MINISTRY OF COMMERCE & INDUSTRY
(DEPARTMENT OF INDUSTRIAL POLICY AND PROMOTION)
NOTIFICATION

New Delhi, Dated: The 11th May, 2001

S.O. 414 (E)…….. In exercise of the powers conferred by sub-section (3) of section 1 of the Design Act, 2000 (16 of 2000), the Central Government hereby appoints the 11th day of May, 2001 as the date on which the said Act shall come into force.

S.O.(E)..... whereas a draft of Design Rules was published as required by sub-section (3) of section 47 of the Design Act, 2000 (16 of 2000), by the notification of the Government of India, Ministry of Commerce and Industry No.S.O.1069 (E) dated 29th November, 2000 at pages 56 to 115 of the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) dated the 29th November, 2000;

And whereas, objections and suggestions were invited till the 4th January, 2001 from all persons likely to be affected thereby;

And whereas, the draft of the Design Rules was made available to the public on the 4th December, 2000 through the said Gazette dated November 29, 2000;

And whereas, the objections and suggestions received from the public with respect to the said draft Rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 47 of the Design Act, 2000 (16 of 2000), the Central Government hereby makes the following rules, namely:- **THE DESIGNS RULES, 2001**

PRELIMINARY

1. Short title and commencement:- (1) These rules may be called the Designs Rules, 2001.

2. Definitions - In these rules, unless there is anything repugnant in the subject or context,-

(a) "Act" means the Designs Act, 2000

(b)"Application in United Kingdom or convention country or group of countries or inter-governmental organisation" means an application made by any person in any part of United Kingdom or convention country or group of countries or inter-governmental organisation, of a design for the protection in India under the provisions of section 44 of the Act.

(c) "Office" means the Patent Office referred to in section 74 of the Patent Act, 1970 (39 of 1970)

(d)"Reciprocity Application" means an application in India under section 44 of the Act.

(e) "Set" means a number of articles of the same general character ordinarily sold together or intended to be used together, all bearing the same design, with or without modification not sufficient to alter the character or substantially to affect the identity thereof.

3. Leaving and serving documents. - (1)Any application, notice or other document authorised or required to be filed, left, made or given at the Office, or to the Controller or to any other person under the Act or these rules, may be sent by hand or by a prepaid letter through the post or registered post or speed post or courier service, and, if sent by a prepaid letter or registered post or speed post or courier service, shall be deemed to have been filed, left, made or given at the time when the letter containing the same would be delivered in the ordinary course of mail ,and in proving such sending, it shall be sufficient to prove that the letter was properly addressed and mailed. If the documents sent through tele-fax/e-mail, are clear and fully legible, they shall also be accepted provided that original documents corresponding to the one sent by tele-fax/e-mail is submitted to the office within fifteen days from the date of receipt of the documents so faxed/e-mailed.

(2)Any written communication addressed to a registered proprietor of a design at his address as it appears on the Register of Designs, or at his address for service, or to any applicant or opponent in any proceedings under the Act or these rules, at the address appearing on the application or notice of opposition, or given for service, as hereinafter provided, shall be deemed to be properly addressed.

(3)Any application for registration of design, application for extension of copyright, petition for cancellation of registration of design and application for rectification of Register of Design along with the prescribed fees authorized or required may be filed, left, made or given to the branch offices also by the applicant.

(4)The branch offices shall transmit such applications or documents along with the fees to the Head Office of the Patent Office for processing and prosecuting the same.

4.**Address for Service.-** Every applicant or opponent in any proceeding under the Act or these rules, and every person who shall hereafter become a registered proprietor of a design, shall give an address for service in India and such address may be treated, for all purpose connected with the design as the actual address of such applicant, opponent, registered proprietor. Unless such an address is given, the Controller shall be under no obligation either to proceed with the application or the opposition, or to send any notice that may be required by the Act or rules framed there under:

Provided that such address for service may include e-mail or digital address of the agent/applicant.

5. Fees.- (1) The fees to be paid in respect of the registration of designs, and application therefor, and in respect of other matters, with relation to Designs Act and rules framed there under, shall be those as specified in the First Schedule of the rules.

(2)(a) Fees may be paid in cash at the office, or the same may be paid by Cheque or Demand Draft on a scheduled bank payable to the Controller at Calcutta and if sent through the post or registered post or speed post or courier service shall be deemed to have been paid at the time when properly addressed and prepaid letter containing the cheque would be delivered in the ordinary course of mail.

(b) Cheques or Demand Drafts not carrying the correct amount of commission, and cheques or demand drafts on which the full value specified therein cannot be collected in cash within the time allowed for payment of the fee, shall be accepted only at the discretion of the Controller.

(c)Stamps and Indian postal order shall not be accepted in payment of fees.

(d)Subject to the approval of the competent authority any applicant or an agent may deposit money in advance once in a financial year and request the Controller to realise any fee payable by him from the said deposit and in such case date of the receipt of the request to realise the fee or the date on which the request to realise the fee is deemed to have been received, which ever is earlier, shall be taken as date of payment of fee:

Provided that the requisite amount of money is available at the credit of the person making the request.

6. Forms. - (1) The forms set forth in the Second Schedule, with such variations, as the circumstances of each case require, shall be used for the purposes mentioned therein.

(2)When no form is so specified for any purpose, the applicant may adopt any form specified in the Second Schedule with such modification and variation as the controller may permit.

7. Size, etc., of documents. - (1) All documents and copies of documents except drawings or representation, sent to or filed, left at the Office or otherwise furnished to the Controller shall be written, typewritten, lithographed, or printed in the English/Hindi language (unless otherwise directed), in large and legible character with deep permanent ink upon one side only of strong white paper of A4 size with a margin of at least one inch and a half or four centimeters on the left hand part thereof.

Signatures thereto shall be written in a large and legible hand and any signature which is not legible or which is written in a script other than English shall be accompanied by a transcription of the name in English in block letters.

(2) Additional copies of documents shall be filed at the Office, if at any time required by the Controller.

(3)Names and addresses of applicants and other persons shall be given in full together with their nationality and such other particulars, if any, as are necessary for identification.

8. Signature and verification of documents specified in sections 5, 12, 19 and 37. The documents specified in sections 5,12,19 and 37 of the Act shall be dated and signed at the foot, and shall contain a statement that the facts and matters stated therein are true to the best of the knowledge, information and belief of the person signing them.

9. Agency. -For all matters falling under the provisions of section 43 of the Act, applicant may, unless otherwise directed by the Controller, authorize under his personal signature, any person specified in section 43 to act as his agent and to receive all notices, requisitions and communications. The authority may be given in

Form- 21.

10. Classification of Goods.- (1) For the purposes of the registration of designs and of these rules, article shall be classified as specified in the Third Schedule hereto.

(2)If any doubt arises as to the class to which any particular description of article belongs, it shall be determined by the Controller in consultation with the applicant wherever required.

Application for Registration

11. Application. - (1) An application under section 5 of the Act for the registration of a design shall be accompanied by four copies of the representation of the design and the application and each of copy of the representation of the design shall be dated and signed by the applicant or his agent.

(2)The application shall state the class in which the design is to be registered, and the article or articles to which the design is to be applied.

(3)If it is desired to register the same design in more than one class of article, a separate application shall be made in each class of article and the application shall contain the number or numbers of the registration or registrations already effected.

(4)If so required by the Controller, the applicant shall state purpose for which the article is used. **12. Statement of novelty. -** The applicant may, and shall, if required by the Controller in any case so to do, endorse on the application and each of the representation a brief statement of the novelty he claims for his design.

13.Additional copies of representation or specimens. - If the controller in any case so requires, the applicant shall supply one or more representations or specimens of the design in addition to those supplied with the application.

