

The Designs (Amendment) Rules, 2008

February 11, 2013

Preliminary

MINISTRY OF COMMERCE AND INDUSTRY
(Department of Industrial Policy and Promotion)

NOTIFICATION

New Delhi, the 17th June, 2008

S.O. 1460(E).- Whereas, a draft of Designs (Amendment) Rules, 2007 was published as required by sub-section (3) of Section 47 of the Designs Act, 2000 (16 of 2000), by the notification of the Government of India, Ministry of Commerce and Industry number S.O. 137 (E) dated 23rd January, 2008 in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii) dated 23rd January, 2008.

And whereas objections and suggestions were invited till the 29th February, 2008 from all persons likely to be affected thereby;

And whereas the draft of the Designs Rules was made available to the public on the 29th January, 2008 through the said Gazette dated January 23rd, 2008.

And whereas no objections and suggestions have been received from the public with respect to the said draft Rules.

Now, therefore, in exercise of the powers conferred by section 47 of the Designs Act, 2000 (16 of 2000), the Central Government hereby makes the following rules, namely:-

Section 1.

1. Short title and commencement.- (1) These rules may be, called the Designs (Amendment) Rules, 2008.

(2) They shall come into force on the date of their publication in the Official Gazette.

Amendments

Section 2.

In the Designs Rules, 2001 (hereinafter) referred to as the principal rules), in rule 3,-

(a) for the marginal heading the following shall be substituted, namely:-
"Manner for leaving and serving documents."



(b) for sub-rule (1), the following sub-rule shall be substituted, namely:-

“(1) Any application, notice or other document authorized or required to be filed, left, made or given at the Office, or to the Controller or to any other person under the Act or these rules, may be sent by hand or by a prepaid letter addressed to the Controller or to that person through post or courier service or by electronic transmission duly authenticated. If sent by a prepaid letter or courier service or by electronic transmission duly authenticated, it shall be deemed to have been filed, left, made or given at the time when the letter containing the same would have been delivered in the ordinary course of post or courier service or electronic transmission duly authenticated, as the case may be. In proving such sending, it shall be sufficient to prove that the letter was properly addressed and transmitted, provided that any application, notice or document sent through fax or by electronic mail shall also be deemed to have been filed, left, made or given if the same is clear and fully legible and its original or the paper copy, as the case may be, is submitted to the office within fifteen days from the date of receipt of the document so faxed or electronically mailed except where the fee ~ required to be accompanied with the documents.”

{e)- in sub-rule 4, the words “along with the fees” shall be omitted.

Section 3.

In rule 5 of the principal rules, in sub-rule 2, for clauses (a), (b) and (c), the following clauses shall be substituted, namely:-

“(a) The fees payable under these rules may either be paid in cash or through electronic means or may be sent by bank draft or cheque payable to the Controller and drawn on a scheduled bank at the place where the office is situated.

(b) Where a fee is payable in respect of a document, the entire fee shall accompany the document.

(c) Fees once paid in respect of any proceedings shall not ordinarily be refunded irrespective of whether the proceeding has taken place or not.”

Section 4.

In rule 7 of the principal rules, in sub-rule (1), for the letter, figure and words “A4 size with a margin of at least one inch and a half or”, the words, brackets, figures and letters “A4 size (210 mm x 296.9 mm) with a margin of” shall be substituted.

Section 5.

In rule 14 of the principal rules,-

(a) in sub-rule (1), after the word “representation”, the words “including computer graphics” shall be inserted.



(b) for sub-rule (3) the following sub-rule shall be substituted,—"Each representation of the design whether to be applied to a single article or to a set, shall be on durable paper of A4 size (210 mm x 296.9 mm) (and not on cardboard) and shall appear on one side only of the paper. The figure or figures shall be placed in an upright position on the sheet in size in which the details are clearly visible. When more figures than one are shown, these shall, where possible, be on one or more sheets, and each shall be designated (e.g., perspective view; front perspective view; front view, side view)" etc.

(c) in sub-rule (7), figures and words "5 by 4 inches or" shall be omitted.

(d) after sub-rule (8) the following sub-rules shall be inserted, namely:-

"(9) Photographs shall be pasted on the representation sheets firmly only with the help of strong adhesive, not by any other means including stapler pin and cellotape.

(10) Where photographs are used in the representation sheets, one of the four copies of the representation sheets shall not be covered with cellophane/tracing papers, or any other papers."

Section 6.

In rule 15 of the principal rules, in sub-rule (2), the following words shall be inserted at the end "on an application made in form 18 with the fee specified in the first schedule."

Section 7.

In rule 16 of the principal rule, in sub-rule (1), after the words, brackets and figures "sub section (1)", the word, bracket and figure "and (5)" shall be inserted.



Section 8.

In rule 17 of the principal rule, the following sentence shall be inserted at the end, "After acceptance the Controller will issue the certificate of registration as specified in the Fifth schedule of the rules".

Section 9.

In rule 18 of the principal rule, in sub-rule (1), in the proviso, the following shall be inserted at the end,—"or may be extended for a further period not exceeding three months on a request made in form 18 by the applicant or his agent along with the fee specified in the first schedule before the expiry of the stipulated period of six months".

Section 10.

For rule 21 of the principal rules, the following rule shall be substituted, namely:-

"21. Non-completion within stipulated period.- An application which owing to any negligence or default of the applicant, has not been completed so as to enable registration to be effected within six months or within extended period as specified in rule 18 from the date of application, shall be deemed to be abandoned".

Section 11.

In rule 22, 25, 27, 39 of the principal rules, the word "Gazette" wherever it occurs- the words, figures and brackets "Journal referred to in section 145 of the Patents Act 1970 (39 of 1970)" shall be substituted.

