

# **Registered Designs (Amendment) Rules 2005**

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REGISTERED DESIGNS ACT  
(CHAPTER 266)

REGISTERED DESIGNS (AMENDMENT) RULES 2005

In exercise of the powers conferred by section 74 of the Registered Designs Act, the Minister for Law, after consulting with the Intellectual Property Office of Singapore, hereby makes the following Rules:

**Citation and commencement**

1. These Rules may be cited as the Registered Designs (Amendment) Rules 2005 and shall come into operation on 1st September 2005.

**Amendment of rule 2**

2. Rule 2(1) of the Registered Designs Rules (R 1) (referred to in these Rules as the principal Rules) is amended by deleting the definition of “Designs Journal” and substituting the following definitions:

““account holder” means a person registered as an account holder by the Registrar under rule 58B;

“authentication code” means an identification or identifying code, a password or any other authentication method or procedure that may be assigned to an account holder by the Registrar under rule 58C;

“Designs Journal” means the journal by that name published under rule 66A;

“electronic online system” means the electronic online system established under rule 58A;

“identification name” means an identification name assigned to an account holder by the Registrar under rule 58C;”.

**Amendment of rule 3A**

3. Rule 3A of the principal Rules is amended —

- (a) by inserting, immediately after the word “Registry” in paragraph (3), the words “which is not filed using the electronic online system”; and
- (b) by inserting, immediately after paragraph (5), the following paragraph:

“(6) The Registrar may require the filing of a hard copy of any document filed using the electronic online system.”.

#### **Amendment of rule 4**

4. Rule 4 of the principal Rules is amended by deleting paragraph (2) and substituting the following paragraph:

“(2) Any form may be modified on the direction of the Registrar —

- (a) for use in a case other than the case for which it is intended; or
- (b) for carrying out any transaction by means of the electronic online system.”.

#### **Amendment of rule 4A**

5. Rule 4A of the principal Rules is amended by inserting, immediately after the words “on the Registrar”, the words “, other than by means of the electronic online system,”.

#### **Deletion and substitution of rule 6**

6. Rule 6 of the principal Rules is deleted and the following rule substituted therefor:

##### **“Service of documents**

6.—(1) Where the Act authorises or requires 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; or
- (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.

(2) Where the Act authorises or requires any document to be given or sent to or served on any party other than the Registrar or Registry, the giving, sending or service may be effected on that party by sending the document by post.

(3) Where the Act authorises or requires 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; or

(b) by sending the notice or other document by facsimile transmission.

(4) Where any notice or other document is sent by post under paragraph (2) or (3), the giving, sending or service, as the case may be, of the notice or other document shall, until the contrary is proved, be treated as having been effected at the time at which the document would have been delivered in the ordinary course of post.

(5) For the purposes of paragraphs (2) and (3), a notice or other document is sent to a party by post if the notice or other document is sent by pre-paid post to the party at his address for service referred to in rule 7.

(6) Where any person has attempted to send any document by facsimile transmission under paragraph (1) —

- (a) if any part or all of the document received by the Registrar or Registry is illegible or if any part of the document is not received by the Registrar or Registry, the document shall be treated as not having been submitted;
- (b) the burden of proving the legibility and completeness of the document lies with the person who has attempted to send the document;
- (c) the original of any document sent by facsimile transmission and an accompanying letter identifying the date and time of the transmission shall be furnished to the Registrar within 14 days from the date of transmission; and
- (d) if the person who has attempted to send the document fails to comply with sub-paragraph (c), the document shall be treated as not having been sent at all.

(7) Paragraph (1)(b) shall not apply to the filing of evidence by way of a statutory declaration under rule 42(1), 43(1) or 44(1).”.

### **Amendment of rule 14**

7. Rule 14 of the principal Rules is amended —

- (a) by deleting paragraph (1);
- (b) by deleting the word “and” at the end of paragraph (1A)(a); and
- (c) by deleting the full-stop at the end of sub-paragraph (b) of paragraph (1A)

and substituting the word “; and”, and by inserting immediately thereafter the following sub-paragraph:

“(c) the number of sets of representations that shall accompany an application for the registration of a design.”.

### **New rule 56E**

**8.** The principal Rules are amended by inserting, immediately after rule 56D, the following rule:

#### **“Certificate**

**56E.** When a bill of costs has been taxed, the party who requested the taxation may file with the Registrar Form D19, and the Registrar shall proceed to issue to him a certificate for the amount of the taxed costs.”.

### **Amendment of rule 57**

**9.** Rule 57(6) of the principal Rules is amended —

(a) by deleting sub-paragraph (b) and substituting the following sub-paragraph:

“(b) the making of an application to extend the period of registration of a design under rule 35;”; and

(b) by deleting the full-stop at the end of sub-paragraph (d) and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraph:

“(e) the making of an application to extend the period of registration of a relevant design under rule 67.”.

### **New Part VIIIA**

**10.** The principal Rules are amended by inserting, immediately after rule 58, the following Part:

#### **“PART VIIIA**

#### **ELECTRONIC ONLINE SYSTEM**

#### **Establishment of electronic online system**