14. Representation. - (1)The four copies of the design required by rule 11 shall be exactly similar drawings, photographs, tracings or other representations of the design or shall be specimens of the design.

(2)When a design is to be applied to a set, each representation accompanying the application shall show all the various arrangements in which it is proposed to apply the design to the articles included in the set.

(3)Each representation of the design whether to be applied to a single article or to a set, shall be on durable paper of A4 size (and not on cardboard) and shall appear on one side only of the paper.

The figure or figures shall be placed in an upright position on the sheet. When more figures than one are shown, these shall , where possible, be on one and the same sheet, and each shall be designated (e.g. perspective view; front view, side view).

(4)When a design is to be applied to a set, any doubt whether the given articles do or do not constitute a set shall be determined by the controller.

(5)If the specimens are not, in the opinion of the Controller, suitable for record in the office they shall be replaced by representations.

(6)Where words, letters or numerals are not of the essence of the design, they shall be removed from the representations or specimens; where they are of the essence of the design, the Controller may require the insertion of a disclaimer of any right to their exclusive use.

(7)Each representation of a design, which consists of a repeating surface pattern, shall show the complete pattern and a sufficient portion of the repeat in length and width, and shall not be of less size than 5 by 4 inches or 13.00 centimeters by 10.00 centimeters.

(8)If the name or representations of living persons appear on a design the Controller shall, if he so requires, be furnished with consents from such persons before proceeding to register the design. In the case of deceased person, the Controller may call for consent from the legal representative before proceeding with registration of the design on which the names or representations appear.

15.Reciprocity application for the registration of a design. - (1) Every reciprocity application for the registration of a design shall contain a statement that an application in United Kingdom or convention country or group of countries or inter-governmental organisation has been made for the protection of the design to which such reciprocity application relates and shall specify convention country or group of countries or inter-governmental organisation in which any such application has been made and the official date or dates thereof respectively. The application shall be made within six months from the date of the first application in United Kingdom or convention country or group of countries or inter-governmental organisation by the person by who ingdom or convention country or group of

countries or inter-governmental organisation was made, or by the legal representative or assignee of the person either alone or jointly with any other person.

(2)In addition to the four copies of the representations of the design filed or left with every reciprocity application for the registration of a design, a copy of the design filed or deposited by the applicant or his predecessor in title as the case may be, in respect of the first application in United Kingdom or convention country or group of countries or inter-governmental organization, duly certified by the Official Chief or Head of the organization in which it was filed, or deposited or otherwise verified to the satisfaction of the Controller, shall be filed or left at the office at the same time as the reciprocity application or within such further time not exceeding three months as the Controller may allow.

(3)Save as aforesaid and as provided by rule 30 all proceedings in connection with a reciprocity application shall be taken within the time and in the manner required by the Act or prescribed by these rules for ordinary application.

16. Manner in which a claim under sub-section (1) of section 8(1) shall be made.- (1) A claim under sub-section (1) of section 8 shall be made in Form-2.

(2)The original assignment or agreement or other document affecting right,title or interest in the application or an official or notarially certified copy thereof shall also be furnished for the Controller's inspection and the Controller may call for such other proof of title or written consent as he may require.

17.Acceptance.- Upon receipt of an application for registration, the Controller may accept it,if he considers that there is no lawful objection in the report of examiner to the design being registered.

18.Objections.- (1) If on consideration of the report of the examiner on the application referred under sub-section (1) of section 5, any objection appear to the Controller is adverse to the applicant or requires any amendment of the application, a statement of such objections shall be sent to the applicant or his agent in writing, and unless within three months from the date of official communication of objection the applicant or his agent removes the objection or applies for hearing, the applicant shall be deemed to have withdrawn his application:

Provided that the period for removal of the objection shall not exceed the time period of six months from the date of filing of the application.

(2) If the applicant or his agent applies for a hearing under sub-rule (1) within a period of three month from the date of communication of the statement of objections or if the Controller considers it desirable to do so, whether or not the applicant has refiled his application, fix a date for hearing having regard to the time remaining for completion of the application as provided under rule 21.

(3) When a hearing has been fixed under sub-rule (2) the applicant shall be given at least 10 days notice of such fixation or such shorter notice as appear to the Controller to be reasonable in the circumstances of the case and applicant shall as soon as possible notify the Controller whether he shall attend the hearing.

(4) Hearing, as required under sub-rules (1), (2) and (3) may be allowed whenever possible on phone followed by detailed submission on tele-fax/e-mail.

(5) After hearing the applicant or without a hearing if the applicant has not attended or has notified that he does not desire to be heard, the Controller may register or refuse to register the design as he thinks fit.

19. Decision of Controller. - The decision of the Controller containing the grounds and materials used by him in arriving the decision at such hearing as aforesaid shall be communicated in writing to the applicant or his agent

20.Date for appeal. - The date on which the decision of the Controller is dispatched shall be deemed to be the date of the Controller's decision for the purpose of appeal.

21. **Non-completion within six months. -** An application which owing to any neglect or default of the applicant, has not been completed so as to enable registration to be effected within six months from the date of application, shall be deemed to be abandoned.

22.Publication of the particulars of registered design under section 7. -On acceptance of the design filed in respect of an application, the Controller shall direct the registration and publication of the particulars of the application and the representation of the article to which the design has been applied, in the Official Gazette.

When publishing in the Gazette, the Controller may select one or more views of the representation of the design, which, in his opinion, would depict the design best

23.Manner of making an application under sub-section (2) of section 11. - An application under sub-section (2) of section 11 shall be made in Form -3.

24.Restoration of Designs.- (1)An application for the restoration of a design under section 12 shall be made in

Form - 4.

(2)Upon consideration of the application and the evidence adduced by the proprietor of the design, if any, if the Controller is satisfied that a prime facie case for the restoration of the design has not

been made out he shall intimate the proprietor of the design accordingly, and unless within one month from the date of such intimation the proprietor requests to be heard in the matter, the Controller shall refuse the application.

(3)If the registered proprietor requests for hearing within the time allowed and the Controller after giving the register proprietor such a hearing, is prima facie satisfied that the failure to pay the fee for extension of copy right was unintentional, he shall allow the application for restoration.

25.Payment of unpaid extension fee. - (1) If the Controller decides in favour of the registered proprietor of the design, the proprietor shall pay the unpaid fees for the extension of copyright and additional fee specified in the First Schedule, within a month from the date of the order of the Controller allowing the proprietor for restoration of the deisign.

Marking of Articles

26. Marking of articles before delivery on sale. - Before delivery on sale of any article to which a registered design has been applied, the proprietor of such design shall cause each such article to be marked with the word **REGISTERED** or with the abbreviation **REGD.,** or with the abbreviation **RD,** as he may choose, and also (except in the case of articles made of soft or brittle in nature to which have been applied designs registered in different classes of articles) with the number appearing on the certificate of registration:

Provided that the requirements of this rule and clause (b) of sub-section (1) of section 15 of the Act shall be dispensed with as regards-

(i) textile goods in which the design is printed or woven, other than handkerchiefs; and (ii) articles made of charcoal dust, which are brittle and which are not sold in single pieces.

Inspections and Searches

27.Inspection of designs. - Registered designs shall be open to public inspection after the notification of the said design in Official Gazette and the application together with representation of the design may be inspected on a request made in

28. Search under section 18. - (1) Request for information as specified in section 18 of the Act may be made by any person in

Form 6 with the fee as specified in the Schedule of fees and shall contain the registration number of the design for which information is required.

