

## **Trade Marks (Amendment No. 4) Rules 1997**

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**No. S 540**

### **TRADE MARKS ACT (CHAPTER 332)**

### **TRADE MARKS (AMENDMENT NO. 4) RULES 1997**

In exercise of the powers conferred by section 66 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 No. 4) Rules 1997 and shall come into operation on 15th December 1997.

#### **Deletion of rules 67 to 70 and substitution of rules 67 and 68**

**2.** The Trade Marks Rules (R 1) (referred to in these Rules as the principal Rules) are amended by deleting rules 67 to 70 and substituting the following rules:

##### **“Application to register assignment or transmission**

**67.—(1)** An application to register an assignment or transmission under

section 43 of the Act shall be made on Form T.M. 22.

(2) Subject to paragraph (3), an application under paragraph (1) shall be signed by or on behalf of all the parties to the assignment or transmission.

(3) Where an application under paragraph (1) is not signed by or on behalf of all the parties to the assignment or transmission, the application shall, unless the Registrar otherwise directs, be accompanied by —

- (a) a certified copy of any documentary evidence as suffices to establish the assignment or transmission; or
- (b) a statement of case verified by a statutory declaration on Form T.M. 23, setting out the full particulars of the facts on which the application is based and showing that a registered trademark has been assigned or transmitted to the applicant.

(4) For the purposes of this rule, where a party required to sign the application is a corporation, it is sufficient for that party to seal the application with its corporate seal.

#### **Additional information**

**68.** The Registrar may require the applicant under rule 67(1) to furnish such other document, instrument or information in support of the application as the Registrar thinks necessary.”.

#### **Amendment of rule 96**

3. Rule 96 of the principal Rules is amended by deleting paragraph (3).

#### **Amendment of Second Schedule**

4. The Second Schedule to the principal Rules is amended —

- (a) by deleting Form T.M. 22 and substituting the following Form:

Receipt No.	Receipt Date	Fee \$60 per mark	Filing Date												
<p><b>NOTES:</b></p> <p>If there is not enough space for your answers in any part of this form, use separate sheets. Number each one and write on the form how many extra sheets you have used.</p>															
<p><b>TRADE MARKS ACT</b> <span style="float: right;"><b>FORM TM 22</b></span>  <b>(Page 1 of 4)</b></p> <p>Application to register a Subsequent Proprietor of a Trade Mark</p>															
<p>Please lodge TM 26 in duplicate if particulars are different from those on record.</p>	<p>1 Trade Mark Number and Class Number of Mark(s)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Trade Mark Number</td> <td style="width: 20%; text-align: center;">Class Number</td> <td style="width: 30%; text-align: left;">Associated Marks, if any</td> </tr> <tr> <td style="text-align: center;">[ ]</td> <td style="text-align: center;">[ ]</td> <td>.....</td> </tr> <tr> <td style="text-align: center;">[ ]</td> <td style="text-align: center;">[ ]</td> <td>.....</td> </tr> <tr> <td style="text-align: center;">[ ]</td> <td style="text-align: center;">[ ]</td> <td>.....</td> </tr> </table>		Trade Mark Number	Class Number	Associated Marks, if any	[ ]	[ ]	.....	[ ]	[ ]	.....	[ ]	[ ]	.....	
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[ ]	[ ]	.....													
[ ]	[ ]	.....													
[ ]	[ ]	.....													
<p>2 Full name and address of Proprietor on record</p> <p>Name</p> <p>.....</p> <p>.....</p> <p>Address</p> <p>.....</p> <p>.....</p>															
<p>Mark correct box with an "X".</p>	<p>3 Nature of transmission or assignment</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"> <input type="checkbox"/> Assignment of a registered trade mark  <input type="checkbox"/> Assignment of a pending trade mark application  <input type="checkbox"/> Merger of corporate bodies (for a registered trade mark)  <input type="checkbox"/> Merger of corporate bodies (for a pending trade mark application)  <input type="checkbox"/> Grant of Probate/Letters of Administration  <input type="checkbox"/> Others. Please specify                  .....             </td> </tr> </table>				<input type="checkbox"/> Assignment of a registered trade mark <input type="checkbox"/> Assignment of a pending trade mark application <input type="checkbox"/> Merger of corporate bodies (for a registered trade mark) <input type="checkbox"/> Merger of corporate bodies (for a pending trade mark application) <input type="checkbox"/> Grant of Probate/Letters of Administration <input type="checkbox"/> Others. Please specify .....										
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<p>It is not necessary to attach a copy of the instrument/document unless the transmission falls under rule 69.</p>	<p>4 Give the following details of the instrument/document of the transmission or assignment.</p> <p>Details</p> <p>(i) Type of instrument effecting the transmission/assignment</p> <p>(ii) Parties involved</p> <p>(iii) Date of instrument effecting transmission/assignment</p>														

..

If the transmission/assignment is in relation to a pending trade mark application, state that the benefit of the application is transmitted together with right, title or interest in trade mark upon registration being granted.

Mark the correct box with an "X".

Mark the correct box with an "X".

List the registered user, if any, of each of the marks set out in part 1. If the registered user is to be retained please fill in 7b. Otherwise, please lodge TM 39.

State the names of all individuals or all partners in a firm, if Assignor(s) is a partnership

<p>(iv) The right, title or interest transmitted or assigned.</p> <p>(iv) Effective date of acquisition of proprietorship. (If the trade mark has not been entered in the register, the date of acquisition is the date of application for trade mark.)</p>		
<p>5 Whether in respect of all the goods/services in respect of which the trade mark(s) is/are registered or applied for.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No. In respect of .....	
<p>6 Whether in connection with the goodwill of the business</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>7a Registered User .....</p>		
<p>7b Novation Agreement has been entered into between relevant parties and the registered user is to be retained by the assignee.</p>	<p>Signature of Registered User</p>	
	<p>Status of Signatory</p>	
	<p>Name of Signatory</p>	
	<p>Date of Signature</p>	
<p>8 Person(s) from whom the right, title or interest is transferred by virtue of the transmission/assignment ("Assignor(s)")</p>	<p>Name(s)</p>	
	<p>Body description or Country of Incorporation</p>	
	<p>Address</p>	