



STATUTORY INSTRUMENTS

**S.I. No. 396 of 2010**



INDUSTRIAL DESIGNS (AMENDMENT) REGULATIONS 2010

**(Prn. A10/1234)**

## INDUSTRIAL DESIGNS (AMENDMENT) REGULATIONS 2010

I, CONOR LENIHAN, Minister of State at the Department of Enterprise, Trade and Innovation, in exercise of the powers conferred on me by sections 20(1), 30(1), 31(1) and 85 of the Industrial Designs Act 2001 (No. 39 of 2001) (as adapted by the Enterprise, Trade and Employment (Alteration of Name of Department and Title of Minister) Order 2010 (S.I. No. 185 of 2010)) and the Enterprise, Trade and Innovation (Delegation of Ministerial Functions) Order 2010 (S.I. No. 332 of 2010), hereby make the following regulations:

1. These Regulations may be cited as the Industrial Designs (Amendment) Regulations 2010 and come into operation on 4 October 2010.

2. The Industrial Designs Regulations 2002 (S.I. No. 280 of 2002) are amended—

(a) in Regulation 8(1) (as amended by Regulation 2 of the Industrial Designs (Amendment) Regulations 2007 (S.I. No. 620 of 2007)), by substituting “in a state which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2 May 1992, as amended for the time being,” for “in the European Union”, and

(b) in Schedule 2, by substituting—

(i) Form No. 1 in the Schedule to these Regulations for Form No. 1 (substituted by the Industrial Designs (Amendment) Regulations 2004 (S.I. No. 574 of 2004)), and

(ii) Form No. 1A in the Schedule to these Regulations for Form No. 1A (substituted by the Industrial Designs (Amendment) Regulations 2004 (S.I. No. 574 of 2004)).

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 17th August, 2010.*

**SCHEDULE**

**FORM No. 1**

**INDUSTRIAL DESIGNS ACT 2001**

**APPLICATION FOR REGISTRATION OF A DESIGN**

**SINGLE APPLICATION IN RESPECT OF ONE DESIGN**

Reference No. of Applicant or Authorised Agent.....
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**1. Applicant(s) (Full name and address of each person or company applying.)**

Name(s)	
Address(es)	
Nationality(ies)	
Telephone(s)	
Email(s)	
Should additional space be required, please use an additional sheet, insert the appropriate section heading and attach to the completed form when filing.	

**2. Legal Representative (if any) (The following has been authorised to act on behalf of the Applicant(s) in all proceedings connected with this application for registration.)**

Name	
Address	
Phone	
Email	

**3. Address for Service (within the EEA, to which correspondence is to be sent.)**

If different to the address given at 1 or 2 above	
Address	
Phone	
Email	

Please tick box if you wish the Office to correspond with you by Email in relation to this application

**4. Representations**

A representation of the design complying with the conditions set out in Regulation 11 of the Industrial Designs Regulations 2002, is enclosed.

YES

NO

**5. Author(s)**

(If there is more than one author (creator) of the design, insert here the name(s) and address(es) of the author(s).)

Name(s) of author(s)	Address(es)

**6. Brief description of the design**

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**7. Class(es) & Product(s)**

Class(es) <small>(List here the class(es) including the subclass(es) of the Locarno system of International Classification in which registration of the design is requested.)</small>	Product(s) <small>(List here the products to or in which the design is to be applied or incorporated.)</small>

**8. Priority**

(If you have filed an application to register this Design outside the State within the last six months, please enter the relevant information here where a right to priority is claimed.)

State/Country/Territory/Area	Date	File Number (If available)

**9. Deferment of Publication**

(Is deferment of publication as provided for in Section 32(2) of the Principal Act requested? If yes, please indicate the period for which deferment is requested (the maximum period allowed is 30 months from the filing date or, if priority is claimed, from the date of priority.)

Yes		No		Period of deferment	
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**10. Fee(s) accompanying the application.**

Application fee to register a design	(€      )
Deferment fee for a period up to 12 months	(€      )
Deferment fee for a period from 12 to 24 months	(€      )
Deferment fee for a period from 24 to 30 months	(€      )
Total:	(€      )

**11. Declaration and Signature**

(The application may be signed by a person authorised to do so by or on behalf of the Applicant(s) or by the legal representative named at 2.)

The Applicant(s) named herein claims to be the proprietor(s) of the design, a representation of which is attached, and requests the registration of the design on the basis of the foregoing information:	
Signature	
Name in BLOCK CAPITALS	
If a company, state the position in the company of the person signing	
Date	

**FORM No. 1A**

**INDUSTRIAL DESIGNS ACT 2001**  
**APPLICATION FOR REGISTRATION OF A DESIGN**  
**MULTIPLE APPLICATION**

This is a Multiple Application covering (insert number) [    ] designs
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Reference No. of Applicant or Authorised Agent.....
---

**1. Applicant(s)** (Full name and address of each person or company applying.)

Name(s)	
Address(es)	
Nationality(ies)	
Telephone(s)	
Email(s)	
Should additional space be required, please use an additional sheet, insert the appropriate section heading and attach to the completed form when filing.	