Section 12.

In rule 28 of the principal rules, in sub rule 2, for the word "lodge", the word "file" shall be substituted.

Section 13.

In rule 29 of the principal rules,

(a) in sub-rule 1, after the word "statement" the words "and evidence" shall be inserted.

(b) in sub-rule 2, after the word "statement" the words "and evidence" shall be inserted.

(c) for sub-rules 3 and 4, the following sub-rules shall be substituted, namely:-

(3) "If the registered proprietor intends to oppose the application he shall within a time to be specified- by the Controller, file at the office a counter statement and evidence setting out the grounds on which he intends to oppose the application and shall deliver to the applicant a copy thereof simultaneously.

(4) The applicant may, after delivery to him of the copy of the registered proprietor's counter statement and evidence leave at the office, evidence in reply by way of affidavits in support of his case and shall also deliver to the registered proprietor a copy of thereof simultaneously."

(d) sub-rule 5 and 6 shall be omitted.

(e) for sub-rule 9, the following sub-rule shall be substituted, namely,-

"(9) The time allowed for filling the counter-statement and evidence or for leaving reply evidence shall ordinarily be one month which may be extended only by a special order of the Controller given on a petition with the fee specified in the first schedule made by party seeking extension of time.

Provided that the extension so granted shall in no case exceed three months in aggregate".

(f) In sub-rule (10), for the words, figures and brackets "sub rule (3) to (8)", the words, figures and brackets "sub-rules (1) to (8)" shall be substituted.

Section 14.

In rule 40 of the principal rule,

(a) in sub-rule 2, after the words "written statement" the words "and the evidence" shall be inserted.

(b) in sub-rule 3, after the words "written statement", the words "and evidence" shall be inserted.

(c) in sub-rule 4, for the words, figures and brackets "sub-rules (4) to (13)", the words, figures and brackets "sub-rules (3) to (11)" shall be substituted.



Section 15.

For rule 47 of the principal rules, the following rules shall be substituted, namely:-

"47. General Power to enlarge time:- The time prescribed by these rules for doing any act or taking any proceeding where no special provision is made thereunder may be enlarged by the Controller, for a period not exceeding three months, if he thinks fit, and upon such terms as he may direct.

47 A. Digital Signature, – The signature, as required, wherein applicable, under the rules may include digital signature".

Schedule 1.

In the **THE FIRST SCHEDULE** of the principal rules,-

(a) for items numbers 2, 19, 26 and entries relating thereto, the following items and entries shall respectively, be substituted, namely: –

2	On claim under section 8(1) & (5) to proceed as an applicant or joint applicant	2	500.00
19	On application for extension of time for filing priority document under Rule 15 & Rule 18	18	200.00(per month)
26	On petition under rule 29, 40, 47 for enlargement of time		500.00"

Schedule 2.

In the **THE SECOND SCHEDULE** of the principal rules,-

(a) "in the List of Forms, under the heading 'Section or Rules' against form No.2 for the words, figures and brackets "Section 8 (1)", the words, figures and brackets "Section 8 (1) and (5)" shall be substituted, and against form No. 18 for the words and figures "rule 15", the words and figures "rule 15 and rule 18" shall be substituted.

(b) In Form 1, for the words, number and brackets-

"(i) Name of country,

(ii) Official date,

(iii) Official number.", the words, numbers and brackets,

"(i) Name of the country/inter governmental organization,

(ii) Date of filing,

(iii) Application number,

(iv) Name of the applicant" shall be substituted.

(b) at the end; after the words "THE PATENT. OFFICE" the word "CALCUTTA" shall be omitted.

(c) In Form 2



(i) after the words "CLAIM UNDER" for the words, figures and brackets" SECTION 8 (1)", the words, figures and brackets "SECTION 8 (1) & (5)" shall be substituted

(ii) . In Form 2 to 17 and 19 to 23, at the end, the word "CALCUTTA" shall be omitted.

(d) . In Form 18,

(a) For the words, figures and brackets "[see rule 15]", the words, figures and brackets "[see rule 15 and rule 18]" shall be substituted.

(b) In paragraph 2, for the words "application No. _____ "the words, numbers and brackets" (i) application No. _____ or (ii) to extend the time period as specified under Rule 18 in respect of the application No. " shall be substituted.

(c) at the end, after the words "THE PATENT OFFICE" , the word "CALCUTTA" shall be omitted.

(e) In all forms of the Second Schedule the words "The Designs Act, 2000" shall be inserted at the beginning.

Schedule 3 – List of Classed and Subclasses, with Explanatory Notes

Class 1. Foodstuffs

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 1

Foodstuffs

Notes: (a) Including foodstuffs for human beings, foodstuffs for animals and dietetic -foods. .

(b) Not including packages (CI. 9).

01-01 BAKERS' PRODUCTS, BISCUITS, PASTRY, MACARONI AND OTHER CEREAL PRODUCTS, CHOCOLATES, CONFECTIONERY, ICES

01-02 FRUIT AND VEGETABLES

01-03 CHEESES, BUTTER AND BUTTER SUBSTITUTES, OTHER DAIRY PRODUCE

01-04 BUTCHERS' MEAT (INCLUDING PORK PRODUCTS), FISH

01-05 [vacant]

01-06 ANIMAL FOODSTUFFS

01-99 MISCELLANEOUS

Class 2. Articles of clothing and haberdashery

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE



Classification of Goods**(See rule 10)****CLASS 2**

Articles of clothing and haberdashery

Note: Not including articles of clothing for dolls (Cl. 2-1-01), special equipment for protection against fire hazards, for accident prevention and for rescue (Cl. 29), and animal clothing (Cl. 30-01).

