

Trade Marks (International Registration) Rules

Table of Contents

Part I PRELIMINARY

1 Citation

2 Definitions

3 Fees

4 Forms

4A Electronic online system

Part II INTERNATIONAL REGISTRATIONS DESIGNATING SINGAPORE

5 Entitlement to protection

5A Request for division of international registration designating Singapore

6 Effects of protected international trade mark (Singapore)

7 Protected international trade mark (Singapore) and international registration designating Singapore as objects of property

8 Notification of transactions

9 Licensing

10 Priority

11 Examination

12 Publication

13 Notice of opposition

14 Counter-statement

15 Further procedures

16 Notifications of refusal

17 Protection

18 Revocation and invalidity

19 Effect of acquiescence

20 Certificate of validity of contested registration

21 Importation of infringing goods

22 Offences

23 Falsely representing trade mark as protected international trade mark (Singapore)

Part III TRANSFORMATION OF INTERNATIONAL REGISTRATION INTO NATIONAL APPLICATION

24 Transformation application

25 Procedure on transformation application

Part IV CONCURRENT REGISTRATIONS

26 Effects of international registration where trade mark is also registered under Act

Part V INTERNATIONAL APPLICATIONS ORIGINATING IN SINGAPORE

27 Application for international registration

28 Notification to International Bureau

Part VI MISCELLANEOUS PROVISIONS

29 Evidence of certain matters relating to international registration

30 Agents

**31 Burden of proving use of protected international trade mark
(Singapore)**

32 Communication of information to International Bureau

33 (Deleted)

34 Application of Trade Marks Rules

FIRST SCHEDULE Fees

SECOND SCHEDULE Descriptions of Forms

Legislative History

**TRADE MARKS ACT
(CHAPTER 332, SECTIONS 54 AND 108)**

TRADE MARKS (INTERNATIONAL REGISTRATION) RULES

R 3

G.N. No. S 490/2000

REVISED EDITION 2002

(31st January 2002)

[31st October 2000]

PART I

PRELIMINARY

Citation

1. These Rules may be cited as the Trade Marks (International Registration) Rules.

Definitions

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

“Common Regulations” means the regulations adopted under Article 10 of the Madrid Protocol, with effect from 1st April 1996, as replaced, revised or amended from time to time;

“electronic online system” means the electronic online system established under rule 78A of the Trade Marks Rules (R 1);

[S 740/2014 wef 13/11/2014]

“international application” means an application to the International Bureau for registration of a trade mark in the International Register;

[Deleted by S 740/2014 wef 13/11/2014]

“International Register” means the register of trade marks maintained by the International Bureau for the purposes of the Madrid Protocol;

“international registration” means the registration of a trade mark in the International Register;

“international registration designating Singapore” means an international registration in which a request has been made (either in the relevant international application or subsequently) for extension of protection to Singapore under Article 3ter (1) or (2) of the Madrid Protocol;

“protected international trade mark (Singapore)” has the meaning given by rule 17, and references to “protection” and “protected” shall be construed accordingly.

Fees

3.—(1) The fees set out in the First Schedule shall be payable to the Registrar in respect of the matters set out in that Schedule.

(2) Unless otherwise provided for in these Rules, or the Registrar permits or directs

otherwise —

- (a) where a fee is specified in the First Schedule in respect of any matter, the fee shall be paid at the same time as the filing of the form corresponding to the matter; and
- (b) if the fee is not paid, the form shall not be treated as filed.

[S 740/2014 wef 13/11/2014]

(3) Subject to paragraph (4), a fee must be paid using the mode of payment permitted or directed by the Registrar.

[S 434/2020 wef 05/06/2020]

(4) Where the electronic online system is used to carry out an act referred to in rule 4A(1), the fee payable in connection with that act must, unless otherwise permitted or directed by the Registrar, be paid using the mode of payment designated by the electronic online system.

[S 434/2020 wef 05/06/2020]

Forms

4.—(1) The Registrar shall publish on the Office's Internet website at <http://www.ipos.gov.sg> the forms referred to in these Rules.

[S 740/2014 wef 13/11/2014]

(2) Any form may be modified on the direction of the Registrar for use in a case other than the case for which it is intended.

(3) The Registrar may accept, in lieu of any form, any document which is filed with the Registry for any purpose for which the form was published but which deviates from the form, if the document —

- (a) complies with every direction of the Registrar referred to in paragraph (2) which relates to the use of the form; and

[S 740/2014 wef 13/11/2014]

- (b) is in a format that is acceptable to the Registrar.

[S 372/2004 wef 01/07/2004]

(4) Any reference in these Rules to a numbered form shall be construed as a reference to the current version of the form bearing the corresponding number which is described —

- (a) in the case of Forms MP1 and MP2, in the Second Schedule; or
- (b) in the case of any other form, in the Second Schedule to the Trade Marks Rules.

[S 740/2014 wef 13/11/2014]