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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF COMMERCE

(C. L. Section)

NOTIFICATIONS

Dacca, the 3rd February, 1978.

No. S.R.O. 19-L/78.—In exercise of the powers conferred by sub-section (1) of section 77 of the Patents and Designs Act, 1911 (II of 1911), the Government is pleased to make the following further amendment in the Patents and Designs Rules, 1933, the same having been previously published as required by sub-section (2) of the said section, namely :—

In the aforesaid Rules, for the First Schedule the followings shall be substituted, namely :—

“THE FIRST SCHEDULE

[See section 57]

FEES

Sl. No.	On what payable.	Number of form.	Taka.
1	2	3	4
1	On application for a Patent under section 3 or 15A accompanied by provisional specification.	1, 1A, 1B, 1C, 1AC, 1BC, 1CC.	30

(451)

Price: Taka 1.25

Sl. No.	On what payable.	Number of form.	Taka.
1	2	3	4
2	On application for a patent under section 3, 15A or 78A accompanied by complete specification.	1, 1A, 1B, 1C, 1AC, 1BC, 1CC, 2, 2A, 2AC, 2C.	90
3	On filing complete specification after provisional specification.	3A	60
4	On application for extension of time for filing documents under rule 11 or rule 38A.—	4	..
	(a) One month	.. .. .	30
	(b) Two months	.. .. .	40
	(c) Three months	.. .. .	50
5	On application under section 4A for extension of time to leave complete specification after provisional specification.	4	30
6	On application for extension of time to accept application under section 5(4).	4	50
7	On notice of opposition under section 9(1)	.. 6	50
8	On notice of intention to attend hearing under section 9(2) by applicant and opponent respectively.	7	30
9	On request for sealing under section 10(1)	.. 8	90
10	On notice of intention to attend hearing under section 10(1A) by each party.	7	30
11.	On application for extension of time under section 10(-) (d).—	4	..
	(a) One month	.. .. .	30
	(b) Two months	.. .. .	40
	(c) Three months	.. .. .	50
12	For renewal under section 14—		
	(a) Before expiration of 4th year in respect of 5th year.	..	150
	(b) Before expiration of 5th year in respect of 6th year.	..	150

Sl. No.	On what payable.	Number of form.	Taka.
1	2	3	4
	(c) Before expiration of 6th year in respect of 7th year.	..	150
	(d) Before expiration of 7th year in respect of 8th year	..	150
	(e) Before expiration of 8th year in respect of 9th year.	..	300
	(f) Before expiration of 9th year in respect of 10th year.	..	300
	(g) Before expiration of 10th year in respect of 11th year.	..	300
	(h) Before expiration of 11th year in respect of 12th year.	..	300
	(i) Before expiration of 12th year in respect of 13th year.	..	400
	(j) Before expiration of 13th year in respect of 14th year.	..	400
	(k) Before expiration of 14th year in respect of 15th year.	..	400
	(l) Before expiration of 15th year in respect of 16th year.	..	400

Note.—The fees for two or more years may be paid in advance.

13	On application extension of time for payments of renewal fees under section 14(2)—	4 ..	..
	(a) One month	.. ..	30
	(b) Two months	.. ..	40
	(c) Three months	.. ..	50
14	On petition for extension of term of patent under section 15.	9	150
15	On notice of opposition to extension of term of patents under section 15(2).	6	50
16	On certificate of renewal in respect of each year on patents extended or a new patent granted under section 15 before the commencement of each year of the term.		400

Note.—The fee in respect of the first year of extended term or of the term of the new patent may be paid either before the expiry of the original term or within one month from the date of the order granted the extension of the new patent whichever is later.

Sl. No.	On what payable.	Number or form.	Taka.
1	2	3	4
17	On application for restoration of lapsed patent under section 16.	10	200
18	On notice of opposition to restoration under section 16.	6	50
19	On notice of intention to attend hearing under section 16 by applicant and opponent respectively.	7	30
20	On application to amend under section 17	.. 11 ..	..
	Before acceptance	.. ..	30
	After acceptance	.. ..	40
21	On notice to opposition to amendment under section 17(3).	6	50
22	On notice of intention to attend hearing under section 17(4) by applicant and opponent respectively.	7	30
23	On petition or application for compulsory licence of revocation of a patent under sections 22 and 23.	..	200
24	On offer to surrender a patent under section 24	.. 12	30
25	On notice of opposition to the surrender of a patent under rule 33.	6	50
26	On notice of intention to attend hearing under section 24 by applicant and opponent respectively.	7	30
27	For duplicate of a patent under section 39	.. 13	40
28	On notice of intended exhibition or publication of an unpatented invention or an unregistered design under section 40 or 52.	14	50
29	On request to register design under section 43 or 78A in classes 1 to 14.	15 and 16	30
30	On request to register design under section 43 to be applied to a set in a class.	17	30
31	On request for written decision under rule 41	.. 18	30
32	On request to extend copyright under section 47	.. 19	30

Note.—This fee may be paid in advance.