02-01 UNDERGARMENTS, LINGERIE, CORSETS, BRASSIERES, NIGHTWEAR

Notes: (a) Including orthopedic corsets and body linen.

(b) Not including household linen (Cl. 6-13).

02-02 GARMENTS

Notes: (a) Including all sorts of garments, and furs, bathing costumes, sports clothing and orthopedic garments, subject to the exceptions indicated under (b).

(b) Not including undergarments (Cl. 2-01), or garments to be placed in Classes 2-03; 2-04; 2-05 or 2-06.

02-03 HEADWEAR

Note: Including all kinds of headwear for men, women and children.

02-04 FOOTWEAR, SOCKS AND STOCKINGS

Note: Including special boots for sports such as football, skiing and ice hockey, orthopedic footwear and socks, as well as tights, gaiters and other legwear.

02-05 NECKTIES, SCARVES, NECKERCHIEFS AND HANDKERCHIEFS

Note: Including all "flat" clothing accessories.

02-06 GLOVES

Note: Including surgical gloves and rubber or plastic protective gloves for household use or for various occupations or sports.

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02-07 HABERDASHERY AND CLOTHING ACCESSORIES

Notes: (a) Including buttons, clasps for garments, for headwear and for footwear, laces, pins, hand sewing, knitting and embroidery equipment and clothing accessories such as belts, suspenders, braces. .

(b) Not including yarns or other threads (Cl. 5-01), decorative trimmings (Cl. 5-04), sewing, knitting and embroidery machines (Cl. 15-06) or sewing kits (containers) (Cl. 3-01).

02-99 MISCELLANEOUS**Class 3. Travel goods, cases, parasols and personal belongings, not elsewhere specified**

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 3

Travel goods, cases, parasols and personal belongings, not elsewhere specified

03-01 TRUNKS, SUITCASES, BRIEFCASES, HANDBAGS, KEYHOLDERS, CASES SPECIALLY DESIGNED FOR THEIR CONTENTS, WALLETS AND SIMILAR ARTICLES

Note: Not including articles for the transport of goods (CI. 9) or cigar cases and cigarette cases (CI. 27-06).

03-02 [vacant]

03-03 UMBRELLAS, PARASOLS, SUNSHADES AND WALKING STICKS

03-04 FANS

03-99 MISCELLANEOUS

Class 4. Brushware

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 4

Brushware

04-01 BRUSHES AND BROOMS FOR CLEANING

Note: Not including clothes brushes (CI. 4-02).

04-02 TOILET BRUSHES, CLOTHES BRUSHES AND SHOE BRUSHES

Note: "Toilet brushes" means brushes for corporal use; for example, for the hair, nails or teeth,
04-03 BRUSHES FOR MACHINES.

Note: "Brushes for machines" means brushes incorporated in machines or in special vehicles.

04-04 PAINT BRUSHES, BRUSHES FOR USE IN COOKING

04-99 MISCELLANEOUS



Class 5. Textile piecegoods, artificial and natural sheet material

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE**Classification of Goods**

(See rule 10)

CLASS 5

Textile piecegoods, artificial and natural sheet material

Notes: (a) Including all textile or similar articles, sold by the yard and not made up.

(b) Not including ready-made articles (Cl. 2 or 6).

05-01 SPUN ARTICLES

Notes: (a) Including yarn and thread.

(b) Not including, for instance, rope, wire rope, string, twine (Cl. 9-06).

05-02 LACE

05-03 EMBROIDERY

05-04 RIBBONS, BRAIDS AND OTHER DECORATIVE TRIMMINGS

05-05 TEXTILE FABRICS

Note: Including textile fabrics woven, knitted or otherwise manufactured, tarpaulins, felt and loden.

05-06 ARTIFICIAL OR NATURAL SHEET MATERIAL

Notes: (a) Including sheets whose only characteristic features are their surface ornamentation or their texture; in particular, covering sheets such as wallpaper, linoleum, self-adhesive plastic sheets, wrapping sheets and rolls of paper, subject to the exceptions indicated under (b).

(b) Not including writing paper, even in rolls (Cl. 19-01), or sheets used as building components, such as wall panels and wainscoting (Cl. 25-01).

05-99 MISCELLANEOUS

Class 6. Furnishing

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE**Classification of Goods**

(See rule 10)



CLASS 6

Furnishing

Notes: (a) Composite furniture articles embodying components included in several subcl

(b) Sets offurniture, as far as they can be looked upon as one design;are classified in Class 6-05.

(c) Not including textile piecegoods (Cl. 5).

06-01 SEATS

Notes: (a) including all seats even if they are suitable for laying, such as benches, couches, divans [sofas], ottomans, benches for saunas and sofas.

(b) Including vehicle seats.

06-02 BEDS .

Notes: (a) Including mattress supports.

(b) Notincluding seats suitable for laying eel. (Cl. 6-01), such as benches, couches, divans [sofas], ottomans, benches for saunas and sofas.

06-03 TABLES ANDISIMILAR FURNITURE

06-04 STORAGE FURNITURE

Note: Including cupboards, furniture with drawers or compartments, and shelves.

06-05 COMPOSITE FURNITURE

06-06 OTHER FURNITURE AND FURNITURE PARTS

06-07 MIRRORS AND FRAMES

Note: Not including mirrors included in other classes (see Alphabetical List).

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06-08 CLOTHES HANGERS

06-09 MATTRESSES AND CUSHIONS

06-10 CURTAINS AND INDOOR BLINDS

06-11 CARPETS, MATS AND RUGS

06-12 TAPESTRIES .

06-13 BLANKETS AND OTHER COVERING MATERIAL-S, HOUSEHOLD LINEN AND NAPERY

Note: Including furniture covers, bedspreads and table covers.