(2) If the applicant is unable to furnish the registration number of the design, he shall lodge with the Controller, in

Form 7 together with such information as is in his possession, and the Controller shall thereupon cause search to be made in the class indicated therein as much as be possible on the information supplied, and shall furnish such information as may be obtainable. Where Form 7 is accompanied by a representation or specimen of the design, such representation or specimen shall be furnished in duplicate.

Cancellation

29.Cancellation of registration of designs under section 19. - (1) A petition to the Controller for the cancellation of the registration of a design shall be made in duplicate in

Form - 8 and shall be accompanied by a statement in duplicate setting out the nature of the applicant's interest and the facts upon which he bases his application.

(2)If the petition for the cancellation of the registration of a design is made by person who is not the registered proprietor, a copy of the petition along with the statement shall be transmitted by the Controller to the registered proprietor.

(3)If the registered proprietor intends to oppose the application he shall within a time to be specified by the Controller, leave at the office a counter statement setting out the grounds on which he intends to oppose the application and shall, within the same time, deliver to the applicant a copy of the counter-statement.

(4)The applicant may, after delivery to him of the copy of the registered proprietor's counter-statement, leave at the office, evidence by way of affidavits in support of his case and shall also deliver to the registered proprietor a copy thereof.

(5)The registered proprietor may, after delivery to him of the applicant's evidence, leave at the office evidence by way of affidavits in support of his case and shall also deliver to the applicant a copy thereof.

(6)The applicant may, after delivery to him of a copy of the registered proprietor's evidence, leave at the Office evidence in reply by way of affidavits and shall also deliver to the registered proprietor a copy of such evidence.

(7) No further statement of evidence shall be left by either party except by leave of or on requisition by the Controller.

(8) Where a document is in a language other than English and is referred to in any statement or evidence filed in connection with an petition under section 19 or opposition thereto, an attested translation thereof in English shall be furnished in duplicate.

9)The time allowed for filling the counter-statement or for leaving evidence shall ordinarily be one month which may be extended only by a special order of the Controller given on a petition made by party seeking extension of time:

Provided that the extension so granted shall in no case exceed three months in aggregate.

(10)On completion of the filing of the statement and the evidence referred to sub-rules (3) to (8) or at such other time as he may decide, the Controller shall appoint a hearing of the petition for cancellation and shall give the parties not less than ten days' notice of such hearing.

Form 20 of his intention to attend the hearing.

(12)If, at the hearing, either party intends to refer to any publication, he shall give to the Controller and to the other party not less than five days' notice of such intention, together with the details of the publication to which he intends to refer.

(13)After hearing the party or parties desirous of being heard or without a hearing, if neither party desires to be heard or attends the hearing, the Controller shall decide on the petition and the opposition, if any, and notify his decision to the parties.

GENERAL

Register of Designs

30.Registering designs.- (1)When a design is accepted, there shall be entered in the Register of Design, in addition to the particulars required by the Act, the number of the design, the class in which it is registered, the date of filling the application for registration in this country, the reciprocity date, if any, claim for the registration, and such other matters as would effect the validity or proprietorship of the design.

(2) When such Register of Design is maintained wholly or partly on computer under floppies or diskettes, such computer floppies or diskettes shall be maintained under superintendence and control of Controller and in case of any dispute or doubt with regard to information of designs, the information as contained in the backup file or master file shall be final.

(3)Where the accepted design is one in respect of which a reciprocity date has been allowed, the registration, the extension or the expiration of the copyright in the said design shall be reckoned from such reciprocity date.

31.Alteration of address.- A proprietor of a registered design may make a request in Form 22 to the Controller for alteration of his name, or address, or addresses for service, in the Register of Design. The Controller may require such proof of alteration so requested as he may think fit before acting on the request and on satisfaction, the Controller shall cause the Register to be altered accordingly.

32. Registration of documents under sub-section (3) of section 30.- An application referred to in sub-section (3) of section 30 shall be made in Form- 10.

33. Application for entry of subsequent proprietorship.- An application referred to in sub-section (1) or (2) of the section 30 shall be made to the Controller in

Form 11 or 12 or 13 as the case may be.

34.Particulars in applications.- An application under rule 33 shall contain the name, address and nationality of the person claiming to be entitled, together with full particulars of the instrument, if any, under which he claims.

35. Production of documents of title and other proof.- Every assignment, and every other document containing, giving effect to or being evidence of the transmission of copyright in a registered design or affecting the proprietorship thereof or creating an interest therein as claimed in application under rule 33 shall unless the Controller otherwise directs, be presented to him either in original, or notarially certified true copy together with the application and he may call for such other proof of title or written consent as he may require for his satisfaction:

Provided that in the case of a document which is a public document, an official or certified copy thereof may be presented.

36.Form of entry.- The entry to be made in the Register on request under rule 34 shall be in the following form :-

"In pursuance of an application received on the

[……]

Registered as Proprietors
Licensees
Mortgagees
etc.

By virtue of Assignment
Licence
Mortgage deed
etc.

dated _____ and made between _____
of the one part and _____
of the other part.

37.Entry of notification of documents.- An application for entry in the Register of Design of notification of any document (not already provided for), purporting to affect the proprietorship of a registered design, shall be accompanied by an attested copy of the document, the accuracy of such copy being certified as the Controller may direct, and the original or notarially certified true copy of the document shall at the same time be produced and left at the Office if required for further verification.

38.Hours of inspection of Register.- The Register of Designs shall be open to the inspection of the public at all times on which the Office is open to the public, except at times when they are required for actual official use.

39. Rectification of Register.- If an application is made for the rectification of the Register of Design under section 31 of the Act, the Controller shall notify all persons whose names, at the time of the application are entered on the Register as claiming an interest in the design, and shall advertise the application in the Official Gazette.

40.Opposition to rectification.- (1) Notice of opposition to any rectification of the Register of Design may be given within three months of the advertisement of the application for rectification.

(2)The opponent shall, within fourteen days of giving notice of opposition, leave at the office his written statement in duplicate setting out the nature of his interest, the facts upon which he bases his opposition and the relief, which he seeks.

(3)The Controller shall furnish the applicant with a copy each of the notice of opposition and the written statement.

(4)The procedure specified in sub-rules (4) to (13) for rule 29 relating to leaving evidence and hearing shall, so far as may be, apply to the hearing of the application under section 31 as they apply to the hearing of a petition under section 19.

CERTIFICATES

41.Certified copies of documents. - Certified copies of an entry in the Register of Design or certified copies of, or extracts from disclaimers, affidavits, declarations and other public documents in the Office, or from Register and other records, shall be furnished by the Controller on payment of the prescribed fee.

42.Form etc. of affidavits. - (1) The affidavits required by the Act and these rules, or used in any proceedings thereunder, shall be headed in the matter or matters to which they relate, shall be drawn up in the first person, and shall be divided into paragraphs consecutively numbered; and each paragraph shall, as far as possible, be confined to one subject. Every affidavit shall state the description and true place of abode of the person making the same, shall bear the name and address of the person leaving it and shall state on whose behalf it is left.

(2)Affidavits shall be confined to such facts as the deponent is able of his own knowledge to prove, except on interlocutory applications, on which statements of his belief may be admitted, provided that the grounds thereof are stated.

(3)Affidavits shall be sworn to as follows :-

(a)In India, before any court or person having by law authority to receive evidence, or before any officer empowered by such court or person as aforesaid to administer oaths or to take affidavits;

(b)In any country or place outside India, – before a diplomatic or consular office, within the meaning of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948) in such country of place or before a notary of the country or place, recognized by the Central Government under section 14 of the Notaries Act, 1952 (53 of 1952), or before a judge or magistrate of the country of place.