Sl. No.	On what payable.	Number of form.	Taka.
1	2	3	4
33	On request to inspect under section 50 .. ..	..	10
34	On request for information under section 51 when registration number is supplied.	20	20
35	On request for information under section 51 when registration number is not supplied.	21	30
36	On request for information under section 59 in respect of each patent or design.	..	10
37	On request for certificate under section 59 ..	29	20
<p><i>Note.</i>—An additional fee of one taka for every 100 words or part thereof will be charged for preparing copies of specification, etc., drawings will be charged according to agreement.</p>			
38	For Office copies of drawing .. ..	..	Cost according to agreement.
39	For certifying office copies MSS or printed each .. ..	..	20
40	For office copies of design .. ..	..	Cost according to agreement.
41	On request for information under section 59A ..	29A	15
42	On request to correct under section 62	28	15
43	On application to the Controller for cancellation of registration of design under section 51A.	22	60
44	On notice of intention to attend hearing under rule 48	7	30
45	On application under section 63 for entry of name of subsequent proprietor in the register of patents or of designs, if made within six months from the date of acquisition of proprietorship :	25	..
	(a) in respect of one patent or design .. ..	..	15
	(b) for each additional patent or design .. ..	..	10
46	On application under section 63 for entry of name of subsequent proprietor in the register of patents or designs, if made after expiration of six months from the date of acquisition of proprietorship:	25	..
	(a) in respect of one patent or design .. ..	..	60
	(b) for each additional patent or design .. ..	..	10

Sl. No.	On what payable.	Number of form.	Taka.
1	2	3	4
47	On application under section 63 for entry of notice of a mortgage or license in the register of patents or of designs, made within six months from date of acquisition of interest:	26	..
	(a) in respect of one patent or design	.. ..	15
	(b) for each additional patent or design	.. ..	10
48	On application under section 63 for entry of notice of a mortgage or license in the register of patents or designs if made after expiration of six months from date of acquisition of interest:	26	..
	(a) in respect of one patent or design ..	.. ..	60
	(b) for each additional patent or design	.. ..	10
49	On application under section 63 for entry of notification of a document in the register of patents or designs if made within six months from the date of documents, the grant of the patent and the registration of the design:	27	..
	(a) in respect of one patent or design ..	.. ..	15
	(b) for each additional patent or design	.. ..	10
50	On application under section 63 for entry of notification of a document in the register of patents or of designs if made after expiration of six months from the date of document the grant of the patent and the registration of the designs:	27	..
	(a) in respect of one patent or design ..	.. ..	60
	(b) for each additional patent or design	.. ..	10
51	On request to alter name and address or addresses for services in Register under rule 53.	23	10
52	For entry of two addresses for service in Register under section 20 or 46.	24	15
53	On application for rectification of register under section 64.	30	40
54	On notice of opposition to the rectification of the register under section 61.	6	40
55	On notice of intention to attend hearing under rule 61 by applicant and opponent respectively.	7	30

Sl. No.	On what payable.	Number of form.	Taka.
1	2	3	4
56	On a petition (not otherwise charged) for review of Controller's orders or for obtaining Controller's order on an interlocutory matter in a contest proceeding.	..	30
57	On appeal from the Controller to the Government under sections 5, 9, 10, (IA), 16, 17, 43 or 69.	5	100

2. This Notification shall take effect on the 1st day of July, 1978.

No. S.R.O. 20-L/78.—In exercise of the powers conferred by section 84 of the Trade Marks Act, 1940 (V of 1940), the Government is pleased to make the following amendment in the Trade Marks Rules, 1963, the same having been previously published as required by sub-section (1) of the said section, namely:—

In the aforesaid Rules, for the First Schedule the following shall be substituted, namely:—

“THE FIRST SCHEDULE

[see section 81]

FEES

No. of entry.	On what payable.	Taka.	Form No.
1	2	3	4
1	On application not otherwise charged to register a trade mark for a specification of goods included in one class (section) 14.	100	TM-1 or TM-2.
2	On application to register a series of trade marks under section 11 for a specification of goods included in one class.	100	TM-1 or TM-2.
3	On application to register a defensive trade mark under section 38 for a specification of goods included in one class.	100	TM-3.
4	On application under section 53 to register certification trade mark for a specification of goods included in one class.	100	TM-4.
5	On application made at the same time under section 53 to register one certification trade mark for specification of goods not all included in one class in respect of every class (total fee in no case exceed taka 1,800).	100	TM-4.