06-99 MISCELLANEOUS.



Class 7. Household goods, not elsewhere specified

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE**Classification of Goods**

(See rule 10)

CLASS 7

Household goods, not elsewhere specified

Notes: (a) Including household appliances and utensils operated by hand, even if motor driven.

(b) Not including machines and appliances for preparing food and drink (Cl. 31).

07-01 CHINA, GLASSWARE, DISHES AND OTHER ARTICLES OF A SIMILAR NATURE

Notes: (a) Including dishes and crockery in all materials; in particular, paper and cardboard dishes.

(b) Not including cooking utensils and containers, such as glass and earthenware pots (Cl. 7-02), or flower vases, flower pots and china and glassware, of a purely ornamental nature (Cl. 11-02).

07-02 COOKING APPLIANCES, UTENSILS AND CONTAINERS ..**07-03 TABLE KNIVES, FORKS AND SPOONS****07-04 APPLIANCES AND UTENSILS, HAND-MANIPULATED, FOR PREPARING FOOD OR DRINK**

Note: Not including appliances and utensils classified in Class 7-02 and in Class 31.

07-05 FLAT IRONS AND WASHING, CLEANING AND DRYING EQUIPMENT

Note: Not including electric household appliances for washing, cleaning or drying (Cl. 15-05).

07-06 OTHER TABLE UTENSILS**07-07 OTHER HOUSEHOLD RECEPTACLES****07-08 FIREPLACE IMPLEMENTS****07-99 MISCELLANEOUS****Class 8. Tools and hardware**

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE**Classification of Goods**

(See rule 10)

CLASS 8

Tools and hardware

Notes: (a) Including hand-operated tools, even if mechanical power takes the place of muscular force; for example, .electric saws and drills.

(b) Not including machines or machine tools (Cl. 15 or 31).

08-01 TOOLS AND IMPLEMENTS FOR DRILLING, MILLING OR DIGGING

08-02 HAMMERS AND OTHER SIMILAR TOOLS AND IMPLEMENTS

08-03 CUTTING TOOLS AND IMPLEMENTS

Notes: (a) Including tools and instruments for sawing.

08-04 SCREWDRIVERS AND OTHER SIMILAR TOOLS AND IMPLEMENTS

08-05 OTHER TOOLS AND IMPLEMENTS

Note: Including tools which are not classified, or not to be placed, in other subclasses or Classes.

08-06 HANDLES, KNOBS AND HINGES

08-07 LOCKING OR CLOSING DEVICES

08-08 FASTENING, SUPPORTING OR MOUNTING DEVICES NOT INCLUDED IN OTHER CLASSES

Notes: (a) Including nails, screws, nuts and bolts.

(b) Not including fastening devices for clothing (Cl. 2-07), for adornment (Cl. 11-01), or for office use (Cl. 19-02).

08-09 METAL FITTINGS AND MOUNTINGS FOR DOORS, WINDOWS AND FURNITURE, AND SIMILAR ARTICLES

08-10 BICYCLE AND MOTORCYCLE RACKS

08-99 MISCELLANEOUS

Note: Including non-electric cables, regardless of the material of which they are made.

Class 9. Packages and containers for the transport or handling of goods

The THIRD SCHEDULE of the principal rules shall be substituted, namely:-

“THE THIRD SCHEDULE**Classification of Goods****(See rule 10)**

CLASS 9

Packages and containers for the transport or handling of goods

09-01 BOTTLES, FLASKS, POTS, CARBOYS, DEMIJOHNS, AND CONTAINERS WITH DYNAMIC DISPENSING MEANS

Notes: (a) "Pots" means those serving as containers.

(b) Not including pots regarded as crockery (Cl.7-01), or flower pots (Cl. 11-02).

09-02 STORAGE CANS, DRUMS AND CASKS

09-03 BOXES, CASES, CONTAINERS, (PRESERVE) TINS OR CANS

Note: Including freight containers.

09-04 HAMPERS, CRATES AND BASKETS

09-05 BAGS, SACHETS, TUBES AND CAPSULES

Notes: (a) Including plastic bags or sachets, with or without handle or means of closing.

(b) "Capsules" means those used for packaging.

09-06 ROPES AND HOOPING MATERIALS

09-07 CLOSING MEANS AND ATTACHMENTS

Notes: (a) Including only closing means for packages.

(b) "Attachments" means, for example, dispensing and dosing devices incorporated in containers and detachable atomizers.

09-08 PALLETS, AND PLATFORM~4 FOR FORKLIFTS

09-09 REFUSE AND TRASH CONTAINERS AND STANDS THEREFOR

09-99 M~CELLANEOUS

Class 10. Clocks and watches and other measuring instruments, checking and signalling

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 10

Clocks and watches and other measuring instruments, checking and signalling instruments



10-01 CLOCKS AND ALARM CLOCKS

10-02 WATCHES AND WRIST WATCHES

10-03 OTHER TIME-MEASURING INSTRUMENTS

Note: Including time-measuring apparatus such as parking meters, timers for kitchen use and similar instruments.

10-04 OTHER MEASURING INSTRUMENTS, APPARATUS AND DEVICES

Notes: (a) Including instruments, apparatus and devices for measuring temperature, pressure, weight, length, volume and electricity.

(b) Not including exposure meters (Cl. 16-05).

10-05 INSTRUMENTS, APPARATUS AND DEVICES FOR CHECKING, SECURITY OR TESTING

.10-06 SIGNALLING APPARATUS AND DEVICES

Note: Not including lighting or signalling devices for vehicles (CL.26-06).

