
STATUTORY INSTRUMENTS

1989 No. 1130

The Design Right (Proceedings before Comptroller) Rules 1989

Proceedings in respect of application by design right owner to vary terms of licence

14.—(1) Where the Comptroller has, in settling the terms of the licence under rule 13, ordered that the licence shall be free of any obligation as to royalties or other payments, the design right owner or copyright owner (as the case may be) may serve on the Comptroller a notice in Form 4 in Schedule 1 applying for the terms of the licence to be varied from the date of his application. There shall be served with the notice a statement in duplicate setting out the particulars of the grounds for variation and the terms required to be varied.

(2) Within 14 days of the receipt of the notice the Comptroller shall send a copy of the notice, together with the design right or copyright owner's statement, to the applicant under rule 10 (hereinafter in this rule referred to as the licensee).

(3) The licensee shall, if he does not agree to the terms as required to be varied by the design right or copyright owner, within 6 weeks of the receipt of the notice serve notice of objection on the Comptroller with a statement setting out the grounds of his objection and at the same time shall serve a copy of the same on the design right or copyright owner, as the case may be.

(4) Within 4 weeks of the receipt of the notice of objection the design right or copyright owner may serve on the Comptroller a counter-statement, and at the same time shall serve a copy of it on the licensee.

(5) No amended statement or further statement shall be served by either party except by leave or direction of the Comptroller.