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TRADE MARKS ACT
(CHAPTER 332)
TRADE MARKS
(AMENDMENT) RULES 2014

In exercise of the powers conferred by section 108 of the Trade Marks Act, the Minister for Law hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Trade Marks (Amendment) Rules 2014 and shall come into operation on 13 November 2014.

Amendment of rule 2

2. Rule 2(1) of the Trade Marks Rules (R 1) (referred to in these Rules as the principal Rules) is amended by deleting the definitions of “account holder”, “authentication code” and “identification name”.

Amendment of rule 3

3. Rule 3 of the principal Rules is amended by deleting paragraph (2) and substituting the following paragraphs:

“(2) Unless otherwise provided for in these Rules, or the Registrar permits or directs otherwise —

- (a) where a fee is specified in the First Schedule in respect of any matter, the fee shall be paid at the same time as the filing of the form corresponding to the matter; and
- (b) if the fee is not paid, the form shall not be treated as filed.

(3) Unless the Registrar permits or directs otherwise, the payment of a fee in connection with an act referred to in rule 78A(2)(a) shall be made using any mode of payment

designated by the electronic online system, if the act is carried out using that system.”.

Amendment of rule 4

4. Rule 4 of the principal Rules is amended —

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

“(1) The Registrar shall publish on the Office’s Internet website at <http://www.ipos.gov.sg> the forms to be used for any purpose relating to the registration of a trade mark or any other proceedings before the Registrar under the Act.”; and

(b) by deleting paragraph (4) and substituting the following paragraphs:

“(4) Any reference in these Rules to a numbered form shall be construed as a reference to the current version of the form which bears the corresponding number and is described in the Second Schedule.

(5) The matters referred to in the Act, including sections 5(1), 5A(2), 13(3) and 67(5) of the Act, shall be filed with, made to or given to, the Registrar, or done in an effective and efficient manner by means which may be specified by the Registrar by the issuance of practice directions.”.

New rule 4A

5. The principal Rules are amended by inserting, immediately after rule 4, the following rule:

“Practice directions

4A. All practice directions issued by the Registrar under the Act or these Rules shall be published by the Registrar on the Office’s Internet website at <http://www.ipos.gov.sg>.”.

Amendment of rule 7

6. Rule 7 of the principal Rules is amended —

- (a) by deleting the word “or” at the end of paragraph (1)(b);
- (b) by deleting the full-stop at the end of sub-paragraph (c) of paragraph (1) and substituting the word “; or”, and by inserting immediately thereafter the following sub-paragraph:
 - “(d) by hand.”; and
- (c) by deleting paragraph (6B).

Deletion and substitution of rule 9

7. Rule 9 of the principal Rules is deleted and the following rule substituted therefor:

“Address for service

9.—(1) For the purposes of any proceedings before the Registrar, an address for service in Singapore shall be filed in accordance with paragraph (2) or (5) by or on behalf of —

- (a) every applicant for the registration of a trade mark;
- (b) every person opposing any of the following:
 - (i) an amendment of an application for registration of a trade mark which has been published, where the amendment affects the goods or services covered by the application for registration;
 - (ii) an application for registration of a trade mark, collective mark or certification mark;
 - (iii) a removal of any matter from the register;
 - (iv) an alteration of a registered trade mark;
 - (v) an application to amend the regulations governing the use of a registered collective mark or certification mark;

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- (c) every person applying to the Registrar under section 22 of the Act for the revocation of the registration of a trade mark, under section 23 of the Act for a declaration of invalidity of the registration of a trade mark, or under section 67 of the Act for the rectification of the register;
 - (d) every person granted leave to intervene under rule 60;
 - (e) every proprietor of a registered trade mark which is the subject of an application to the Registrar for the revocation of the registration of the trade mark, for a declaration of invalidity of the registration, or for a rectification of the register;
 - (f) every applicant for the renewal of the registration of a trade mark or for the restoration of a trade mark to the register;
 - (g) every applicant for the registration of —
 - (i) a grant of a licence;
 - (ii) the amendment of a licence; or
 - (iii) the termination of a licence;
 - (h) every applicant for the registration of —
 - (i) a grant of any security interest;
 - (ii) the amendment of any security interest; or
 - (iii) the termination of any security interest;
 - (i) every applicant for the registration of a change in ownership of a registered trade mark;
 - (j) every person recorded as having an interest in a trade mark pursuant to —
 - (i) the making of an assent by personal representatives; or
 - (ii) an order of the Court or any other competent authority; and

(k) every other party to any proceedings before the Registrar.

(2) Where the application for a matter requires an address for service in Singapore to be furnished, the address for service in Singapore shall be furnished on the form filed for the matter.

(3) The filing of an address for service in accordance with paragraph (2) shall be effective only for the matter for which the form is filed.

(4) Notwithstanding paragraph (3) —

(a) subject to sub-paragraph (e), where an applicant for the registration of a trade mark furnishes an address for service in Form TM 4, the address for service shall be effective for the purposes of all proceedings in respect of the trade mark in relation to which that form is filed;

(b) subject to sub-paragraph (f), the address for service of a proprietor of a registered trade mark shall be effective for the purposes of all proceedings in respect of the registered trade mark, except for any application for the second or any subsequent renewal of the registered trade mark;

(c) where a person who opposes any of the following furnishes an address for service in Form TM 11, the address for service shall be effective for the purposes of the proceedings in relation to which that form is filed and any related proceedings under Part X:

(i) an amendment of an application for registration of a trade mark which has been published, where the amendment affects the goods or services covered by the application for registration;

(ii) an application for registration of a trade mark, collective mark or certification mark;

(iii) a removal of any matter from the register;

(iv) an alteration of a registered trade mark;