
STATUTORY INSTRUMENTS

2006 No. 1975

The Registered Designs Rules 2006

PART 3

DESIGNS AFTER REGISTRATION

Duration of rights and surrender

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 [^{F1}beginning immediately after] the date on which the registered design ceased to have effect [^{F2}except where the registered design is a re-registered design or a re-registered international design where the duration of the right in the design ends within the period of six months beginning with IP completion day (as defined in section 20(1) of the European Union (Withdrawal) Act 2018) and ending with the end of the period of six months beginning with the day after that on which IP completion day falls (a “relevant re-registered design”)]

[^{F3}(2A) The period prescribed for the purposes of section 8A(1) in respect of a relevant re-registered design or a re-registered international design shall be the period of 12 months beginning immediately after the date on which the registrar gave notice under section 8(3).]

(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 [^{F4}beginning immediately after] 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.

Textual Amendments

F1 Words in rule 13(2) substituted (31.3.2013) by virtue of [The Trade Marks and Registered Designs \(Amendment\) Rules 2013 \(S.I. 2013/444\)](#), rules 1, 7, **Sch. 2** (with rule 8)

F2 Words in rule 13(2) inserted (31.12.2020) by [The Designs and International Trade Marks \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/638\)](#), reg. 1, **Sch. 6 para. 3(a)** (as amended by S.I. 2020/1050, regs. 1(2), **24(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the
The Registered Designs Rules 2006, Section 13. (See end of Document for details)

- F3** Rule 13(2A) inserted (31.12.2020) by The Designs and International Trade Marks (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/638), reg. 1, **Sch. 6 para. 3(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in rule 13(5) substituted (31.3.2013) by virtue of The Trade Marks and Registered Designs (Amendment) Rules 2013 (S.I. 2013/444), rules 1, 7, Sch. 2 (with rule 8)

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Registered Designs Rules 2006, Section 13.