

Trade Marks (Border Enforcement Measures) Rules

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FIRST SCHEDULE Repealed

Legislative History

TRADE MARKS ACT (CHAPTER 332, SECTION 108)

TRADE MARKS (BORDER ENFORCEMENT MEASURES) RULES

R 2

G.N. No. S 5/1999

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(31st January 2001)

[15th January 1999]

PART 1

PRELIMINARY

[S 750/2019 wef 21/11/2019]

Citation

1. These Rules may be cited as the Trade Marks (Border Enforcement Measures) Rules.

Definitions

2. In these Rules —

“authorised officer” and “Director-General” have the meanings given by section 81 of the Act;

“dealer” means the importer, exporter or consignee of the goods seized under section 93A of the Act;

[S 750/2019 wef 21/11/2019]

“officer of customs” has the meaning given by section 3(1) of the Customs Act (Cap. 70).

PART 2

SEIZURE OF GOODS ON REQUEST

[S 750/2019 wef 21/11/2019]

Notice under section 82(1) of Act

3.—(1) A notice to the Director-General under section 82(1) of the Act must be supported by the following documents and information:

(a) a statutory declaration that the particulars in the notice are true;

- (b) a copy of the certificate of registration issued by the Registrar under section 15(3) of the Act in relation to the registered trade mark specified in the notice;
- (c) evidence that the registration of the registered trade mark was duly renewed at all times;
- (d) where the notice is given by a person as agent for the proprietor or a licensee of the registered trade mark, evidence of the authority of the person giving the notice.

(2) The notice must be accompanied by the fee prescribed in the Trade Marks (Border Enforcement Measures Fees) Rules 2019 (G.N. No. S 749/2019).

(3) The proprietor or a licensee of the registered trade mark may appoint another person to act as his or her agent for the purpose of giving the notice.

[S 750/2019 wef 21/11/2019]

Time and manner of giving notice under section 82(1) of Act

4. A notice to the Director-General under section 82(1) of the Act shall be delivered to the Singapore Customs —

- (a) during such time as the office of the Singapore Customs is open for business; and
- (b) at such time as is reasonably possible for an authorised officer to take any action under the Act in relation to the notice.

[S 750/2019 wef 21/11/2019]

Further information and evidence for notice under section 82(1) of Act

5. A person who has given a notice under section 82(1) of the Act to the Director-General shall, as and when required by the Director-General, give to the Director-General such information and evidence within such time and in such form as the Director-General may reasonably require.

[S 750/2019 wef 21/11/2019]

Change in particulars of notice under section 82(1) of Act

6. A person who has given a notice under section 82(1) of the Act to the Director-General must notify the Director-General in writing of any change in the particulars specified in the notice or affecting the notice within 7 days of the change, and provide any document and information in relation to the change that the Director-General may reasonably require.

[S 750/2019 wef 21/11/2019]