(4)The person before whom an affidavit is sworn shall state the date on which and the place where the same is sworn to and shall affix thereto his seal, if any, or the seal of the court if the affidavit is sworn to before the court or an officer empowered by

that court and signed his name and state his designation and address at the end thereof.

(5) Any affidavit purporting to have affixed, impressed or subscribed thereto or thereon the seal or signature of any person authorized under sub-rule (3), in testimony of the affidavit having been sworn to before him, may be admitted by the Controller without proof the genuineness of the seal or signature, or of the official position of that person**.**

(6)Alterations and interlineations shall, before an affidavit is sworn to or affirmed be authenticated by the initials of the person before whom the affidavit is sworn to.

(7)Where the deponent is illiterate, blind or unacquainted with the language in which the affidavit is written, a certificate by the person before whom the affidavit is sworn to, the effect that the affidavit was read, translated or explained in his presence to the deponent, and the deponent seemed perfectly to understand it and has signed the affidavit or affixed his mark in his presence, shall be attached at the end of the affidavit.

(8)Every affidavit filed before the Controller in connection with any proceeding under the Act or these rules shall be duly stamped under the provision of any law for that time being in force.

AWARD OF COST BY CONTROLLER

43.Scale of Costs. - In all proceedings before the Controller, the Controller may, save as otherwise expressly provided by the Act or these rules, award such costs as he considers reasonable, having regard to all circumstances of the case provided that the amount of costs awarded in respect of any matters set forth in the Fourth Schedule to these rules shall not exceed the amount therein specified.

MISCELLANEOUS POWERS OF CONTROLLER

44.Exercise of discretionary power of Controller, miscellaneous power of Controller. - The time within which a person entitled under section 33 of the Act, to an opportunity of being heard shall exercise his option of requiring to be heard shal of a notice which the Controller shall give

to such person or his agent before determining the matter with reference to which such person is entitled to be heard. If within that month such person or his agent requires to be heard, the Controller shall appoint a date for the hearing and shall give ten days notice thereof:

Provided that if the giving of ten day's notice would cause an application for the registration of design to be deemed to have been abandoned before the hearing, the Controller may curtail the period of notice.

45.Controller may require statement. - Whether an applicant or agent desires to be heard or not, the Controller may at any time require him to submit a statement in writing within a time to be notified by the Controller, or to attend before him and make explanations with respect to such matters as the Controller may require.

General Power of amendment. - Any document for the amending of which no special provision is made by the Act may be amended, and any irregularity in procedure which, in the opinion of the Controller, may be obviated without detriment to the interest of any person, may be corrected if the Controller thinks fit, and upon such terms as he may direct.

47. General Power to enlarge time. - The time prescribed by these rules for doing any act or taking any proceeding thereunder maybe enlarged by the Controller, if he thinks fit, and upon such terms as he may direct.

REPEAL

48. Repeal. - The Designs Rules, 1933 are hereby repealed:

Provided that any application or other matter pending under those rules on the date of the coming into force of these rules shall be disposed of under those rules.

THE FIRST SCHEDULE
See rule 5

FEES

No. of Entry	on what payable	No. of form	Fee (Rs.)
1.	On application for registration of design under sections 5 and 44.	1	1000.00
2.			
3.	On claim under section 8(1) to proceed as an applicant or joint applicant.	2	500.00
4.			
5.	On application for extension of copy right under section 11(2).	3	2000.00
6.	On application for restoration of lapsed design under section 12(2).	4	1000.00
7.			
8.	Additional fee for restoration.	—	1000.00
9.	Inspection of registered design under section 17(1).	5	.00
10.	On request for information of design when registration no. given under Section 18.	500	500.00
11.	On request for information of design when registration no. not given.	6	1000.00
12.	On petition for cancellation of design under section 19.	7	1500.00
	Notice of intended exhibition or publication of an unregistered design under section 21.	8	500.00
	Application for registration of a document in Register of Design under section 30(3), -	9	500.00 200.00
	in respect of one design.	10	500.00
	for each additional design.	11	200.00
	On application for entry of name of proprietor or part proprietor in Register of Design under section 30,-		
	in respect of one design.		
	for each additional design.		

Contd...

No. of Entry	on what payable	No. of form	Fee
13.	On application for entry of mortgage or licence in	12	500.00
14.	Register of design under section 30	13	200.00
15.	in respect of one design.	14	500.00
16.	for each additional design.	15	200.00
17.	Application for entry of notification of a document	16	500.00
18.	in the Register of Design under section 30 and rule 37,-	17	500.00
19.	in respect of one design.	18	500.00
20.	for each additional design.	19	200.00
21.	On request for correction of clerical error under	20	(per. month)
22.	section 29.	21	100.00
23.	On request for certificate under section 26 and rule 41.	22	500.00
24.	On application for certified copy of registered design	23	___
25.	under section 17(2)	___	200.00
26.	On application for rectification of Register of Design	___	200.00
27.	under section 31.	___	500.00
	On application for extension of time for filing priority document under rule 15.		500.00
	On notice of opposition under rule 40.		250.00
	Notice of intention to attend hearing under rules 29 and 40.		
	Form for authorisation of agent or other person.		
	On request to alter name or address or address for Service in the Register of Design under rule 31.		
	On request for entries of two addresses in the Register of Design.		
	On petition under rule 46 for amendment of any document.		
	On petition under rule 47 for enlargement of time.		
	Inspection of Register of Design under rule 38 (in respect of each design).		

THE SECOND SCHEDULE

(See rule 6)

List of forms

Form No.	Section or Rule	Title
1	Sections 5 and 44	Application for registration of design/Application under reciprocal arrangement.
2	Section 8(1)	Claim to proceed as an applicant or joint applicant.
3	Section 11(2)	Application for Extension of copyright.
4	Section 12(2)	Application for Restoration of lapsed design
5	Section 17(1)	I

6	Section 18	Request for information when registration number is given.
7	Section 18	Request for information when registration number is not given.
8	Section 19	Petition to cancel registration of design.
9	Section 21	Notice of intended exhibition or publication of unregistered design.
10.	Section 30(3)	Application for registration of a document in the Register Design.
11	Section 30	Application for entry of name of proprietor or part proprietor in the Register
12	Section 30	Application for entry of mortgage or licence in the Register.
13.	Section 30 and rule 37	Application for entry of notification of a document in the Register.
14	Section 29	Request for correction of clerical error.
15	Section 26 and rule 41	Request for certificate.
16	Section 17(2)	Application for certified copy of registered design.
17	Section 31	Application for rectification of Register.
18	rule 15	Application for extension of time for filing priority document.
19	rule 40	Notice of opposition.
20	rules 29 and 40	Notice of intention to attend hearing.
21	Section 43	Power of authority to agents.
22	rule 31	Request to alter name or address or address for service in Register
23	Section 10	Request for entries of two addresses in the Register

THE THIRD SCHEDULE

Classification of Good

(See rule 10)

List of Classes and Subclasses, with Explanatory Notes

CLASS 01

Foodstuffs

Note: (a) Includes foodstuffs for human beings, foodstuffs for animal and dietetic foods.
(b) Not including packages (Cl. 09).

01-01 BAKERS' PRODUCTS, BISCUITS, PASTRY, MACARONI AND OTHER CEREAL PRODUCTS. CHOCOLATES, CONFECTIONERY, ICES

01-02 FRUIT AND VEGETABLES

01-03 CHEESES, BUTTER AND BUTTER SUBSTITUTES, OTHER DAIRY PRODUCE 01-04 BUTCHER'S MEAT (INCLUDING PORK PRODUCTS), FISH

01-05 [vacant]

01-06 ANIMAL FOODSTUFFS

01-99 MISCELLANEOUS

CLASS 02

Articles of clothing and haberdashery

Note: Not including articles of clothing for dolls (Cl. 21-01), special equipment for protection against fire hazards, for accident prevention and for rescue (Cl. 29), and animal clothing (Cl. 30-01).