10.07 CASINGS, CASES, DIALS, HANDS AND ALLOTHER PARTS AND ACCESSORIES OF INSTRUMENTS FOR MEASURING, CHECKING AND SIGNALLING

Note: "Casings" means watch and clock casings and aU ,Gilsings,being integral parts of instruments of which they protect the mechanism, with the exception of cases specially designed for their contents (CI. 3-01) or for packaging (CI. 9-03).

10-99 MISCELLANEOUS

Class 11. Articles of adornment

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE**Classification ofGoods**

(See rule 10)

CLASS 11

Articles of adornment

11-01 JEWELLERY

Notes: (a) Including fancy and imitation jewellery.

(b) Not including watches (Cl. 10-02).

11-02 TRINKETS, TABLE, MANTEL AND WALL ORNAMENTS, FLOWER VASES AND POTS

Note: Including sculptures, mobiles and statues.



11-03 MEDALS AND BADGES"

11-04 ARTIFICIAL FLOWERS, FRUIT AND PLANTS

11-05 FLAGS, FESTIVE DECORATIONS

Notes: (a) Including garlands, streamers and, Christmas tree decorations.

(b) Not including candles (Cl. 26-04).

11-99 MISCELLANEOUS

Class 12. Means of transport or hoisting

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 12

Means of transport or hoisting

Notes: (a) Including all vehicles: land, sea, air, space and others.

(b) Including parts, components and accessories which exist only in connection with a vehicle and cannot be placed in another class; these parts, components and accessories of . vehicles are to be placed in the subclass of the vehicle in question, or in Class 12-16 if they are c.ommon to several vehicles included in different subclasses. .

(c) Not including, in principle, parts, components and accessories of vehicles which can be placed in another class; these parts, components and accessories are to be placed in the same class as articles of the same type, in other words, having the same function. Thus, carpets or mats for automobiles are to be placed with carpets (Cl. 6-11); electric motors for vehicles are to be placed in Class 13-01, and non-electric motors for vehicles in Class. 15-01 (the same applies to the components of such motors); automobile headlamps are to be placed with lighting apparatus (Cl. 26-06).

(d) Not including scale models of vehicles (Cl. 21-01).

12-01 VEHICLES DRAWN BY ANIMALS

12-02 HANDCARTS, WHEELBARROWS

12-03 LOCOMOTIVES AND ROLLING STOCK FOR RAILWAYS AND ALL OTHER RAIL VEHICLES

12-04 TELPHER CARRIERS, CHAIR LIFTS AND SKI LIFTS

12-05 ELEVATORS AND HOISTS FOR LOADING OR CONVEYING

Note: Including passenger lifts, goods lifts, cranes, forklift trucks and conveyor belts.



12-06 SHIPS AND BOATS

12-07 AIRCRAFTS AND SPACE VEHICLES

12-08 MOTOR CARS, BUSES AND LORRIES

Note: Including ambulances and refrigerator vans (road).

12-09 TRACTORS

12-10 ROAD VEHICLE TRAILERS

Note: Including caravans.

12-11 CYCLES AND MOTORCYCLES

12-12 PERAMBULATORS, INVALID CHAIRS, STRETCHERS

12-13 SPECIAL PURPOSE VEHICLES

Notes: (a) Including only vehicles not specifically intended for transport, such as street-cleaning vehicles, watering lorries, fire engines, snow ploughs and breakdown lorries.

(b) Not including mixed-purpose agricultural machines (Cl. 15-03), or self-propelled machines for use in construction and civil engineering (Cl. 15-04).

12-14 OTHER VEHICLES

Note: Including sleighs and air-cushion vehicles.

12-15 TYRES AND ANTI-SKID CHAINS FOR VEHICLES

12-16 PARTS, EQUIPMENT AND ACCESSORIES FOR VEHICLES, NOT INCLUDED IN OTHER CLASSES OR SUBCLASSES

12-99 MISCELLANEOUS

Class 13. Equipment for production, distribution or transformation of electricity

The THIRD SCHEDULE of the principal rules shall be substituted, namely:-

“THE THIRD SCHEDULE**Classification of Goods**

(See rule 10)

CLASS 13

Equipment for production, distribution or transformation of electricity

Notes: (a) Including only apparatus which produces, distributes or transforms electric current.

(b) Including electric motors, however.



(c) Not including electrically-driven apparatus, such as electric watches (CI. 10-02), or apparatus {or the measurement of electric current (CI. 10-04).

13-01 GENERATORS AND MOTORS

Note: Including electric motors for vehicles.

13-02 POWER TRANSFORMERS, 'RECTIFIERS; BATTERIES AND ACCUMULATORS

13-03 EQUIPMENT FOR DISTRIBUTION OR CONTROL OF ELECTRIC POWER

Note: Including conductors, switches and switchboards.. I

13-99 MISCELLANEOUS

Class 14. Recording, communication or information retrieval equipment

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 14

Recording, communication or information retrieval equipment

14-01 EQUIPMENT FOR THE RECORDING OR REPRODUCTION OF SOUNDS OR PICTURES

Note: Not including photographic or cinematographic apparatus (CI. 16).

14-02 DATA PROCESSING EQUIPMENT AS WELL AS PERIPHERAL APPARATUS AND DEVICES

14-03 COMMUNICATIONS EQUIPMENT, WIRELESS REMOTE CONTROLS AND RADIO AMPLIFIERS

Note: Including telegraphic, telephone and television apparatus, as well as wireless apparatus and teleprinters.

14-04 SCREEN DISPLAYS AND ICONS

14-99 MISCELLANEOUS

Class 15. Machines, not elsewhere specified

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 15



Machines, not elsewhere specified

15-01 ENGINES

Notes: (a) Including non-electric engines for vehicles.

(b) Not including electric motors (Cl. 13).