No. of entry. 1	On what payable. 2	Taka. 3	Form No. 4
6	On application to register a textile mark, other than a certification trade mark consisting of numerals or letters or any combination thereof in one class for specification of goods not included in any of the items of fifth Schedule.	100	TM-52.
7	On application to register a textile mark, other than a certification trade mark consisting exclusively of a word or words (not being an invented word or invented words) in one class.	100	TM-51
8	On application to register a textile mark, other than a certification trade mark, consisting exclusively of numerals or letters or any combination thereof for specification of goods included in one item under rule 102 (total fee on any number of such applications made at the same time by the same person and relating to one and the same trade mark, in respect of the different items under rule 102 not to exceed taka 600).	100	TM-53
9	On a request under section 14(2) to state grounds of decision.	50	TM-15
10	On notice of opposition under section 15(2) for each application opposed.	100	TM-5
11	On a counter statement in answer to a notice of opposition under section 15, for each application opposed or in answer to an application under any of the sections 37, 38 and 48 in respect of each trade mark; or in answer to a notice of opposition under section 48 or rule 75, for each application or conversion opposed.	50	TM-6
12	On notice of intention to attend hearing under any of the sections 15, 37, 38, 46 and 48 or under rule 75 by each party to the proceeding concerned.	40	TM-7
13	On notice of opposition before the Government under section 55(2) for each application opposed.	100	TM-8
14	On a counter statement in answer to a notice of opposition before the Government under section 55(2) for each application opposed.	50	TM-9
15	On notice of intention to attend hearing of each opposition before the Government under section 55(2) by applicant and by opponent respectively.	40	TM-10

No. of entry. 1	On what payable. 2	Taka. 3	Form No. 4
16	For one registration of a trade mark not otherwise charged in respect of an application for a specification of goods included in one class.	200	TM-11
17	For one registration of a series of trade marks under section 11(3) in respect of any application for a specification of goods included in one class—		
	For the first mark	200	TM-11
	For every additional mark of the series ..	20	..
18	For one registration of textile mark, other than a certification trade mark consisting of numerals or any combination thereof in respect of an application for specification of goods not included in any of the items of the Fifth Schedule.	200	TM-11
19	For one registration of a textile trade mark, other than a certification trade mark, consisting exclusively of a word or words (not being an invented word or words in respect of an application for specification of goods included in one class.	200	TM-11
20	For one registration of a textile mark other than a certification trade mark, consisting of letters or numerals of any combination thereof, in respect of an application for specification of goods included in one item under rule 102	200	TM-11
21	For registration under section 53 of a certification trade mark, in respect of an application for a specification of goods included in one class.	200	TM-11
22	For registration upon applications made at the same time of one certification trade mark under section 53, for specification of goods not all included in one class (total fee in no case to exceed Tk. 3,000).	200	TM-11
23	For one registration of a defensive trade mark under section 38, in respect of an application for specification of goods included in one class.	200	TM-11
24	For each addition to the registered entry of a trade mark of a note that the mark is associated with a newly registered mark.	10	TM-11
25	On application under section 12(4) to dissolve the association between registered trade marks.	35	TM-14

No. of entry. 1	On what payable. 2	Taka. 3	Form No. 4
26	For renewal under section 18 of the registration of trade mark at the expiration of the last registration, not otherwise charged.	200	TM-12
27	For renewal under section 18 of the registration of a textile trade mark, other than certification trade mark, consisting of letters or numerals or any combination thereof for specification of goods included in one item under rule 102 at the expiration of the last registration.	200	TM-12
28	For renewal under section 18 of registration of a series of trade marks at the expiration of the last registration—		
	For the first mark of the series	200	TM-12
	For every additional mark of the series ..	20	
29	For the renewal under section 18 of registration of the same certification trade mark with the same date for goods in more than one class in respect of every class (total fee in no case to exceed taka 1,500).	200	TM-12
30	Additional fee under rule 48 for late payment of renewal fee.	50	TM-12
31	On request for restoration under rule 49 of a trade mark removed from the register <i>plus</i> renewal fee as prescribed in any of the entries Nos. 26 to above.	50	TM-13
32	On application for certificate the Registrar under section 31(2)—		
	For the first mark proposed to be assigned ..	50	TM-17
	For every additional mark of the same proprietor included in that assignment.	10	
33	On application for approval of the Registrar section 32—		
	For first mark	60	TM-19
	For every additional mark of the same proprietor included in the same transfer.	10	..

