
STATUTORY INSTRUMENTS

2006 No. 1975

The Registered Designs Rules 2006

PART 3

DESIGNS AFTER REGISTRATION

Duration of rights and surrender

Extension of duration of right in registered design

- 12.**—(1) An application for an extension under section 8(2) or 8(4) shall be made on Form DF9A.
- (2) An application under section 8(2) may only be made during the period of 6 months ending with the date on which the relevant period of 5 years expires.
- (3) On receipt of the prescribed renewal fee the registrar shall notify the registered proprietor of the extension of the right in the registered design.
- (4) Where the right in a registered design has ceased to have effect by reason of section 8(3), the registrar shall, before the end of the period of 6 weeks beginning with the date on which the right ceased, send written notice to the registered proprietor of that fact.
- (5) But paragraph (4) shall not apply where the renewal fee and the prescribed additional fee is paid before a notice is sent.

Restoration of a lapsed right in a design under section 8A

- 13.**—(1) An application for the restoration of the right in a design under section 8A shall—
- (a) be made on Form DF29; and
- (b) be supported by evidence of the statements made in the application.
- (2) The period prescribed for the purposes of section 8A(1) shall be the period of 12 months beginning with the date on which the registered design ceased to have effect.
- (3) The notice of the application shall be published in the journal.
- (4) Where, upon consideration of that evidence, the registrar is not satisfied that a case for an order under section 8A has been made out, he shall notify the applicant accordingly.
- (5) The applicant may, before the end of the period of 1 month beginning with the date of that notification, request to be heard by the registrar.
- (6) Where the applicant requests a hearing, the registrar shall give him an opportunity to be heard; after which the registrar shall determine whether the application under section 8A shall be granted or refused.
- (7) Where the registrar decides not to make the order he shall give the applicant written reasons for his refusal.

Cancellation of registration

14. A request under section 11 to cancel the registration of a design shall be made on Form DF19C.