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**No. S 574**

**REGISTERED DESIGNS ACT  
(CHAPTER 266)**

**REGISTERED DESIGNS (AMENDMENT NO. 2) RULES 2017**

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, makes the following Rules:

**Citation and commencement**

1. These Rules are the Registered Designs (Amendment No. 2) Rules 2017 and come into operation on 30 October 2017.

**Amendment of rule 2**

2. Rule 2(1) of the Registered Designs Rules (R 1) (called in these Rules the principal Rules) is amended by inserting, immediately before the definition of “Designs Journal”, the following definition:

““classification” means the classification of an article, a non-physical product or a set of articles and non-physical products to which a design is intended to be applied, or in respect of which a design is registered, in accordance with any practice directions issued by the Registrar under rule 26;”.

**Deletion and substitution of rule 12**

3. Rule 12 of the principal Rules is deleted and the following rule substituted therefor:

**“Industrial application of designs**

**12.—**(1) For the purposes of section 9 of the Act, on or after 30 October 2017 but before 30 October 2018, a design is to be regarded as having been applied industrially in relation to articles, if —

- (a) the design is applied to one or more articles (not being hand-made articles) that are manufactured in lengths; or
- (b) the design is applied to more than 50 articles, no 2 or more of which are part of the same set of articles.

(2) For the purposes of section 9 of the Act, on or after 30 October 2018, a design is to be regarded as having been applied industrially in relation to articles, if —

- (a) the design is applied to one or more articles (not being hand-made articles) that are manufactured in lengths or in pieces;
- (b) the design is applied to more than 50 articles, no 2 or more of which are part of the same set of articles; or
- (c) all of the following apply:
  - (i) the design is applied to articles and non-physical products;
  - (ii) the total of the number of those articles, and the number of those non-physical products that can be projected simultaneously by one or more activated devices for projecting non-physical products, is more than 50;
  - (iii) no 2 or more of those articles and non-physical products are part of any of the following:
    - (A) the same set of articles;
    - (B) the same set of non-physical products;
    - (C) the same set of articles and non-physical products.

(3) For the purposes of section 9 of the Act, on or after 30 October 2018, a design is to be regarded as having been applied industrially in relation to non-physical products or devices for projecting non-physical products, if —

(a) all of the following apply:

- (i) the design is applied to non-physical products;
- (ii) more than 50 of those non-physical products can be projected simultaneously by one or more activated devices for projecting non-physical products;
- (iii) no 2 or more of those non-physical products are part of the same set of non-physical products; or

(b) all of the following apply:

- (i) the design is applied to articles and non-physical products;
- (ii) the total of the number of those articles, and the number of those non-physical products that can be projected simultaneously by one or more activated devices for projecting non-physical products, is more than 50;
- (iii) no 2 or more of those articles and non-physical products are part of any of the following:
  - (A) the same set of articles;
  - (B) the same set of non-physical products;
  - (C) the same set of articles and non-physical products.

(4) For the purposes of paragraphs (1), (2) and (3), the date on which the design is applied to an article or a non-physical product is irrelevant.”.

#### **Amendment of rule 14**

**4.** Rule 14 of the principal Rules is amended —

(a) by deleting paragraph (1A) and substituting the following paragraph:

“(1) The Registrar may issue practice directions to indicate, for each design in an application for registration —

- (a) the maximum number of different views of the design that may be filed as representations of the design; and
  - (b) the dimensions of each view.”; and
- (b) by inserting, immediately after paragraph (3), the following paragraphs:

“(4) Where the application is made for the registration of a design intended to be applied to a set of non-physical products, the representation must show the design as applied to each different non-physical product in the set.

(5) Where the application is made for the registration of a design intended to be applied to a set of articles and non-physical products, the representation must show the design as applied to each different article and each different non-physical product in the set.”.

### **Deletion and substitution of rule 15**

5. Rule 15 of the principal Rules is deleted and the following rule substituted therefor:

#### **“Statement of novelty**

**15.—**(1) The application form must contain, for each design, a statement describing the features of the design that the applicant considers to be new.

(2) Paragraph (1) does not apply to any features of pattern or ornament to be applied to any textile article, wallpaper or similar wall covering, lace or set of textile articles or lace.”.

### **Amendment of rule 17**

6. Rule 17 of the principal Rules is amended —

- (a) by inserting, immediately after the words “the applicant claims that section 8” in paragraph (1), the words “, 8A or 8B”;

- (b) by inserting, immediately after the words “in relation to” in paragraph (1), the words “any design in”;
- (c) by deleting sub-paragraph (a) of paragraph (2) and substituting the following sub-paragraph:
  - “(a) identify —
    - (i) each design mentioned in paragraph (1); and
    - (ii) the provision of section 8, 8A or 8B of the Act that applies in relation to that design;”;
- (d) by deleting the words “confidential disclosure” in the rule heading and substituting the words “disclosure of design”.

### **Amendment of rule 18**

7. Rule 18 of the principal Rules is amended —

- (a) by inserting, immediately after the words “in relation to” in paragraph (1), the words “any design in”; and
- (b) by inserting, immediately after the word “articles” in the rule heading, the words “or non-physical products”.

### **Amendment of rule 19**

8. Rule 19 of the principal Rules is amended —

- (a) by deleting the words “a right of priority is claimed” in paragraph (1) and substituting the words “an applicant claims a right of priority in relation to any design in the application”;
- (b) by deleting the words “the article” in paragraph (2)(c) and substituting the words “each article or non-physical product”;
- (c) by deleting the words “in accordance with the Third Schedule” in paragraph (2)(c); and