02-01 UNDERGARMENTS, LINGERIE, CORSETS, BRASSIERES, NIGHTWEAR

Note: (a) Including orthopedic corsets and body linen.

(b) Not including household linen (Cl. 06-13).

02-02 GARMENTS

Note: (a) Includes all sorts of garments, including furs, bathing costumes, sports clothing and orthopedic garments, subject to the exceptions indicated under (b).
(b) Not including undergarments (Cl. 02-01), or garments to be placed in Classes 02-03; 02-04; 02-05 or 02-06.

02-03 HEADWEAR

Note: Includes all kinds of headwear for men, women and children.

02-04 FOOTWEAR, SOCKS AND STOCKINGS

Note: Including special boots for sports such as football, skiing and ice hockey, orthopedic footwear and socks, as well as tights, gaiters and other legwear.

02-05 NECKTIES, SCARVES, NECKERCHIEFS AND HANDKERCHIEFS

Note: Includes all "flat" clothing accessories.

02-06 GLOVES

Note: Includes surgical gloves and rubber or plastic protective gloves for household use or for various occupations or sports.

02-07 HABERDASHERY AND CLOTHING ACCESSORIES

Note: (a) Including buttons, clasps for garments, for headwear and for footwear, laces, pins, hand sewing, knitting and embroidery equipment and clothing accessories such as bells, suspenders, braces.

(b) Not including yarns or other threads (Cl. 05-01), decorative trimmings (Cl. 05-04), sewing, knitting and embroidery machines (Cl. 15-06) or sewing kits (containers) (Cl. 03-01).

02-99 MISCELLANEOUS

CLASS 03

Travel goods, cases, parasols and personal belongings, not elsewhere specified

03-01 TRUNKS, SUITCASES, BRIEFCASES, HANDBAGS, KEYHOLDERS, CASES SPECIALLY DESIGNED FOR THEIR CONTENTS, WALLETS AND SIMILAR ARTICLES

Note: Not including articles for the transport of goods (Cl. 09) or cigar cases and cigarette cases (Cl. 27-06).

03-02 [vacant]

03-03 UMBRELLAS, PARASOLS, SUNSHADES AND WALKING STICKS 03-04 FANS

03-99 MISCELLANEOUS

Brushware

CLASS 04

04-01 BRUSHES AND BROOMS FOR CLEANING

Note: Not including clothes brushes (Cl. 04-02).

04-02 TOILET BRUSHES, CLOTHES BRUSHES AND SHOE BRUSHES

Note: "Toilet brushes" means brushes for corporal use; for example, for the hair, nails or teeth.

04-03 BRUSHES FOR MACHINES

Note: "Brushes for machines" means brushes incorporated in machines or in special vehicles.

04-04 PAINTBRUSHES, BRUSHES FOR USE IN COOKING

04-99 MISCELLANEOUS

CLASS 05 Textile piecegoods, artificial and natural sheet material

Note: (a) Includes all textile or similar articles, sold by the yard and not made up.
(b) Not including ready-made articles (Cl. 02 or 06).

05-01 SPUN ARTICLES

Note: (a) Including yarn and thread.
(b) Not including, for instance, rope wire, string, twine (Cl. 09-06).

05-02 LACE

05-03 EMBROIDERY

05-04 RIBBONS, BRAIDS AND OTHER DECORATIVE TRIMMINGS

05-05 TEXTILE FABRICS

Note: (a) Including textile fabrics, woven, knitted or otherwise manufactured, tarpaulins, felt and loden.

05-06 ARTIFICIAL OR NATURAL SHEET MATERIAL

Note: (a) Includes sheets whose only characteristic features are their surface ornamentation or their texture; in particular, covering sheets such as wallpaper, linoleum, self-adhesive plastic sheets, wrapping sheets and rolls of paper, subject to the exceptions indicated under (b).

(b) Not including writing paper, even in rolls (Cl. 19-01), or sheets used as building components such as wall panels and wainscoting (Cl. 25-01).

05-99 MISCELLANEOUS

CLASS 06

Furnishing

Note: (a) Composite furniture articles embodying components includes in several subclasses are classified in Class 06-05.

06-01 (b) Sets of furniture, as far as they can be looked upon as one design, are classified in Class 06-05.

Note: (c)Not including textile piecegoods (Cl. 05)

BEDS AND SEATS

Including mattress supports and vehicle seats

06-02 [vacant]

06-03 TABLES AND SIMILAR FURNITURE

06-04 STORAGE FURNITURE
Note: Including cupboards, furniture with drawers or compartments, and shelves.
06-05 COMPOSITE FURNITURE
06-06 OTHER FURNITURE AND FURNITURE PARTS
06-07 MIRRORS AND FRAMES
Note: Not including mirrors included in other classes (see Alphabetical List).
06-08 CLOTHES HANGERS
N.B.: The French text contains a note which does not concern the English text.
06-09 MATTRESSES AND CUSHIONS
06-10 CURTAINS AND INDOOR BLINDS
06-11 CARPETS, MATS AND RUGS
06-12 TAPESTRIES
06-13 BLANKETS AND OTHER COVERING MATERIALS, HOUSEHOLD LINEN AND NAPERY
Note: Including furniture covers, bedspreads and table covers.
06-99 MISCELLANEOUS

CLASS 07

Household good, not elsewhere specified

Note: (a) Including household appliances and utensils operated by hand, even if motor driven.
(b) Not including machines and appliances for preparing food and drink (Cl. 31).
07-01 CHINA, GLASSWARE, DISHES AND OTHER ARTICLES OF A SIMILAR NATURE
Note: (a) Includes dishes and crockery in all materials; in particular, paper and cardboard dishes.
(b) Not including cooking utensils and containers, such as glass and earthenware pots (Cl. 07-02), or flower vases, flower pots and china glassware of a purely ornamental nature (Cl. 11-02).
07-02 COOKING APPLIANCES, UTENSILS AND CONTAINERS
07-03 TABLE KNIVES, FORKS AND SPOONS
07-04 APPLIANCES AND UTENSILS, HAND-MANIPULATED, FOR PREPARING FOOD OR DRINK
Note: Not including appliances and utensils classified in Class 07-02 and in Class 31.
07-05 FLATIRONS AND WASHING, CLEANING AND DRYING EQUIPMENT
Note: Not including electric household appliances for washing, cleaning or drying (Cl. 15-05).
07-06 OTHER TABLE UTENSILS
07-07 OTHER HOUSEHOLD RECEPTACLES
07-08 FIREPLACE IMPLEMENTS
07-99 MISCELLANEOUS

CLASS 08 Tools and hardware

Note: (a) Includes hand-operated tools, even if mechanical power takes the place of muscular
08-01 force, or example, electric saws and drills.
08-02 (b) Not including machines or machine tools (Cl. 15 or 31).
08-03 TOOLS AND IMPLEMENTS FOR DRILLING, MILLING OR DIGGING
Note: HAMMERS AND OTHER SIMILAR TOOLS AND IMPLEMENTS
CUTTING TOOLS AND IMPLEMENTS
(a) Including tools and instruments for sawing.
(b) Not including table knives (Cl. 07-03), cutting tools and implements for kitchen use (Cl. 31), or knives used in surgery (Cl. 24-02).
08-04 SCREWDRIVERS AND OTHER SIMILAR TOOLS AND IMPLEMENTS
08-05 OTHER TOOLS AND IMPLEMENTS
Note: Includes tools which are not classified, or not to be placed, in other subclasses or classes.
08-06 HANDLES, KNOBS AND HINGES
08-07 LOCKING FOR CLOSING DEVICES

08-08 FASTENING, SUPPORTING OR MOUNTING DEVICES NOT INCLUDED IN OTHER CLASSES

Note: (a) Including nails, screws, nuts and bolts.