15-02 PUMPS AND COMPRESSORS

Note: Not including hand or foot pumps (Cl. 8-05), or fire extinguishing pumps (Cl. 29-01).

15-03 AGRICULTURAL MACHINERY

Notes: (a) Including ploughs and combined machinery, i.e., both machines and vehicles, for example, reaping and binding machines

(b) Not including hand tools (Cl. 8).

15-04 CONSTRUCTION MACHINERY

Notes: (a) Including machines used in civil engineering and self-propelled machines such as excavators, concrete mixers and dredgers.

(b) Not including hoists and cranes (Cl. 12-05).

15-05 WASHING, CLEANING AND DRYING MACHINES

Notes: (a) Including appliances and machines for treating linen and clothes, such as ironing machines and wringers.

(b) Including dishwashing machines and industrial drying equipment.

15-06. TEXTILE, SEWING, KNITTING AND EMBROIDERING MACHINES, INCLUDING THEIR INTEGRAL PARTS

15-07 REFRIGERATION MACHINERY AND APPARATUS

Notes: (a) Including household refrigeration apparatus.

(b) Not including refrigerator wagons (rail) (Cl. 12-03) or refrigerator vans (road) (Cl. 12-08).

15-08 [vacant]

15-09 MACHINE TOOLS, ABRADING AND FOUNDRY MACHINERY

Note: Not including earth working machinery and material separators (Cl. 15-99).

15-99 MISCELLANEOUS

Class 16. Photographic, cinematographic and optical apparatus

The THIRD SCHEDULE of the principal rules shall be substituted, namely:-

"THE THIRD SCHEDULE



Classification of Goods**(See rule 10)**

CLASS 16

Photographic, cinematographic and optical apparatus

Note: Not including lamps for photography or filming (Cl. 26-05).

16-01 PHOTOGRAPHIC CAMERAS AND FILM CAMERAS

16-02 PROJECTORS AND VIEWERS

16-03 PHOTOCOPYING APPARATUS AND ENLARGERS

Note: Including microfilming equipment and apparatus for viewing microfilms, as well as office machines known as "photocopying" apparatus which use other than photographic processes (in particular, thermal or magnetic processes).

16-04 DEVELOPING APPARATUS AND EQUIPMENT

16-05 ACCESSORIES

Note: Including filters for photographic cameras, exposure meters, tripods and photographic flashlight apparatus.

16-06 OPTICAL ARTICLES

Notes: (a) Including spectacles and microscopes.

(b) .Not including measuring instruments embodying optical devices (Cl. 10-04).

16-99 MISCELLANEOUS

Class 17. Musical instruments**The THIRD SCHEDULE** of the principal rules shall be substituted, namely.-**"THE THIRD SCHEDULE****Classification of Goods****(See rule 10)**

CLASS 17

Musical instruments

Note: Not including cases for musical instruments (Cl. 3-01), or equipment for the recording or reproduction of sounds (Cl. 14-01).

17-01 KEYBOARD INSTRUMENTS

Note: Including electronic and other organs, accordions, and mechanical and other pianos.



17-02 WIND INSTRUMENTS

Note: Not including organs, harmoniums and accordions (Cl. 17-01).

17-03 STRINGED INSTRUMENTS**17-04 PERCUSSION INSTRUMENTS****17-05 MECHANICAL INSTRUMENTS**

Notes: (a) Including music boxes.

(b) Not including mechanical keyboard instruments (Cl. 17-01).

17-99 MISCELLANEOUS**Class 18. Printing and office machinery**

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE**Classification of Goods**

(See rule 10)

CLASS 18

Printing and office machinery

18-01 TYPEWRITERS AND CALCULATING MACHINES

Note: Not including computers and other apparatus to be placed in Class 14-02.

Notes: (a) Including typesetting machines, stereotype machines and apparatus, typographic machines and other reproducing machines such as duplicators and offset equipment, as well as addressing machines, franking and cancelling machines.

(b) Not including photocopying machinery (Cl. 16-03).

18-03 TYPE AND TYPE FACES**18-04 BOOKBINDING MACHINES, PRINTERS STAPLING MACHINES, GUILLOTINES AND TRIMMERS (FOR BOOKBINDING)**

Note: Including machines and similar devices for cutting paper, analogous to guillotines and trimmers.

18-99 MISCELLANEOUS**Class 19. Stationery and office equipment, artists and teaching materials**

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods**(See rule 10)****CLASS 19**

Stationery and office equipment, artists and teaching materials

19-61 WRITING PAPER, CARDS FOR CORRESPONDENCE AND ANNOUNCEMENTS

Note: Including all paper, in the widest sense of the term, which is used for writing, drawing, painting or printing, such as tracing paper, carbon paper, newsprint, envelopes, greetings cards and illustrated postcards, even if they embody a sound recording.

19-02 OFFICE EQUIPMENT

Notes: (a) Including equipment used at cash desks, such as change sorters.

(b) Some office equipment is to be placed in other subclasses or classes; for example, office furniture in Class 6, office machines and equipment in Classes 14-02; 16-03; 18-01; 18-02 or 18-04, and writing materials in Class 19-01 or 19-06 (see Alphabetical List).

19-03 CALENDARS

Note: Not including diaries (Cl. 19-04).

19-04 BOOKS AND OTHER OBJECTS OF SIMILAR OUTWARD APPEARANCE

Note: Including covers of books, bindings, albums, diaries and similar objects.

19-05 [vacant]**19-06 MATERIALS AND INSTRUMENTS FOR WRITING BY HAND, FOR DRAWING, FOR PAINTING, FOR SCULPTURE, FOR ENGRAVING AND FOR OTHER ARTISTIC TECHNIQUES**

Note: Not including paintbrushes (Cl. 4-04), drawing tables and attached equipment (Cl. 6-03), or writing paper (Cl. 19-01).

