

Trade Marks (Amendment) Rules 2008

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No. S 598

TRADE MARKS ACT (CHAPTER 332)

TRADE MARKS (AMENDMENT) RULES 2008

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. These Rules may be cited as the Trade Marks (Amendment) Rules 2008 and shall come into operation on 1st December 2008.

Amendment of rule 7

2. Rule 7 of the Trade Marks Rules (R 1, 2008 Ed.) (referred to in these Rules as the principal Rules) is amended —

(a) by deleting paragraph (1) and substituting the following paragraph:

“(1) Where the Act or these Rules authorise or require any document to be given or sent to, filed with or served on the Registrar or Registry, the giving, sending, filing or service may be effected on the Registrar or Registry —

- (a) by sending the document by post;
- (b) where there is no fee payable to the Registrar or Registry for the giving, sending, filing or service of the document, by sending the document by facsimile transmission; or
- (c) by electronic communication, by sending an electronic communication of the document using the electronic online system.”;

(b) by deleting paragraph (3) and substituting the following paragraph:

“(3) Where the Act or these Rules authorise or require any notice or other document to be given or sent to or served on any party by the Registrar or Registry, the Registrar or Registry may effect the giving, sending or service on the party —

- (a) by sending the notice or other document by post;
- (b) by sending the notice or other document by facsimile transmission; or
- (c) by electronic communication, by sending an electronic communication of the notice or other document using the electronic online system.”;

(c) by inserting, immediately after paragraph (6), the following paragraphs:

“(6A) Notwithstanding the availability of an address for service filed in accordance with rule 9, where any notice or other document to be given, sent or served by the Registrar or Registry is sent to a person by electronic communication using the electronic online system under paragraph (3)(c), it shall be taken to have been duly given, sent to or served on the person.

(6B) Service of any notice or other document under the Act or these Rules on a person by electronic communication using the