	150 <i>Subst. by S 230 /96 wef1.6.96.</i>	21
31. On an application to the Registrar for leave to add to or alter a registered trade mark	250 <i>Subst. by S 230 /96 wef1.6.96.</i>	35
32. On notice of opposition to application for leave to add to or alter registered trade marks, for each application opposed	250 <i>Subst. by S 230 /96 wef1.6.96.</i>	36
33. For every entry in the reg ister of a rectification thereof or alteration therein not other wise charged	25	
34. On application under sec tion 39 or 40 of the Act for rectification of the register or removal of trade mark from the register	190 <i>Subst. by S 231 /95 wef 1.6.95.</i> <i>Subst. by S230/96 wef 1.6.96.</i>	28
35. On application for leave to intervene in proceedings under section 39 or 40 of the Act, for	60 <i>Subst. by S 230 /96 wef1.6.96.</i>	29

rectification of the register or removal of the trade mark from the register		
36. Request by registered proprietor to vary the deposited regulations under section 68 (13) (a) of the Act	60 <i>Subst. by S 230 /96 wef1.6.96.</i>	30
37. For cancelling the entry or part of the entry of a trade mark in the register on the application of the registered proprietor	30 <i>S 230 /96 wef1.6.96.</i>	31
38. For striking out of goods or services from those for which the mark is registered on the application of the registered proprietor	30 <i>Subst. by S 230 /96 wef1.6.96.</i>	32
39. On request to correct clerical error or to amend the application to register a trade mark (other than name and /or address)	40 S 335 /92 wef 1.8.92.	27
40. On request by the registered proprietor of a trade mark for entry of disclaimer or memorandum in the register	30 <i>Subst. by S 230 /96 wef1.6.96.</i>	33
41. On request for search under rule 111 for each trade mark submitted in respect of one class	50	43
42. Notice of Order of Court for alteration or rectification of register of trade marks	50	44
43. On request for the Registrar's preliminary advice under rule 17, for each trade mark submitted in respect of one class	40	3
44. For certification by the Registrar (other than certificate under section 31 of the Act) of the registration of a trade mark	20	42
45. For cancelling, making, entering or altering an entry of an address for service of a registered proprietor, user, as signee or applicant of the trade mark (unless exempted from payment of fee under rule 76)	6 <i>Subst. by S 230 /96 wef1.6.96.</i>	1
46. For inspecting the register, notice of opposition or rectification, counter-statement or decision in connection with any	2 <i>Subst. by S 230 /96 wef1.6.96.</i>	

opposition or application for rectification of the register, relating to any particular trade mark, for every half an hour		
47. For inspecting the register or notice of classified representations of trade marks, for every half an hour	2	<i>Subst. by S 230 /96 wef1.6.96.</i>
48. For office copy of documents		
search fee per file	5	
(b) for every typewritten or photo-stated sheet or part thereof	0.30	
48. For searching and obtaining copies of documents and computer print-outs:		
(a) for each search per file	5	
(b) for any document placed in the public search room		
self-service photocopying of each page or part thereof using a stored- value card	0.15	
photocopying of each page or part thereof by the staff of the Registry	0.30	
(c) for photocopying of each page or part thereof of any other document by the staff of the Registry	0.30	
(d) for each page of computer print-out from an electronic database of the Registry	0.30	
49. For certifying office copies, manuscripts or printed matter	10	
50. For extracting the Registrar's Certificate of Taxation S 335 /92 wef 1.8.92.	60	45 <i>Subst. by S 230 /96 wef1.6.96.</i>

For the purposes of this Schedule (except as specially provided) every mark of a series under sections 27 and 28 of the Act shall be deemed to be a mark separately registered.

