INDUSTRIAL PROPERTY—
INDUSTRIAL PROPERTY.

TRADE MARKS REGULATIONS.

Statutory Rules 1958, No. 48.(a)

PART I.—PRELIMINARY.

1. These Regulations may be cited as the Trade Marks Regulations.

2. These Regulations are divided into Parts, as follows:
   Part I.—Preliminary (Regulations 1-3).
   Part II.—Fees (Regulation 4).
   Part III.—Preparation and Lodgment of Documents (Regulation 5).
   Part IV.—Classification of Goods (Regulation 6).
   Part V.—Application and Registration Provisions (Regulations 7-31).
   Part VI.—Adaptation of the Classification of Goods in the Fourth Schedule (Regulations 32-40).
   Part VII.—Practice and Procedure.
   Division 1.—Proceedings in Opposition Cases other than cases under section 139 of the Act and regulation 22 of these Regulations (Regulations 41-52).
   Division 2.—Proceedings in Opposition Cases under regulation 22 of these Regulations (Regulations 53-59).
   Division 3.—Proceedings other than Opposition Proceedings (Regulation 60).
   Division 4.—Evidence (Regulations 61-63).
   Part VIII.—Miscellaneous (Regulations 64-78).

INTERPRETATION.

3.—(1.) In these Regulations, unless the contrary intention appears—
   "convention application" means an application for the registration of a trade mark under Part XIV. of the Act;
   "patent attorney" means a person registered as a patent attorney under Part XV. of the Patents Act 1952-1955;
   "the Act" means the Trade Marks Act 1955;
   "the repealed Schedule" means the First Schedule to the Trade Marks Regulations 1913 as in force under the repealed Acts immediately before the commencement of the Act.

(2.) In these Regulations, unless the contrary intention appears—
   (a) a reference to a Schedule by number is a reference to the Schedule prescribed by the Schedule so numbered in the First Schedule to these Regulations; and
   (b) a reference to a Schedule is a reference to a Schedule to these Regulations.


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6. Eac prescribed of the Ac
Trade Marks Regulations.

SECOND SCHEDULE—continued.

Fees—continued.

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Matter</th>
<th>£ s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>23</td>
<td>On lodging an amendment under section 42</td>
<td>1 0 0</td>
</tr>
<tr>
<td>24</td>
<td>On lodging a block or electrotype of a trade mark which has a dimension exceeding 2 inches, for every inch or part of an inch by which the dimension exceeds 2 inches</td>
<td>0 5 0</td>
</tr>
<tr>
<td>25</td>
<td>For inspecting the Register</td>
<td>0 5 0</td>
</tr>
<tr>
<td>26</td>
<td>On lodging application for extension of time—for each month or part of a month applied for</td>
<td>1 0 0</td>
</tr>
<tr>
<td>27</td>
<td>On lodging declarations in opposition proceedings—for each declaration</td>
<td>0 5 0</td>
</tr>
<tr>
<td>28</td>
<td>For issuing summons to a witness or summons to produce documents</td>
<td>1 0 0</td>
</tr>
<tr>
<td>29</td>
<td>For taxing costs</td>
<td>1 0 0</td>
</tr>
</tbody>
</table>

THIRD SCHEDULE.

REQUIREMENTS IN RELATION TO DOCUMENTS

1. Documents shall be written in the English language on tough white paper of good quality, the thickness of three hundred sheets of which is not less than one inch.

2. The sheets of the paper shall be thirteen inches by eight inches.

3. The contents of a document shall be written on one side only of the paper in a carbonaceous or other permanent ink on which bleaching agents do not have any effect.

4. The contents of a document shall be so written as to leave a margin of not less than two inches on the left-hand side of the sheet.

5. If the contents of a document are in handwriting, the writing shall be large and legible.

6. If the contents of a document are printed, the type shall not be less than pica (12 point).

7. The signature of the person signing a document and the date of signature shall be placed on the last sheet of the document.

8. An interlineation, alteration, erasure or amendment made in a document before it is lodged at the Trade Marks Office shall be signed by the person who signs the document in the margin of the document opposite to the interlineation, alteration, erasure or amendment.

FOURTH SCHEDULE. Regulations 6, 32 and 34.

CLASSIFICATION OF GOODS.

