STATUTORY INSTRUMENTS.

S.I. No. 588 of 2019

TRADE MARKS (AMENDMENT) RULES 2019

S.I. No. 588 of 2019

TRADE MARKS (AMENDMENT) RULES 2019

I, HEATHER HUMPHREYS, Minister for Business, Enterprise and Innovation, in exercise of the powers conferred on me by Section 81 of the Trade Marks Act 1996 (No. 6 of 1996) (as adapted by the Jobs, Enterprise and Innovation (Alteration of Name of Department and Title of Minister) Order 2017 (S.I. No. 364 of 2017)), hereby make the following Rules:

Citation and commencement.

1. These Rules may be cited as the Trade Marks (Amendment) Rules 2019 and shall come into operation on 2 December 2019**.**

Definition.

2. In these Rules,-

"Act" means the Trade Marks Act, 1996 (No.6 of 1996);

"Principal Rules" means the Trade Marks Rules 1996 (S.I. No. 199 of 1996), and (except where the context otherwise requires), a reference to a Rule is a reference to a Rule of those Rules.

Amendment of Rule 51.

3. Rule 51 of the Principal Rules is amended in paragraph (2)(a)(ii) by the substitution of "the appropriate court" for "the Court".

Amendment of Rule 57.

4. Rule 57 of the Principal Rules is amended by-

(*a*) the substitution of "the High Court" for "the Court" in the title of this Rule

(*b*) the substitution of "the High Court" for "the Court".

Amendment of Rule 68.

5. Rule 68 of the Principal Rules is amended by-

(*a*) the substitution of "court" for "Court" in the title of this Rule, and

(*b*) the substitution of "the appropriate court" for "the Court".

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 29*th November*, 2019.

Amendment of Rule 69.

6. Rule 69 of the Principal Rules is amended-

(*a*) by the substitution of "court" for "Court" in the title of this Rule, and

(*b*) in paragraph (a) by the substitution of "the appropriate court" for "the Court".

7. Schedule 3 of the Patents, Trade Marks and Designs (Fees) Rules 2001 (S.I. No. 482 of 2001) is amended in reference 29 by the substitution of "the Office's" for "the Patents Office" in both places that it occurs.

L.S.

GIVEN under my Official Seal,
26 November, 2019.

HEATHER HUMPHREYS,
Minister for Business, Enterprise and Innovation.

EXPLANATORY NOTE

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

Subsequent to the changes made in relation to the courts in the Copyright and Other Intellectual Property Law Provisions Act 2019, the amendments to Rules 51, 57, 68 and 69 provide that, IP proceedings may take place in the relevant court.

Subsequent to the changes made in relation to the renaming of the Patents Office, in the Copyright and Other Intellectual Property Law Provisions Act 2019, the amendments to Schedule 3 of SI 482 change the title of the Patents Office to the Office.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2,
D02 DR67.

Teil: 076 110 6834
r-post: publications@opw.ie

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2,
D02 DR67.

Tel: 076 110 6834
E-mail: publications@opw.ie

ISBN 978-1-4468-9603-7

€ 3.00

(IPU-1) 75. 11/19. Propylon.