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No. S 588

**TRADE MARKS ACT
(CHAPTER 332)**

**TRADE MARKS
(AMENDMENT) RULES 2011**

In exercise of the powers conferred by section 108 of the Trade Marks Act, the Minister for Law hereby makes the following Rules:

Citation and commencement

1.—(1) These Rules may be cited as the Trade Marks (Amendment) Rules 2011 and shall, with the exception of rules 4 and 5, come into operation on 1st November 2011.

(2) Rule 4 shall come into operation on 1st December 2011.

(3) Rule 5 shall come into operation on 1st January 2012.

Deletion and substitution of rule 15

2. Rule 15 of the Trade Marks Rules (R 1) (referred to in these Rules as the principal Rules) is deleted and the following rule substituted therefor:

“Application for registration

15. An application for the registration of a trade mark shall be made on Form TM 4 (referred to in this Part as the application form) and shall contain a clear indication of the nature of the mark.”.

Amendment of rule 16

3. Rule 16 of the principal Rules is amended by deleting paragraphs (4) and (5) and substituting the following paragraph:

“(4) Where the Registrar reasonably believes that the representation provided by the applicant does not sufficiently show the particulars of the mark or does not allow all features of the mark to be properly examined, the Registrar may, by notice

in writing, require the applicant to provide, within such time as the Registrar may specify in the notice, any or all of the following:

- (a) another representation of the mark consisting of a single view of the mark or of several different views of the mark;
- (b) a description of the mark expressed in words;
- (c) such other information as the Registrar may require.”.

Amendment of First Schedule

4. The First Schedule to the principal Rules is amended —

- (a) by deleting “\$8.00” under the heading “*Fee*” in paragraph (a) of item 1 and substituting “\$8.50”;
- (b) by deleting “\$8.50” under the heading “*Fee*” in paragraph (b) of item 1 and substituting “\$9.00”;
- (c) by deleting “\$8.00” under the heading “*Fee*” in paragraphs (a) and (b) of item 1A and substituting in each case “\$8.50”;
- (d) by deleting “\$8.50” under the heading “*Fee*” in paragraphs (a) and (b) of item 1B and substituting in each case “\$9.00”;
- (e) by deleting “\$340” under the heading “*Fee*” in paragraphs (a) and (b) of item 2 and substituting in each case “\$374”;
- (f) by deleting “\$310” under the heading “*Fee*” in paragraphs (a) and (b) of item 2A and substituting in each case “\$341”;
- (g) by deleting “\$340” under the heading “*Fee*” in item 7 and substituting “\$374”;
- (h) by deleting “\$325” under the heading “*Fee*” in item 9 and substituting “\$357”;
- (i) by deleting “\$650” under the heading “*Fee*” in item 12 and substituting “\$715”;
- (j) by deleting “\$325” under the heading “*Fee*” in item 25 and substituting “\$357”; and
- (k) by deleting “\$32” under the heading “*Fee*” in item 35 and substituting “\$35”.

Amendment of Third Schedule

5. Part I of the Third Schedule to the principal Rules is amended —