19-07 TEACHING MATERIALS

Notes: (a) Including maps of all kinds, globes and planetariums.

(b) Not including audio-visual teaching aids (Cl. 14-01).

19-08 OTHER PRINTED MATTER

Note: Including printed advertising materials.

19-99 MISCELLANEOUS**Class 20. Sales and advertising equipment, signs**

The THIRD SCHEDULE of the principal rules shall be substituted, namely:-

"THE THIRD SCHEDULE

Classification of Goods**(See rule 10)**

CLASS 20

Sales and advertising equipment, signs

20-01 AUTOMATIC VENDING MACHINES

20-02 DISPLAY AND SALES EQUIPMENT

Note: Not including articles of furniture (Cl. 6).

20-03 SIGNS, SIGNBOARDS AND ADVERTISING DEVICES

Notes: (a) Including luminous advertising devices and mobile advertising devices.

(b) Not including packages (Cl. 9), or signalling devices (Cl. 10-06).

20-99 MISCELLANEOUS

Class 21. Games, toys, tents and sports goods**The THIRD SCHEDULE** of the principal rules shall be substituted, namely.-**"THE THIRD SCHEDULE****Classification of Goods****(See rule 10)**

CLASS 21

Games, toys, tents and sports goods

21-01 GAMES AND TOYS

Notes: (a) Including scale models.

(b) Not including toys for animals (Cl. 30-99).

21-02 GYMNASTICS AND SPORTS APPARATUS AND EQUIPMENT

Notes: (a) Including, as sports equipment: apparatus and equipment necessary for the various sports which have no other specific purpose, such as footballs, skis and tennis rackets, to the exclusion of all other objects which may also be used in practising a given sport.

(b) Including, subject to the reservation mentioned under (a), training equipment and apparatus and equipment necessary for outdoor games.

(c) Not including sports clothing (Cl. 2), toboggans or sleighs (Cl. 12-14).

21-03 OTHER AMUSEMENT AND ENTERTAINMENT ARTICLES

Notes: (a) Including fairground roundabouts and automatic machines for games of chance.

(b) Not including games and toys (Cl. 21-01), or other articles to be placed in Class 21-01 or 21-02.

21-04 TENTS AND ACCESSORIES THEREOF

Notes: (a) Including poles, pegs and other similar articles.

(b) Not including other camping articles to be placed in other classes according to their nature, such as chairs (Cl. 6-01), tables (Cl. 6-03), plates (Cl. 7-01), and caravans (Cl. 12-10).

21-99 MISCELLANEOUS

Class 22. Arms, pyrotechnic articles, articles for hunting, fishing and pest killing

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE Classification of Goods

(See rule 10)

CLASS 22

Arms, pyrotechnic articles, articles for hunting, fishing and pest killing

22-01 PROJECTILE WEAPONS

22-02 OTHER WEAPONS

22-03 AMMUNITION, ROCKETS AND PYROTECHNIC ARTICLES

22-04 TARGETS AND ACCESSORIES

Note: Including the special device for actuating mobile targets.

22-05 HUNTING AND FISHING EQUIPMENT

Note: Not including articles of clothing (Cl. 2), or weapons (Cl. 22-01 or 22-02).

22-06 TRAPS, ARTICLES FOR PEST KILLING

22-99 MISCELLANEOUS

Class 23. Fluid distribution equipment, sanitary, heating, ventilation and air-conditioning equipment, solid fuel

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)



CLASS 23

Fluid distribution equipment, sanitary, heating, ventilation and air-conditioning equipment, solid fuel

23-01 FLUID DISTRIBUTION EQUIPMENT

Note: Including pipes and pipe fittings.

23-02 SANITARY APPLIANCES

Notes: (a) Including baths, showers, washbasins, saunas, water closets, sanitary units and sanitary accessories not included in other classes.

(b). Not including pipes or pipe fittings (Cl. 23-01).

23-03 HEATING EQUIPMENT**23-04 VENTILATION AND AIR-CONDITIONING EQUIPMENT****23-05 SOLID FUEL****23-99 MISCELLANEOUS****Class 24. Medical and laboratory equipment**

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE**Classification of Goods**

(See rule 10)

CLASS 24

Medical and laboratory equipment

Note: The term "medical equipment" covers also surgical, dental and veterinary equipment.

24-01 APPARATUS AND EQUIPMENT FOR DOCTORS, HOSPITALS AND LABORATORIES**24-02 MEDICAL INSTRUMENTS, INSTRUMENTS AND TOOLS FOR LABORATORY USE**

Note: Including only hand-operated instruments.

24-03 PROSTHETIC ARTICLES**24-04 MATERIALS FOR DRESSING WOUNDS NURSING AND MEDICAL CARE**

Note: Including absorbent dressings.

24-99 MISCELLANEOUS**Class 25. Building units and construction elements**

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 25

Building units and construction elements

25-01 BUILDING MATERIALS

Note: Including bricks, beams, pre-shaped strips, tiles, slates and panels.

25-02 PREFABRICATED OR PRE-ASSEMBLED BUILDING PARTS

Notes: (a) Including windows, doors, outdoor shutters, partition walls and gratings,

(b) Not including staircases (Cl. 25-04).

25-03 HOUSES, GARAGES AND OTHER BUILDINGS

25-04 STEPS, LADDERS AND SCAFFOLDS

25-99 MISCELLANEOUS

Class 26. Lighting apparatus

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 26

Lighting apparatus

26-01 CANDLESTICKS AND CANDELABRA

26-02 TORCHES AND HAND LAMPS AND LANTERNS

26-03" PUBLIC LIGHTING FIXTURES

Note: Including outside lamps, stage lighting and search light projectors.