(b) Not including fastening devices for clothing (Cl. 02-07), for adornment (Cl. 11-01), or for office use (Cl. 19-02).

08-09 METAL FITTINGS AND MOUNTINGS FOR DOORS, WINDOWS AND FURNITURE, AND SIMILAR ARTICLES

08-10 BICYCLE RACKS

08-99 MISCELLANEOUS

Note: Including non-electric cables, regardless of the material of which they are made.

CLASS 09

Packages and containers for the transport or handling of goods

09-01 BOTTLES, FLASKS, POTS, CARBOYS, DEMIJOHNS, AND CONTAINERS WITH DYNAMIC DISPENSING MEANS

Note: (a) “Pots” means those serving as containers.

(b) Not including pots regarded as crockery (Cl. 07-01), or flower pots (Cl. 11-02).

09-02 STORAGE CANS, DRUMS AND CASKS

09-03 BOXES, CASES, CONTAINERS, (PRESERVE) TINS OR CANS

Note: Including freight containers.

09-04 HAMPERS, CRATS AND BASKETS

09-05 BAGS, SACHETS, TUBES AND CAPSULES

Note: (a) Including plastic bags or sachets, with or without handle or means of closing.

(b) “Capsules” means those used for packaging.

09-06 ROPES AND HOOPING MATERIALS

09-07 CLOSING MEANS AND ATTACHMENTS

Note: (a) Includes only closing means for packages.

(b) “Attachments” means, for example, dispensing and dosing devices incorporated in containers and detachable atomizers.

09-08 PALLETS AND PLATFORMS FOR FORKLIFTS

09-09 REFUSE AND TRASH CONTAINERS AND STANDS THEREFOR 09-99 MISCELLANEOUS

CLASS 10

Clocks and watches and other measuring instruments, checking and signalling instruments

Note: Including electrically-driven instruments.

10-01 CLOCK AND ALARM CLOCKS

10-02 WATCHES AND WRIST WATCHES

10-03 OTHER TIME-MEASURING INSTRUMENTS

Note: Including time-measuring apparatus such as parking meters, timers for kitchen use and similar instruments.

10-04 OTHER MEASURING INSTRUMENTS, APPARATUS AND DEVICES

Note: (a) Including instruments, apparatus and devices for measuring temperature, pressure, weight, length, volume and electricity.

(b) Not including exposure meters (Cl. 16-05).

10-05 INSTRUMENTS, APPARATUS AND DEVICES FOR CHECKING, SECURITY OR TESTING

Note: Including fire and burglar alarms, and detectors of various types.

10-06 SIGNALLING APPARATUS AND DEVICES

Note: Not including lighting or signalling devices for vehicles (Cl. 26-06).

10-07 CASINGS DIALS, HANDS AND ALL OTHER PARTS AND ACCESSORIES OF INSTRUMENTS FOR MEASURING, CHECKING AND SIGNALLING

Note: “Casings” means watch and clock casings and all casings being integral parts of

instruments of which they protect the mechanism, with the exception of cases specify designed for their contents (Cl. 03-01) or for packaging (Cl. 09-03).

10-99 MESCELLANEOUS

CLASS 11 Articles of adornment

11-01 JEWELLERY

Note: (a) Including fancy and imitation jewellery.

(b) Not including watches (Cl. 10-02).

11-02 TRINKETS, TABLE, MANTEL AND WALL ORNAMENTS, FLOWER VASES AND POTS

Note: Including sculptures, mobiles and statues.

11-03 MEDALS AND BADGES

11-04 ARTIFICIAL FLOWERS, FRUIT AND PLANTS

11-05 FLAGS, FESTIVE DECORATIONS

Note: (a) Including garlands, streamers and Christmas tree decorations.

(b) Not including candles (Cl. 26-04).

11-99 MISCELLANEOUS

CLASS 12

Means of transport or hoisting

Note: (a) Includes all vehicles, land, sea, air, space and others.

(b) Including parts, components and accessories which exist only in connection with a and vehicle cannot be placed in another class; these parts, components and accessories of vehicles are to be placed in the subclass of the vehicle in question, or in Class 12-16 if they are common to several vehicles included in different subclasses.

(c) Not including, in principle, parts, components and accessories of vehicles which can be placed another class; these parts, components and accessories are to be placed in the same class as articles of the same type, in other words, having the same function. Thus, carpets or mats for automobiles are to be placed with carpets (Cl. 06-11); electric motors for vehicles are to be placed in Class 13-01, and non-electric motors for vehicles in Class 15-01 (the same applies to the components of such motors); automobile headlamps are to be placed with lighting apparatus (Cl. 26-06).

(d) Not including scale models of vehicles (Cl. 21-01).

12-01 VEHICLES DRAWN BY ANIMALS

12-02 HANDCARTS, WHEELBARROWS

12-03 LOCOMOTIVES AND ROLLING STOCK FOR RAILWAYS AND OTHER RAIL VEHICLES

12-04

TELPHER CARRIERS, CHAIR LIFTS AND SKILIFTS 12-05 ELEVATORS AND HOISTS FOR LOADING OR CONVEYING

Note: Including passenger lifts, goods lifts, cranes, forklift trucks and conveyor belts.

12-06 SHIPS AND BOATS

12-07 AIRCRAFTS AND SPACE VEHICLES

12-08 MOTOR CARS, BUSES AND LORRIES

Note: Including ambulances and refrigerator vans (road).

12-09 TRACTORS

12-10 ROAD VEHICLE TRAILERS

Note: Including caravans.

12-11 CYCLES AND MOTORCYCLES

12-12 PERAMBULATORS, INVALID CHAIRS, STRETCHERS

Note: (a) :Perambulators" means hand carriage for infants.

(b) Not including toy perambulators (Cl. 21-01).

12-13 SPECIAL-PURPOSE VEHICLES

Note: (a) Includes only vehicles not specially intended for transport, such as street - cleaning vehicles, watering lorries, fire engines, snow ploughs and breakdown lorries.

(b) Not including mixed-purpose agricultural machines (Cl. 15-03), or self-propelled machines for use in construction and civil engineering (Cl. 15-04).

12-14 OTHER VEHICLES

Note: Including sleighs and air-cushion vehicles.

12-15 TYRES AND ANTI-SKID CHAINS FOR VEHICLES

12-16 PARTS, EQUIPMENT AND ACCESSORIES FOR VEHICLES, NOT INCLUDED IN OTHER CLASSES OR SUBCLASSES

12-99 MISCELLANEOUS

CLASS 13

Equipment for production, distribution or transformation of electricity

Note : (a) Includes only apparatus which produces, distributes or transforms electric current.

(b) Including electric motors, however.

(c) Not Including electrically-driven apparatus, such as electric watches (Cl. 10-02), or apparatus for the measurement of electric current (Cl. 10-04).

13-01 GENERATORS AND MOTORS

Note: including electric motors for vehicles.

13-02 POWER TRANSFORMETERS, RECTIFIERS, BATTERIES AND ACCUMULATORS 13-03 EQIUPMENT FOR DISTRIBUTION OR CONTROL OF ELECTRIC POWER Note: Including conductors, switches and switchboards.

13-99 MISCELLANEOUS

CLASS 14

Recording, communication or information retrieval equipment

14-01 EQUIPMENT FOR THE RECORDING OR REPRODUCING OR REPRODUCTION OF SOUNDS OR PICTUREA

Note: Not including photographic or cinematographic apparatus (Cl. 16).