<table>
<thead>
<tr>
<th>Class No.</th>
<th>Description of Goods.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Chemical products used in industry, science, photography, agriculture, horticulture, forestry; manures (natural and artificial); fire extinguishing compositions; tempering substances and chemical preparations for soldering; chemical substances for preserving foodstuffs; tanning substances; adhesive substances used in industry</td>
</tr>
<tr>
<td>2</td>
<td>Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colouring matters, dye-stuffs; mercantile; natural resins; metals in foil and powder form for painters and decorators</td>
</tr>
<tr>
<td>3</td>
<td>Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps, perfumery, essential oils, cosmetics, hair lotions; dentifrices</td>
</tr>
</tbody>
</table>
### Class No. | Description of Goods
--- | ---
4 | Industrial oils and greases (other than edible oils, edible fats and essential oils); lubricants; dust laying and absorbing compositions; fuels (including motor spirit) and illuminants; candles, tapers, nightlights and wicks
5 | Pharmaceutical, veterinary and sanitary substances; infants' and invalids' foods; plasters, material for bandaging; material for stopping leaks; dental wax; disinfectants; preparations for killing weeds and destroying vermin
6 | Unwrought and partly wrought common metals and their alloys; anchors, anvil, bell, spooled and cast building nails; nails and other metallic materials for railway tracks; chains except driving chains for vehicles; cables and wires (non-electric); locksmiths' work; metallic pipes and tubes; safes and cash boxes; steel balls, horse-shoes, nails and screws and other goods in non-precious metal; included in other classes; ores
7 | Machines and machine tools; motors (except for vehicles); machine couplings and belting (except for vehicles); large size agricultural implements; incubators
8 | Hand tools and instruments; cutlery, forks and spoons; side arms
9 | Scientific, nautical, surveying and electrical apparatus and instruments (including wireless), photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; coin or counterfeiters apparatus; talking machines; cash registers; calculating machines; fire-extinguishing apparatus
10 | Surgical, medical, dental and veterinary instruments and apparatus (including artificial limbs, eyes and teeth)
11 | Installations for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes
12 | Vehicles; apparatus for locomotion by land, air or water
13 | Firearms; ammunition and projectiles; explosive substances; fireworks
14 | Precious metals and their alloys and goods in precious metals or coated therewith (except cutlery, forks and spoons); jewellery; precious stones; horological and other chronometric instruments
15 | Musical instruments (other than talking machines and wireless apparatus)
16 | Paper and paper articles, cardboard and cardboard articles; printed matter; newspapers and periodicals, books; bookbinding materials; photosensitive materials; adhesive materials (stationary); artists' materials, paint brushes; typewriters and office requisites (other than furniture); instructional and teaching material (other than optical and photographic); playing cards, jocuri; type and printer's type; cards (printers')
17 | Guata percha, indiarubber, balata and substitutes, articles made from these substances and not included in other classes; materials for packing, stopping or insulating; asbestos, mica, and their products; hose pipes (non-metallic)
18 | Leather and leathers of leather and articles made from these materials and not included in other classes; skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery
19 | Building materials, natural and artificial stone, cement, lime, mortar, plaster and gravel; pipes of earthware or cement; roadmaking and materials; asphalt, pitch and bitumen, portable buildings, stone instruments, chimney pots
20 | Furniture, mirrors, picture frames; articles (not included in other classes) consisting of wood, cork, reeds, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum, celluloid, and substitutes for all these materials
21 | Small domestic utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (other than paint brushes), brushmaking materials; instruments and material for cleaning purposes; steelwool; glassware, porcelains and earthenware not included in other classes
22 | Ropes, stringing, nets, tents, awnings, tarpaulins, sails, sacks; padding or stuffing materials (hair, kapok, feathers, seaweed, &c.); raw fibrous textile materials
23 | Yarns, threads
24 | Tissues (piece goods); bed and table covers; textile articles not included in other classes
25 | Clothing, including boots, shoes and slippers
26 | Lace and embroidery; ribbons and braid; buttons, press buttons, hooks and eyes; pins and needles; artificial flowers

#### Class No.

27 | Carpets, rugs, wall hangings
28 | Games and playthings
29 | Meat, fish, poultry and vegetables and fats; preserved
30 | Coffee, tea, cacao, chocolate, malt, treacle, spices, &c.
31 | Agricultural implements; linen and flax, jute and hemp<br>32 | Beer, ale, porter, ginger beer, and similar beverages, wines, spirits, brandy, &c.
33 | Tobacco, raw
Trade Marks Regulations.

FOURTH SCHEDULE—continued.

Classification of Goods—continued.

<table>
<thead>
<tr>
<th>Class No.</th>
<th>Description of Goods</th>
</tr>
</thead>
<tbody>
<tr>
<td>27</td>
<td>Carpets, rugs, mats and matting; linoleums and other materials for covering floors; wall hangings (non-textile)</td>
</tr>
<tr>
<td>28</td>
<td>Games and playthings; gymnastic and sporting articles (except clothing); ornaments and decorations for Christmas trees</td>
</tr>
<tr>
<td>29</td>
<td>Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and other dairy products; edible oils and fats; preserves, pickles</td>
</tr>
<tr>
<td>30</td>
<td>Coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes; flour, and preparations made from cereals; bread, biscuits, cakes, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard, pepper, vinegar, sauces, spices; ice</td>
</tr>
<tr>
<td>31</td>
<td>Agricultural, horticultural and forestry products and grains not included in other classes; living animals; fresh fruits and vegetables; seeds; live plants and flowers; foodstuffs for animals, malt</td>
</tr>
<tr>
<td>32</td>
<td>Beer, ale and porter; mineral and aerated waters and other non-alcoholic drinks; syrups and other preparations for making beverages</td>
</tr>
<tr>
<td>33</td>
<td>Wines, spirits and liqueurs</td>
</tr>
<tr>
<td>34</td>
<td>Tobacco, raw or manufactured; smokers' articles; matches</td>
</tr>
</tbody>
</table>

FIFTH SCHEDULE.

PROHIBITED MARKS.

Part I.

<table>
<thead>
<tr>
<th>ABORIGINAL WELFARE</th>
<th>R.A.F.</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIRFLASH</td>
<td>REPATRIATION</td>
</tr>
<tr>
<td>A.N.A.</td>
<td>RETURNED AIRMEN</td>
</tr>
<tr>
<td>AVIAT</td>
<td>RETURNED SOLDIER</td>
</tr>
<tr>
<td>CALAID</td>
<td>ROYAL VISIT</td>
</tr>
<tr>
<td>CORONATION</td>
<td>S.E.S.</td>
</tr>
<tr>
<td>COSTORIES</td>
<td>S.O.S.</td>
</tr>
<tr>
<td>C.S.I.</td>
<td>T.P.W.</td>
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<tr>
<td>N.ATO</td>
<td>U.N.</td>
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<tr>
<td>OLYMPIC CHAMPION</td>
<td>U.N.E.S.C.O.</td>
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<tr>
<td>P AND E.O.</td>
<td>PRINTERGRAM</td>
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</tbody>
</table>

Part II.

| ANZAC              | VANZAC |

Regulation 13.