26-04 LUMINOUS SOURCES, ELECTRICAL OR NOT

Note: Including bulbs for electric lamps, luminous plaques and tubes and candles.



26-05 LAMPS. STANDARD LAMPS, CHANDELIERS, WALL AND CEILING FIXTURES, LAMPSHADES, REFLECTORS, PHOTOGRAPHIC AND CINEMATOGRAPHIC PROJECTOR LAMPS

26-06 LUMINOUS DEVICES FOR VEHICLES

26-99 MISCELLANEOUS

Class 27. Tobacco and smokers supplies

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 27

Tobacco and smokers supplies

27-01 TOBACCO, OIGARS AND CIGARETTES

27-02 PIPES. CIGAR AND CIGARETTE HOLDERS

27-03 ASHTRAYS

27-04 MATCHES

27-05 LIGHTERS

27-06 CIGAR CASES, CIGARETTE CASES, TOBACCO JARS AND POUCHES

Note: Not including packages (CI. 9).

27-99 MISCELLANEOUS

Class 28. Pharmaceutical and cosmetic products, toilet articles and apparatus

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 28

Pharmaceutical and cosmetic products, toilet articles and apparatus

28-01 PHARMACEUTICAL PRODUCTS

Notes: (a) Including for animals.



(b) Including chemicals in cachet; capsule, lozenge, pill and tablet forms.

(c)Not including materials for dressing wounds and nursing (Cl. 24-04).

28-02 COSMETIC PRODUCTS

Note: Including for animals.

28-03 TOILET ARTICLES AND BEAUTY PARLOR EQUIPMENT

Notes: (a) Including razors, apparatus and appliances for massaging, hair removing or hair dressing.

(b) Not including toilet and make-up brushes (Cl. 4-02), or articles and equipment for animals (Cl. 30-99).

28-04 W, 3 FALSE HAIRPIECES

28-99 MISCELLANEOUS

Class 29. Devices and equipment against fire hazards, for accident prevention and for rescue

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 29

Devices and equipment against fire hazards, for accident prevention and for rescue

29-01 DEVICES AND EQUIPMENT AGAINST FIRE HAZARDS

Notes: (a) Including fire extinguishers.

(b) Not including fire engines (vehicles) (Cl. 12-13), fire-hoses and nozzles for fire-hoses (Cl. 23-01).

29-02 DEVICES AND EQUIPMENT FOR ACCIDENT PREVENTION AND FOR RESCUE, NOT ELSEWHERE SPECIFIED

Notes: (a) Including devices and equipment for animals.

(b) Not including helmets (Cl. 2-03) and garments for protection against accidents (Cl. 2-02; 2-04 or 2-06).

29-99 MISCELLANEOUS

Class 30. Articles for the care and handling of animals

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-



"THE THIRD SCHEDULE**Classification of Goods****(See rule 10)**

CLASS 30

Articles for the care and handling of animals

Note: Not including animal foodstuffs (Cl. 1), or pharmaceutical and cosmetic products for animals (Cl. 28-01 or 28-02).

30-01 ANIMAL CLOTHING

30-02 PENS, CAGES, KENNELS AND SIMILAR SHELTERS

Note: Not including buildings (Cl. 25).

30-03 FEEDERS AND WATERERS

30-04 SADDLERY

Note: Including collars for animals.

30-05 WHIPS AND PRODS

30-06 BEDS AND NESTS

30-07 PERCHES AND OTHER CAGE ATTACHMENTS

30-08 MARKERS, MARKS AND SHACKLES

30-09 HITCHING POSTS

30-99 MISCELLANEOUS

Class 31. Machines and appliances for preparing food or drink not elsewhere specified

The THIRD SCHEDULE of the principal rules shall be substituted, namely.-

"THE THIRD SCHEDULE**Classification of Goods****(See rule 10)**

CLASS 31

Machines and appliances for preparing food or drink not elsewhere specified

Note: Not including hand-manipulated utensils, instruments and appliances for serving or preparing food or drink (Cl. 7).



31-00 MACHINES AND APPLIANCES FOR PREPARING FOOD OR DRINK, NOT ELSEWHERE SPECIFIED.

Class 99. Miscellaneous

The THIRD SCHEDULE of the principal rules shall be substituted, namely:-

“THE THIRD SCHEDULE

Classification of Goods

(See rule 10)

CLASS 99

Miscellaneous

Note: Including all the products not included in the preceding classes.

99-00 MISCELLANEOUS

Schedule 4.

In the **THE FOURTH SCHEDULE** of the principal rules, :-

(a) for items number 6 and 7 and entries relating thereto, the following item and entries shall be substituted namely,

“6	For statement and evidence under Rules 29(1) and 40(2)	200.00
7	Counter statement and evidence under rules 29(3) and 40(4)	200:00”

Schedule 5.

After fourth Schedule of the principal rules, the following Schedule shall be inserted, namely:-

THE FIFTH SCHEDULE

(See Rule 17)

ORIGINAL

No.

GOVERNMENT OF INDIA

THE PATENT OFFICE

CERTIFICATE OF REGISTRATION OF DESIGN

Design No
Date
Reciprocity date*.....

Country

Certified that the Design of which a copy is annexed hereto has been registered as of the number and date given above in class .in respect of the application of such.design to.....

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in pursuance of and subject to the provisions of the Designs Act, 2000 and the Designs Rules, 2001.

Controller General of Patents, Designs and Trade Marks

*The reciprocity date (if any)which has been allowed and the name of the country.

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Date of issue"

[F. No. S/32/2007-IPR-V]

N. N. PRASAD, Jt. Secy.

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