SECOND SCHEDULE

Rule 4

FORMS

FORM	DESCRIPTION	CORRESPONDING FEE NO. IN FIRST SCHEDULE
1	REQUEST TO ENTER, ALTER OR SUBSTITUTE AN ADDRESS FOR SERVICE	45
2	FORM OF AUTHORISATION	
3	REQUEST FOR REGISTRAR'S PRELIMINARY ADVICE AS TO DISTINCTIVENESS OR CAPABILITY OF DISTINGUISHING	43
4	APPLICATION FOR REGISTRATION OF A TRADE MARK	1 OR 2
5	ADDITIONAL REPRESENTATION OF TRADE MARK TO AC COMPANY APPLICATION FOR REGISTRATION	
6	FORM OF ACCEPTANCE FOR ADVERTISEMENT	13 AND 14
7	REQUEST FOR STATEMENT OF GROUNDS OF DECISION.	6
8	APPLICATION FOR REGISTRATION OF A DEFENSIVE TRADE MARK	3
9	APPLICATION FOR REGISTRATION OF A CERTIFICATION TRADE MARK	4 AND 5
10	REGULATIONS FOR GOVERNING THE USE OF A CERTIFICATION TRADE MARK	
11	NOTICE OF OPPOSITION TO APPLICATION FOR REGISTRATION OF A TRADE MARK UNDER SECTION 19 OF THE ACT OR OF A CERTIFICATION TRADE MARK UNDER SECTION 68 (11) OF THE ACT	7
12	FORM OF COUNTER-STATEMENT FOR OPPOSITION OR RECTIFICATION	8
13	NOTICE TO THE REGISTRAR OF ATTENDANCE AT HEARING	9
14	NOTICE OF OPPOSITION TO APPLICATION FOR REGISTRATION OF A CERTIFICATION TRADE MARK UNDER SECTION 68 (12) OF THE ACT	10
15	FORM OF COUNTER-STATEMENT FOR OPPOSITION TO APPLICATION FOR REGISTRATION OF A CERTIFICATION TRADE MARK	11
16	NOTICE TO THE REGISTRAR OF ATTENDANCE AT HEARING OF OPPOSITION TO AN APPLICATION FOR REGISTRATION OF A CERTIFICATION TRADE MARK	12

- 17 APPLICATION TO DISSOLVE THE ASSOCIATION OF REGISTERED MARKS 16
- 18 CERTIFICATE ISSUED UNDER SECTION 31 OF THE ACT
- 19 APPLICATION FOR RENEWAL OF REGISTRATION OF A TRADE MARK 27 AND 28
- 20 APPLICATION FOR RENEWAL AFTER ADVERTISEMENT OF NON-PAYMENT OF RENEWAL FEE 29
- 21 APPLICATION FOR THE RESTORATION AND RENEWAL OF A TRADE MARK 30
- 22 APPLICATION TO REGISTER A SUBSEQUENT PROPRIETOR OF A TRADE MARK 25
- 23 DECLARATION (IF REQUESTED BY REGISTRAR) IN SUPPORT OF STATEMENT OF CASE ACCOMPANYING T.M. 22
- 24 APPLICATION FOR CERTIFICATE IN CONNECTION WITH A PROPOSED ASSIGNMENT UNDER SECTION 42 (5) OF THE ACT 23
- 25 APPLICATION FOR REGISTRAR'S APPROVAL TO A PROPOSED ASSIGNMENT UNDER SECTION 42 (6) OF THE ACT 24
- 26 REQUEST TO CORRECT ANY ERROR, OR ENTER ANY CHANGE, IN THE NAME, TRADE OR BUSINESS ADDRESS OR BODY DESCRIPTION IN ANY APPLICATION LODGED WITH THE REGISTRY OR IN THE REGISTER 26
- 27 REQUEST TO CORRECT CLERICAL ERROR OR TO AMEND AN APPLICATION TO REGISTER A TRADE MARK UNDER RULE 77 39
- 28 APPLICATION FOR THE RECTIFICATION OR REMOVAL OF A TRADE MARK IN OR FROM THE REGISTER 34
- 29 APPLICATION TO INTERVENE IN PROCEEDINGS FOR RECTIFICATION OR REMOVAL OF A TRADE MARK IN OR FROM THE REGISTER 35
- 30 APPLICATION BY REGISTERED PROPRIETOR TO VARY THE DEPOSITED REGULATIONS FOR USE OF A CERTIFICATION TRADE MARK UNDER SECTION 68 (13) (A) OF THE ACT 36