No. of entry.	On what payable.	Taka. Form No.	
1	2	3	4
34	On application under section 33 for directions of the Registrar for advertisement of assignment of trade mark in use, without good will—		
	For one mark assigned	60	TM-20
	For every additional mark assigned with the same devolution of title.	10	..
35	On application for extension of time for applying for directions under section 33 for advertisement of assignment of trade marks in use, without good will, in respect of one devolution of title—		
	Not exceeding one month	20	TM-21
	Not exceeding two months	35	..
	Not exceeding three months	50	..
36	On application under section 34(1) for consent of the Government to the assignment of transmission of a certification trade mark.	50	TM-22
37	On application under section 35 to register a subsequent proprietor in case of assignment of transmission of a single trade mark—		
	If made within six months from the date of acquisition of proprietorship.	50	TM-23
	If made after expiration of six months from the date of acquisition of proprietorship.	75	TM-24
38	On application under section 35 to register a subsequent proprietor of more than one trade mark registered in the same name, the devolution of title being the same in each case—		
	If made within six months from the date of acquisition of proprietorship—		
	For the first mark	50	..
	For every additional mark	10	..
	If made after expiration of six months from the date of acquisition of proprietorship—		
	For the first mark	75	TM-23 or TM-24.
	For every additional mark	10	..

No. of entry.	On what payable.	Taka.	Form No.
1	2	3	4
39	On application under section 36(3) for extension of time for registering a company as subsequent proprietor of trade marks on one assignment—		
	Not exceeding two months	20	TM-25
	Not exceeding four months	35	..
	Not exceeding six months	50	..
40	On application under any of the sections 37, 38 and 46 for rectification of the register or removal of trade mark from the register.	150	TM-26
41	On application under rule 67 for leave to intervene in proceedings under any of the sections 37, 38 and 46 for rectification of the register or removal of trade mark from the register.	75	TM-27
42	On application under section 41 to register a registered user of a registered trade mark in respect of goods within the specification thereof.	100	TM-28
43	On application under section 41 to register the same registered user of more than one registered trade mark of the same registered proprietor in respect of goods within the respective specifications thereof and subject to the same conditions and restrictions in each case—		
	For the first mark	200	TM-28
	For every [additional] [mark] of the proprietor included in the application and statement of case.	10	..
44	On application under clause (a) of section 42 to vary the entry of a registered user—		
	For the first mark	75	TM-29
	For every additional mark of the same proprietor for which the same registered user is registered, included in the application.	10	..
45	On application under clause (b) of section 42 for cancellation of the entry of a registered user—		
	For the first mark	75	TM-30
	For every additional mark of the same proprietor for which the same registered user is registered, included in the application.	10	..

No. of entry. 1	On what payable. 2	Taka. 3	Form No. 4
46	On application under clause (c) of section 42 to cancel the entry of a registered user—		
	For the first mark	75	TM-31
	For every additional mark of the same proprietor of which the same registered user is registered, included in the application.	10	..
47	On notice under rule 63 of intention to intervene in one proceeding for the variation or cancellation of entries of a registered user of trade mark.	30	TM-32
48	On application under section 47 to change the name or description of a proprietor or a registered user where there has been no change in the proprietorship or in the identity of the registered user—		
	For the first mark	30	TM-33
	For every additional mark registered in the same name and included in the application.	10	..
49	On application under section 47 to alter one or more entries of the trade or business address of a registered proprietor or a registered user of a trade mark where the address in each case is the same and is altered in the same way (unless exempted from fee under rule 68)—		
	For the first entry	30	TM-34
	For every other entry	10	..
50	On application to cancel or make one or more entries of an address for service of a registered proprietor or a registered user of a trade mark where the address in each case is the same on application made after the registration in each user—		
	For the first entry	30	TM-50
	And for every other entry included in the application.	10	..
51	On application to alter one or more entries of an address for service in the register included in one application for alteration, where the address and the alteration in each cases are same—		
	For the first entry	30	TM-50
	And for every other entry (total fee in no case to exceed taka 750 for any number of entries).	10	..