14-02 DATA PROCESSING EQUIPMENT AS WELL AS PERIPHERAL APPARATUS AND DEVICES

14-03 COMMUNICATIONS EQUIPMENT, WIRELESS REMOTE CONTROLS AND RADIIO AMPLIFIERS

Note: Including telegraphic, telephone and television apparatus, as well as wireless apparatus and teleprinters.

14-99 MISCELLANEOUS

CLASS 15 Machines, not elsewhere specified

15-01 ENGINES

Note: (a) Including non-electric engines for vehicles.

(b) Not including electric motors (Cl. 13).

15-02 PUMPS AND COMPRESSORS

Note: Not including hand or foot pumps (Cl. 08-05), or or fire extinguishing pumps. (Cl. 29-01).

15-03 AGRICULTURAL MACHINERY

Note: (a) Including ploughs and combined machinery, i.e. , both machines and vehicles, for examples, reaping and binding machines.

(b) Not including hand tools (Cl. 08).

15-04 CONSTRUCTION MACHINERY

Note: (a) Including machines used in civil engineering and self propelled machines such as excavators, concrete mixer and dredgers.

(b) Not including hoists and cranes (Cl. 12-05).

15-05 WASHING CLEANING AND DRYING MACHINES.

Note: Including:

(a)appliances and machines for treating lines and clothes, such as ironing machines and wringers.

(b)dishwashing machines and industrial drying equipment.

15-06 TEXTILE, SEWING, KNITTING AND EMBROIDERING MACHINES INCLUDING THEIR INTEGRAL PARTS

15-07 REFRIGERATION MACHINERY AND APPARATUS

Note: (a) Including household refrigeration apparatus.

(c)Not including refrigerator wagons (rail) (Cl. 12-03) or refrigerator vans (road) (Cl. 12-08).

15-08 [vacant]

15-09 MACHINE TOOLS, ABRADING AND FOUNDING MACHINERY

Note: Not including earth working machinery and material separators (Cl. 15-99).

15-99 MISCELLANEOUS

CLASS 16

Photographic, cinematographic and optical apparatus

Note: Not including lamps for photography or filming (Cl. 26-05).

16-01 PHOTOGRAPHIC CAMERAS AND FILM CAMERAS

16-02 PROJECTORS AND VIEWERS

16-03 PHOTOCOOPYING APPARATUS AND ENLARGERS

Note: Including microfilming equipment and apparatus for viewing microfilms, as well as office machines known as “photocopying” apparatus which use other than photographic processes (in particular, thermal or magnetic processes).

16-04 DEVELOPING APPARATUS AND EQUIPMENT

16-05 ACCESSORIES

Note:Including filters for photographic cameras, exposure meters, tripods and photographic flashlight apparatus.

16-06 OPTICAL ARTICLES

Note: (a) Including spectacles and microscopes.

(b) Not including measuring instruments embodying optical devices (Cl. 10-04).

16-99 MISCELLANEOUS

CLASS 17

Musical instruments

Note: Not including cases for musical instruments (Cl. 03-01), or equipment for the recording or reproduction of sounds (Cl. 14-01).

17-01 KEYBOARD INSTRUMENTS

Note: Including electronic and other organs, accordions, and mechanical and other pianos.

17-02 WIND INSTRUMENTS

Note: Not including organs, harmoniums and accordions, and mechanical and other pianos.

17-03 STRINGED INSTRUMENTS

17-04 PERCUSSION INSTRUMENTS

17-05 MECHANICAL INSTRUMENTS

Note: (a) Including music boxes.

(b) Not including mechanical keyboard instruments (Cl. 17-01).

17-99 MISCELLANEOUS

CLASS 18

Printing and office machinery

18-01 TYPEWRITERS AND CALCULATING MACHINES

Note: Not including computers and other apparatus to be placed in Class 14-02

18-02 PRINTING MACHINES

Note: (a) Including typesetting machines, stereotype machines and apparatus, typographic machines and other reproducing machines such as duplicators and offset equipment, as well as addressing machines, franking and cancelling machines.

(b) Not including photocopying machinery (Cl. 16-03).

18-03 TYPE AND TYPE FACES

18-04 BOOKBINDING MACHINES, PRINTERS' STAPLING MACHINES, GUILLOTINES AND TRIMMERS (FOR BOOKBINDING)

Note: Including machines and similar devices for cutting paper, analogous to guillotines and trimmers.

18-99 MISCELLANEOUS

CLASS 19

Stationery and office equipment, artists' and teaching materials

19-01 WRITING PAPER, CARDS FOR CORRESPONDENCE AND ANNOUNCEMENTS

Note: Includes all paper, in the widest sense of the term, which is used for writing, drawing, painting or printing, such as tracing paper, carbon paper, newsprint, envelopes, greetings cards and illustrated postcards, even if they embody a sound recording.

19-02 OFFICE EQUIPMENT

Note: (a) Including equipment used at cash desks, such as change sorters.

(b) Some office equipment is to be placed in other subclasses or classes; for example, office furniture in Class 06, office machines and equipment in Class 14-02; 16-03; 18-01; 18-02 or 18-04, and writing materials in Class 19-01 or 19-06 (see alphabetical List).

19-03 CALENDERS

Note: Not including diaries (Cl. 19-04).

19-04 BOOKS AND OTHER OBJECTS OF SIMILAR OUTWARD APPEARANCE

Note: Including covers of books, binding, albums, diaries and similar objects.

19-05 [vacant]

19-06 MATERIALS AND INSTRUMENTS FOR WRITING BY HAND, FOR DRAWING, FOR PAINTING, FOR SCULPTURE, FOR ENGRAVING AND FOR OTHER ARTISTIC TECHNIQUES

Note: Not including paintbrushes (Cl. 04-04), drawing tables and attached equipment (Cl. 06-03), or writing papaer (Cl. 19-01).

19-07 TEACHING MATERIALS

Note: (a) Including maps of all kinds, globes and planetariums.

19-08 (b) Not including audio-visual teaching aids (Cl. 14-01).

Note:

19-99 OTHER PRINTED MATTER

Including printed advertising materials.

MISCELLANEOUS

CLASS 20

Sales and advertising equipment, signs

20-01 AUTOMATIC VENDING MACHINE 20-02 DISPLAY AND SALES EQUIPMENT Note:

Not including articles of furniture (Cl. 06).

20-03 SIGNS, SIGNBOARDS AND ADVERTISING DEVICES

Note: (a) Including luminous advertising devices and mobile advertising devices.

(b) Not includingn pacjages (Cl. 09), or signalling devices (Cl. 10-06).

20-99 MISCELLANEOUS

CLASS 21 Games, toys, tents and sports goods

21-01 GAMES AND TOYS

Note: (a) Including scale models.

(b) Not including toys for animals (Cl. 30-99).

21-02 GYMNASTIC AND SPORTS APPARATUS AND EQUIPMENT

Note: (a) Includes, as sports equipment: apparatus and equipment necessary for the various sports which have no other specific purpose, such as footballs, skis and tennis rackets, to the exclusion of all other objects which may also be used in practing a given sport.

(b) Including subject to the reservation mentioned under (a), training equipment and apparatus and equipment necessary for outdoor games.

(c) Not including sports clothing (Cl. 02), toboggans or sleighs (Cl. 12-14).

21-03 OTHER AMUSEMENT AND ENTERTAINMENT ARTICLES

Note : (a) Including fairground roundabouts and automatic machines for games of chance.

(b) Not including games and toys (Cl. 21-01), or other articles to be placed in Class 21-01 or 21- 02.

