
First published in the Government *Gazette*, Electronic Edition, on 1 March 2019 at 5 pm.

No. S 128

**TRADE MARKS ACT
(CHAPTER 332)**

**TRADE MARKS (INTERNATIONAL REGISTRATION)
(AMENDMENT) RULES 2019**

In exercise of the powers conferred by sections 54(1) and 108(1) of the Trade Marks Act, the Minister for Law makes the following Rules:

Citation and commencement

1. These Rules are the Trade Marks (International Registration) (Amendment) Rules 2019 and come into operation on 1 April 2019.

Deletion and substitution of rule 5A

2. Rule 5A of the Trade Marks (International Registration) Rules (R 3) (called in these Rules the principal Rules) is deleted and the following rule substituted therefor:

**“Request for division of international registration
designating Singapore**

5A.—(1) Subject to the provisions of this rule, the holder of an international registration designating Singapore (called in this rule a principal registration) for 2 or more goods or services (called in this rule the subject goods or services) may make a request to the International Bureau through the Registrar, to divide the principal registration into 2 international registrations designating Singapore (called in this rule a divisional registration), each for —

- (a) one or more classes of goods or services to which the subject goods or services belong; or
- (b) one or more of the subject goods or services.

(2) A request made under paragraph (1) must —

- (a) be made before the date the principal registration becomes a protected international trade mark (Singapore);
- (b) be made in Form MM 22(E);
- (c) specify the name of the holder of the principal registration;
- (d) specify the number of the principal registration given by the International Bureau;
- (e) contain, for each divisional registration sought and each class of goods or services for which the divisional registration is sought, a specification in accordance with rule 19 of the Trade Marks Rules (R 1) (as applied under rule 5 of the principal Rules) setting out the goods or services to which that divisional registration relates; and
- (f) be accompanied by the address for service in Singapore of the holder of the principal registration, if the address has not been furnished to the Registrar under rule 11(6) or filed with the Registrar under rule 14(1)(b).

(3) The Registrar must notify the International Bureau of a request for a division of a principal registration that is made in accordance with paragraph (2).

(4) Where the Registrar is notified by the International Bureau that the principal registration has been divided into 2 divisional registrations, the Registrar must —

- (a) record the details of each divisional registration in the register, and for this purpose, each divisional registration must be recorded in the register as having the same date as the principal registration; and
- (b) inform the holder of the principal registration of the details of each divisional registration by notice in writing sent to the address —

- (i) furnished to the Registrar under rule 11(6) or filed with the Registrar under rule 14(1)(b) as the holder's address for service in Singapore; or
- (ii) accompanying the request made under paragraph (1) as the holder's address for service in Singapore,

as the case may be.

(5) Upon the division of the principal registration into 2 divisional registrations by the International Bureau —

(a) any notice of opposition to the conferring of protection on the principal registration filed with the Registrar must —

- (i) if the notice relates only to some (but not all) of the goods or services to which the principal registration relates, be treated as having been given in relation only to the divisional registration for the goods or services to which the notice relates; or
- (ii) if the notice relates to all of the goods or services to which the principal registration relates, be treated as having been given in relation to both of the divisional registrations,

and the opposition proceedings are to continue as if the notice had been so given; and

(b) any notice given to the Registrar under section 41(3) of the Act claiming an interest in or under the principal registration must —

- (i) if the notice relates only to some (but not all) of the goods or services to which the principal registration relates, be treated as having been given in relation only to the divisional registration for the goods or services to which the notice relates; or

- (ii) if the notice relates to all of the goods or services to which the principal registration relates, be treated as having been given in relation to both of the divisional registrations.”.

Deletion and substitution of rule 7

3. Rule 7 of the principal Rules is deleted and the following rule substituted therefor:

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

7. The provisions of sections 36, 37, 38, 40 and 41 of the Act apply, with the necessary modifications, in relation to a protected international trade mark (Singapore) or an international registration designating Singapore as they apply in relation to a registered trade mark or an application for the registration of a trade mark, as the case may be.”.

Amendment of rule 8

4. Rule 8 of the principal Rules is amended —

(a) by inserting, immediately after the words “protected international trade mark (Singapore)” in paragraph (1)(a), the words “or an international registration designating Singapore”;

(b) by deleting sub-paragraph (b) of paragraph (1) and substituting the following sub-paragraphs:

“(b) an order of the Court or other competent authority transferring —

- (i) a protected international trade mark (Singapore);
- (ii) an international registration designating Singapore; or
- (iii) any right in or under a protected international trade mark (Singapore)

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- or an international registration designating Singapore;
- (c) the making by personal representatives of an assent to a licence in relation to —
- (i) a protected international trade mark (Singapore);
 - (ii) an international registration designating Singapore; or
 - (iii) any right in or under a protected international trade mark (Singapore) or an international registration designating Singapore.”;
- (c) by inserting, immediately after the words “protected international trade mark (Singapore)” in paragraph (2)(a), the words “or an international registration designating Singapore”;
- (d) by deleting sub-paragraphs (b), (c) and (d) of paragraph (3) and substituting the following sub-paragraphs:
- “(a) an assignment of —
- (i) a protected international trade mark (Singapore);
 - (ii) an international registration designating Singapore; or
 - (iii) any right in a protected international trade mark (Singapore) or an international registration designating Singapore;
- (b) the making by personal representatives of an assent (other than an assent to a licence) in relation to —
- (i) a protected international trade mark (Singapore);