**2. Legal Representative (if any)** (The following has been authorised to act on behalf of the Applicant(s) in all proceedings connected with this application for registration.)

Name	
Address	
Phone	
Email	

**3. Address for Service** (within the EEA, to which correspondence is to be sent.)

<b>If different to the address given at 1 or 2 above</b>	
Address	
Phone	
Email	

Please tick box if you wish the Office to correspond with you by Email in relation to this application

#### 4. Representations

Separate representations of each of the designs, complying with the conditions set out in Regulation 11 of the Industrial Designs Regulations 2002, are enclosed.

YES	<input type="checkbox"/>
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NO	<input type="checkbox"/>
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**[IMPORTANT — PLEASE NOTE: THE REPRESENTATIONS ENCLOSED WITH THIS APPLICATION MUST BE NUMBERED CONSECUTIVELY USING ARABIC NUMERALS INSERTED ON THE BACK OR REVERSE SIDE OF THE REPRESENTATIONS. THESE NUMERALS ARE REQUIRED TO IDENTIFY AND DISTINGUISH THE DESIGNS IN RESPECT OF WHICH REGISTRATION IS REQUESTED. WHERE MORE THAN ONE REPRESENTATION OF A PARTICULAR DESIGN IS SUBMITTED, EACH OF THE REPRESENTATIONS OF THAT DESIGN SHOULD BE ASSIGNED THE SAME IDENTIFICATION NUMERAL.]**

#### 5. Author(s)

(If there is more than one author (creator) indicate the design identification numeral of each design (see 4 above) opposite the name and address of each author.)

Design Identification Numeral(s)	Name of author(s)	Address(es)
Should additional space be required, please use an additional sheet, insert the appropriate section heading and attach to the completed form when filing.		



## 6. Brief description of designs

(Insert here a brief description of the designs. If you need to provide separate descriptions of each of the designs included in the application, indicate the design identification numeral of each design opposite each of the descriptions provided.)

Design Identification No.	Insert here a brief description of each design.
Should additional space be required, please use an additional sheet, insert the appropriate section heading and attach to the completed form when filing.	

## 7. Class(es) & Product(s)

Design Identification No.	Class(es) (List here the class(es) including the subclass(es) of the Locarno system of International Classification in which registration of the design(s) is/are requested.)	Product(s) (List here the products to or in which the design is to be applied or incorporated.)
Should additional space be required, please use an additional sheet, insert the appropriate section heading and attach to the completed form when filing.		

**[Note: Except in cases of ornamentation, all of the designs in a multiple application for registration must be in respect of products that belong to the same class of the Locarno system of International Classification.]**

**8. Priority**

(If you have filed an application to register the same Designs outside the State within the last six months, please enter the relevant information here where a right to priority is claimed. If there are different claims to priority in respect of the different designs included in the application, indicate the design identification numeral of each design opposite each of the claims listed.)

Design Identification No.	State/Country/Territory/Area	Date	File Number (If available)
Should additional space be required, please use an additional sheet, insert the appropriate section heading and attach to the completed form when filing.			

**9. Deferment of Publication**

(Is deferment of publication as provided for in Section 32(2) of the Principal Act requested? If yes, please indicate the period for which deferment is requested (the maximum period allowed is 30 months from the filing date or, if priority is claimed, from the date of priority.)

Yes	
-----	--

No	
----	--

Design Identification No.	Period of Deferment

**10. Fee(s) accompanying the application.**

Application fee to register a design	(€ )
Additional fee (per design) in a multiple application	(€ )
Deferment fee for a period up to 12 months	(€ )
Deferment fee for a period from 12 to 24 months	(€ )
Deferment fee for a period from 24 to 30 months	(€ )
Total:	(€ )

**11. Declaration and Signature**

(The application may be signed by a person authorised to do so by or on behalf of the Applicant(s) or by the legal representative named at 2.)

The Applicant(s) named herein claims to be the proprietor(s) of the designs, representations of which are attached, and requests the registration of the designs on the basis of the foregoing information:	
Signature	
Name in BLOCK CAPITALS	
If a company, state the position in the company of the person signing	
Date	

GIVEN under my hand,  
11 August 2010

CONOR LENIHAN,  
Minister of State at the Department of Enterprise,  
Trade and Innovation.

EXPLANATORY NOTE.

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

The Regulations make a slight change to the Industrial Design Regulations 2002 by clarifying that a person, involved in any proceeding before the Controller of Patents, Designs and Trade Marks or a registered proprietor of a design, may have an address for service in the European Economic Area (EEA). The Regulations also amend Forms 1 and 1A in Schedule 2 to those Regulations by improving the layout of Forms 1 and 1A and also amending the address for service requirement to allow applicants to provide an address for service within the EEA.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)  
nó trí aon díoltóir leabhar.

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