No. of entry. 1	On what payable. 2	Taka. 3	Form No. 4
52	On application under clauses (c), (d), or (e) of section 47(1) for cancelling the entry or part of the entry of a trade mark or for entry of disclaimer or memorandum upon the register.	30	TM-35 or TM-36 or TM-37
53	On application under section 48 for leave to add to or alter a registered trade mark—		
	For the first registration	75	TM-38
	For each additional registration	30	..
54	On notice of opposition under section 48(2) to an application for leave to add to or alter registered trade mark for each application opposed.	75	TM-39
55	On application under section 49 for conversion of specification.	20	TM-40
56	On notice of opposition under section 49(2) to a conversion of the specification or specification of a registered trade mark or registered trade marks—		
	For one mark	75	TM-41
	For every additional mark of the same proprietor having the same specifications.	10	..
57	On application under section 56 for alteration of the deposited regulations of a certification trade mark—		
	For the regulations of one registration ..	50	TM-42
	For the same or substantially same regulations of each additional registration proposed to be altered in the same way and included in the same application.	10	..
58	On application to the Government under section 59 to expunge or vary the registration of a certification trade mark or to vary the deposited regulations of a certification trade mark or certifications trade marks of the same registered proprietor where the regulations are substantially the same.	100	TM-43
59	On request for search under rule 87 in respect of one class.	30	TM-54
60	On request under rule 103 for entering marks in a refused textile marks list—		
	For each mark in each class	15	TM-44

No. of entry. 1	On what payable. 2	Taka. 3	Form N 4
61	For the continuance of a mark in a refused textile marks list under rule 104, in each class or in each item of the fifth Schedule as the case may be, for each period of fifteen years— Before the expiry of 7 years from the date of application to register the mark. Before the expiry of the period up to which continuance of the mark in the list was last allowed.	30 50	TM-45
62	On request for certificate of the Registrar under any of the sections 20(1) and 75 [other than certificate under section 16(2)].	30	TM-46
63	On request for certificate of the Registrar [other than certificate under section 16(2)] of the registration of series of trade marks under section 11.	30	TM-46
64	On request to enter in the register and advertise a certificate of validity under rule 85— For the first registration certified For every additional registration certified in the same certificate.	30 10	TM-47 ..
65	On request not otherwise charged, for correction of clerical error or for permission to amend application.	30	TM-16
66	On application for extension of time under any of the rules 24(2) and 76.	30	TM-65
67	On application for restoration of a trade mark abandoned for non-compliance of the requirements of the registry [See section 16(3) and rule 24(2)].	30	TM-56
68	On petitions (not otherwise charged) for review of Registrar's orders or for obtaining Registrar's orders on any interlocutory matter in a contested proceedings.	20	TM-
69	For inspection register or the refused textile marks list or copies thereof or notice of opposition, counterstatement or decision in connection with any opposition or application for rectification of the register relating to any particular trade mark, or such other document as may be specified by the Government by notification from time to time in the Journal for every quarter of an hour, part thereof.	10	..

No. of entry.	On what payable.	Taka.	Form No.
1	2	3	4
70	For permission to search amongst the classified representations of trade marks, for every quarter of an hour.	10	..
71	For Office copy of documents	2.00 for every hundred words subject to a minimum Taka 15.00.	..
72	For photography copy of documents	Cost according to agreement.	..
73	(a) For advertising the trade mark in the Journal under section 15—		
	For a mark not requiring a block for its advertisement.	20	..
	For a mark requiring a block for its advertisement.	30	..
	(b) For extra space in the Journal advertisement in cases where the printing block for trade mark exceeds 2 inches in breadth or depth or breadth and depth—		
	For every inch or part of an inch over 2 inches in breadth.	10	..
	For every inch or part of an inch over 2 inches in depth.	10	..
74	On application for registration as trade marks agent under rule 131.	75	TMA-1
75	For registration of a person as trade marks agent under rule 133.	200	..
76	For continuance of the name of a person in the register under rule 134—		
	(a) For the whole life of the registered agent by a single consolidated payment ; or	1,500	..
	(b) From year to year—		
	For every year (excluding the first year) to be paid on the 1st of July in each year.	75	..

No. of entry. 1	On what payable. 2	Taka. 3	Form No. 4
	For the first year to be paid along with the fee for registration—		
	In the case of person registered at any time between the 1st July and 31st of December.	50	..
	In the case of person registered at any time between the 1st of January and 30th June following.	25	..
77	On application for restoration of the name of person to the agent's Register under rule 136.	50	TMA-2
78	On application for an alteration of any entry in the Agent's Register under rule 137.	20	TMA-3"

2. This Notification shall take effect on the 1st day of July, 1978.

By order of the President
AMINUL HUQ
Deputy Secretary.