31	REQUEST BY REGISTERED PROPRIETOR OF A TRADE MARK FOR CANCELLATION OF AN ENTRY IN THE REGISTER	37
32	REQUEST BY REGISTERED PROPRIETOR OF A TRADE MARK TO STRIKE OUT GOODS OR SERVICES FROM THOSE FOR WHICH THE TRADE MARK IS REGISTERED	38
33	REQUEST BY REGISTERED PROPRIETOR OF A TRADE MARK FOR ENTRY OF DISCLAIMER OR MEMORANDUM IN THE REGISTER	40
34	REQUEST BY REGISTERED PROPRIETOR FOR ENTRY ON THE REGISTER OF A NOTE OF A CERTIFICATE OF VALIDITY BY THE COURT UNDER SECTION 54	22
35	APPLICATION BY REGISTERED PROPRIETOR FOR AN ADDITION TO OR ALTERATION OF A REGISTERED TRADE MARK	31
36	NOTICE OF OPPOSITION TO APPLICATION UNDER SECTION 38 OF THE ACT FOR ADDITION TO OR ALTERATION OF A REGISTERED TRADE MARK	32
37	APPLICATION FOR REGISTRATION OF A REGISTERED USER	17
38	APPLICATION BY REGISTERED PROPRIETOR OF A TRADE MARK FOR VARIATION OF ENTRY OF A REGISTERED USER WITH REGARD TO GOODS, SERVICES, CONDITIONS OR RESTRICTIONS UNDER SECTION 30 (9) (A) OF THE ACT	18
39	APPLICATION FOR CANCELLATION OF ENTRY OF REGISTERED USER BY THE REGISTERED PROPRIETOR, REGISTERED USER OR ASSIGNEE UNDER SECTION 30 (9) (B) OF THE ACT	19
40	APPLICATION FOR CANCELLATION OF ENTRY OF REGISTERED USER UNDER SECTION 30 (9) (C) OF THE ACT	20
41	NOTICE OF INTENTION TO INTERVENE IN PROCEEDINGS FOR CANCELLATION OF AN ENTRY OF A REGISTERED USER OF A TRADE MARK	21
42	REQUEST FOR REGISTRAR'S GENERAL CERTIFICATE UNDER RULE 106	44

**43 REQUEST FOR SEARCH UNDER RULE 41
111**

**44 NOTICE OF ORDER OF COURT UNDER 42
RULE 114**

See Graphic No: 1996-SLRevEd-332-R-1-f01.gif
S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f02.gif

See Graphic No: 1996-SLRevEd-332-R-1-f03.gif

See Graphic No: 1996-SLRevEd-332-R-1-f04.gif

See Graphic No: 1996-SLRevEd-332-R-1-f04a.gif

See Graphic No: 1996-SLRevEd-332-R-1-f04b.gif

See Graphic No: 1996-SLRevEd-332-R-1-f05.gif

FORM FOR GOVERNMENT GAZETTE

See Graphic No: 1996-SLRevEd-332-R-1-f06.gif
S 420 /94 wef 1.11.94.

See Graphic No: 1996-SLRevEd-332-R-1-f07.gif
S 420 /94 wef 1.11.94

S 231 /95 wef 1.6.95.

S 230 /96 wef 1.1.96

See Graphic No: 1996-SLRevEd-332-R-1-f08.gif

See Graphic No: 1996-SLRevEd-332-R-1-f08a.gif

See Graphic No: 1996-SLRevEd-332-R-1-f08b.gif

See Graphic No: 1996-SLRevEd-332-R-1-f09.gif

See Graphic No: 1996-SLRevEd-332-R-1-f09a.gif

See Graphic No: 1996-SLRevEd-332-R-1-f09b.gif

See Graphic No: 1996-SLRevEd-332-R-1-f10.gif

See Graphic No: 1996-SLRevEd-332-R-1-f11.gif

See Graphic No: 1996-SLRevEd-332-R-1-f12.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f13.gif
S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f14.gif

See Graphic No: 1996-SLRevEd-332-R-1-f15.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f16.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f17.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f18.gif

See Graphic No: 1996-SLRevEd-332-R-1-f19.gif

See Graphic No: 1996-SLREVED-332-R-1-F20.gif

See Graphic No: 1996-SLRevEd-332-R-1-f21.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f22.gif

See Graphic No: 1996-SLRevEd-332-R-1-f22a.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f23.gif

See Graphic No: 1996-SLRevEd-332-R-1-f23a.gif

See Graphic No: 1996-SLRevEd-332-R-1-f24.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f25.gif

See Graphic No: 1996-SLRevEd-332-R-1-f25a.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f26.gif

See Graphic No: 1996-SLRevEd-332-R-1-f26a.gif

See Graphic No: 1996-SLRevEd-332-R-1-f27.gif

S 335 /92 wef 1.8.92.