21-04 TENTS AND ACCESSORIES THEREOF

Note: (a) Including poles, pegs and other similar articles.

(c)Not including other camping articles to be placed in other classes according to their nature, such as chairs (Cl. 06-01), tables (Cl. 06-03), plates (Cl. 07-01), and caravans (Cl. 12-10).

21-99 MISCELLANEOUS

CLASS 22

Arms, pyrotechnic articles, articles for hunting, fishing and pest killing

22-01 PROJECTILE WEAPONS

22-02 OTHER WEAPONS

22-03 AMMUNITION, ROCKETS AND PYROTECHING ARTICLES

22-04 TARGETS AND ACCESSORIES

Note: Including the special device for actuating mobile targets.

22-05 HUNTING AND FISHING EQUIPMENT

Note: Not including articles of clothing (Cl. 02), or weapons (Cl. 22-01 or 22-02).

22-06 TRAPS, ARTICLES FOR PEST KILLING

22-99 MISCELLANEOUS

CLASS 23

Fluid distribution equipment, sanitary, heating, ventilation and air-conditioning equipment, solid fuel

23-01 FLUID DISTRIBUTION EQUIPMENT

Note: Including pipes and pipe fittings.

23-02 SANITARY APPLIANCES

Note: (a) Including baths, showers, washbasins, saunas, waterclosets, sanitary units and sanitary accessories not included in other classes.

(b) Not including pipes or pipe fittings (Cl. 23-01).

23-03 HEATING EQUPMENT

23-04 VENTILATION AND AIR-CONDITIONING EQUIPMENT

23-05 SOLID FUEL

23-99 MISCELLANEOUS

CLASS 24

Medical and laboratory equipment

Note: The term "medical equipment" covers also surgical, dental and veterinary equipment.

24-01 APPARTUS EQUIPMENT FOR DOCTORS, HOSPITALS AND LABORATORIES

24-02 MEDICAL INSTRUMENTS, INSTRUMENTS AND TOOLS FOR LABORATORY USE

Note: Includes only hand-operated instruments.

24-03 PROSTHETIC ARTICLES

24-04 MATERIALS FOR DRESSING WOUNDS, NURSING AND MEDICAL CARE

24-99 MISCELLANEOUS

CLASS 25

Building units and construction elements

25-01 BUILDING MATERIALS

Note: Including bricks, beams, pre-shaped strips, tiles, slates and panels.

25-02 PREFABRICATED OR PRE-ASSEMBLED BUILDING PARTS

Note: (a) Including windows, doors, outdoors shutters, partition walls and gratings.

25-03 (b) Not including staircases (Cl. 25-04).

25-04 HOUSES, GARAGES AND OTHER BUILDINGS

25-99 STEPS, LADDERS AND SCAFFOLDS

MISCELLANEOUS

CLASS 26

Lighting apparatus

26-01 CANDLESTICKS AND CANDELABRA

26-02 TORCHES AND HAND LAMPS AND LANTERNS

26-03 PUBLIC LIGHTING FIXTURES

Note: Including outside lamps, stage lighting and searchlight projectors.

26-04 LUMINOUS SOURCES, ELECTRICAL OR NOT

Note: Including bulbs for electric lamps, luminous plaques and tubes, and candles.

26-05 LAMPS, STANDARD LAMPS, CHANDELIERS, WALL AND CEILING FIXTURES,

26-06 LAMPSHADES, REFLECTORS, PHOTOGRAPHIC AND CINEMATOGRAPHIC

26-99 PROJECTOR LAMPS

LUMINOUS DEVICES FOR VEHICLES

MISCELLANEOUS

CLASS 27

Tobacco and smokers' supplies

27-01 TOBACCO, CIGARS

27-02 PIPES, CIGAR AND CIGARETTE HOLDERS
27-03 ASHTRAYS
27-04 MATCHES
27-05 LIGHTERS
27-06 CIGAR CASES, CIGARETTE CASES, TOBACCO JARS AND POUCHES
Note: Not including packages (Cl. 09).
27-99 MISCELLANEOUS

CLASS 28

Pharmaceutical and cosmetic products, toiler articles and apparatus

28-01 PHARMACEUTICAL PRODUCTS
Note: (a) Including for animals.
(b) Not including materials for dressing wounds and nursing (Cl. 24-04). (c) Including chemicals in cachet, capsule, lozenge, pill and tablet forms.
28-02 COSMETIC PRODUCTS
Including for animals.
Note: TOILET ARTICLES AND BEAUTY PARLOR EQUIPMENT
28-03 (a) Including razors, apparants and appliances for hair removing or hair dressing. (b)
Note Not including toilet and make-up brushes (Cl. 04-02), or articles and equipment for animals (Cl. 30-99)
28-04 WIGS, FALSE HAIRPIECES
28-99 MISCELLANEOUS

CLASS 29

Devices and equipment against fire hazards, for accident prevention and for rescue

29-01 DEVICES AND EQUIPMENT AGAINST FIRE HAZARDS
Note : (a) Including fire extinguishers.
29-02 (b) Not including fire engines (vehicles) (Cl. 12-13), free-hoses and nozzles for fire-hoses (Cl. 23-01).
Note: DEVICES AND EQUIPMENT AGAINST FOR ACCIDENT PREVENTION AND FOR
29-99 RESCUE, NOT ELSEWHERE SPECIFIED
(a) Including devices and equipment for animals.
(b) Not including helmets (Cl. 02-03) and garments for protection against accidents (Cl. 02-02; 02-04 or 02-06).
MISCELLANEOUS

CLASS 30

Articles for the care and handling of animals

Note: Not including animal foodstuffs (Cl. 01), or pharmaceutical and cosmetic products for animals (Cl. 28-01 or 28-02).

30-01 ANIMAL CLOTHING

30-02

Note:

30-03 PENS, CAGES, KENNELS AND SIMILAR SHELTERS

30-04

Note: Not including buildings (Cl. 25)

30-05 FEEDERS AND WATERERS

30-06

30-07 SADDLERY

30-08

30-09 Including collars for animals.

30-99 WHIPS AND PRODS

BEDS AND NESTS

PERCHES AND OTHER CAGE ATTACHMENTS

MARKERS, MARLS AND SHACKLES

HITCHING POSTS

MISCELLANEOUS

CLASS 31

Machines and appliances for preparing food or drink, not elsewhere specified

Note: Not including hand-manipulated utensil, instruments and appliances for serving or preparing food or drink (Cl. 07).

31-00 MACHINES AND APPLIANCES FOR PREPARING FOOD OR DRINK, NOT ELSEWHERE SPECIFIED

Miscellaneous

Note:

CLASS 99

99-00 Includes all products not included in the preceding classes.

MISCELLANEOUS

THE FOURTH SCHEDULE

(see rule 43)

Scale of costs allowable in proceedings before the Controller

Entry No.	Matter in respect of which cost is to be awarded.	Amount
1.	For Notice of Opposition under rule 40	Rs. 100.00
2.	For petition for cancellation of the registration of	Rs.1000.00
3.	for design under section 19. For notice of information to attend Hearing.	Rs. 200.00
4.	Stamps for Power of Attorney, where a professional has been appointed.	The amount actually paid.
5.	Stamps fee in respect of relevant Affidavit.	actually paid
6.	For Statement under rules 29(1) and 40(2).	Rs. 200.00
7.	For Counter Statement under rules29(3) and 40(4)	Rs. 200.00
8.	For each Affidavit, if relevant.	Rs. 100.00
9.	For each Citation, if relevant.	Rs. 100.00
10.	For each unnecessary or irrelevant Affidavit or Citation.	Rs. 100.00
11.	For every day or part of a day of Hearing before the Controller.	Rs. 500.00