See Graphic No: 1996-SLRevEd-332-R-1-f28.gif

S 231 /95 wef 1.6.95.

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f29.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f30.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f31.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f32.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f33.gif

S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f34.gif

S 230 /96 wef 1.6.96.

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S 230 /96 wef 1.6.96.

See Graphic No: 1996-SLRevEd-332-R-1-f36.gif

S 230 /96 wef 1.6.96.

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See Graphic No: 1996-SLRevEd-332-R-1-f40.gif

See Graphic No: 1996-SLRevEd-332-R-1-f40a.gif

See Graphic No: 1996-SLRevEd-332-R-1-f41.gif

See Graphic No: 1996-SLRevEd-332-R-1-f42.gif

See Graphic No: 1996-SLRevEd-332-R-1-f43.gif

See Graphic No: 1996-SLRevEd-332-R-1-f44.gif

S 230 /96 wef 1.6.96.

Inserted by S 335 /92 wef 1.8.92.

See Graphic No: 1996-SLRevEd-332-R-1-f45.gif

THIRD SCHEDULE

Rules 5, 17, 18, 111

CLASSIFICATION OF GOODS AND SERVICES

PART I CLASSES OF GOODS

Class 1

Chemicals used in industry, science and photography, as well as in

	agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.
Class 2	Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colourants; mordants; raw natural resins; metals in foil and powder or for painters, decorators, printers and artists.
Class 3	Bleaching preparations and other substances for laundry use; cleaning polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.
Class 4	Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles, wicks.
Class 5	Pharmaceutical, veterinary and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.
Class 6	Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.
Class 7	Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements other than hand operated; incubators for eggs. Subst. by S 160 /93 wef 1.5.93.
Class 8	Hand tools and implements (hand operated); cutlery; side arms; razors.
Class 9	Scientific, nautical, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), lifesaving and teaching apparatus and instruments; apparatus for recording, transmission or reproductions of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus.
Class 10	Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopaedic articles; suture materials.
Class 11	Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.
Class 12	Vehicles; apparatus for locomotion by land, air or water.
Class 13	Firearms; ammunition and projectiles; explosives; fireworks.
Class 14	Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.
Class 15	Musical instruments.
Class 16	Paper, cardboard and goods made from these materials, not includ

- ed in other classes; printed matter; bookbinding material; photo graphs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); playing cards; printers' type; printing blocks.
- Class 17 Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal.
- Class 18 Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.
- Class 19 Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal.
- Class 20 Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.
- Class 21 Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steelwool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.
- Class 22 Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.
- Class 23 Yarns and threads, for textile use.
- Class 24 Textiles and textile goods, not included in other classes; bed and table covers.
- Class 25 Clothing, footwear, headgear.
- Class 26 Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.
- Class 27 Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).
- Class 28 Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.
- Class 29 Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams, fruit sauces; eggs, milk and milk products; edible oils and fats. Subst. by S 160 /93 wef 1.5.93.
- Class 30 Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice. Subst. by S 160 /93 wef 1.5.93.
- Class 31 Agricultural, horticultural and forestry products and grains not in

- cluded in other classes; living animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals, malt.
- Class 32 Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages. Class 33 Alcoholic beverages (except beers).
- Class 34 Tobacco; smokers' articles; matches.

PART II
CLASSES OF SERVICES

- Class 35 Advertising and business management; business administration; office functions.
- Class 36 Insurance; financial affairs; monetary affairs; real estate affairs.
- Class 37 Building construction; repair; installation services.
- Class 38 Telecommunications.
- Class 39 Transport; packaging and storage of goods; travel arrangement.
- Class 40 Treatment of materials.
- Class 41 Education; providing of training; entertainment; sporting and cultural activities.
- Class 42 Providing of food and drink; temporary accommodation; medical, hygienic and beauty care; veterinary and agricultural services; legal services; scientific and industrial research; computer programming; services that cannot be placed in other classes.

Subst. by S 160 /93 wef 1.5.93.
