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## **No. S 403**

### **TRADE MARKS ACT 1998**

#### **TRADE MARKS (AMENDMENT NO. 2) RULES 2022**

In exercise of the powers conferred by section 108 of the Trade Marks Act 1998, the Minister for Law makes the following Rules:

#### **Citation and commencement**

**1.** These Rules are the Trade Marks (Amendment No. 2) Rules 2022 and come into operation on 26 May 2022.

#### **Amendment of rule 7**

**2.** In rule 7 of the Trade Marks Rules (R 1) (called in these Rules the principal Rules) —

- (a) in paragraph (2)(c), delete “or” at the end;
- (b) in paragraph (2), after sub-paragraph (c), insert —
  - “(ca) by sending an electronic communication using the electronic online system; or”;
- (c) in paragraph (2)(d), after “by any”, insert “other”;
- (d) in paragraph (6A), replace “paragraph (2)(d)” with “paragraph (2)(ca) or (d)”;
- (e) after paragraph (6A), insert —
  - “(7) Service of any notice or other document under the Act or these Rules on a person by electronic communication using the electronic online system may be effected only if the person is registered as an account holder in accordance with any practice directions issued by the Registrar under rule 78A(3).  
(7A) A notice or other document sent, filed or served by means of an electronic communication

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(other than the electronic online system) is treated as sent, filed or served —

- (a) if the time and the day the electronic communication becomes capable of being retrieved by the person to whom the notice or other document is sent, filed or served does not fall on an excluded day for the business of sending, filing or serving the notice or document — at that time and on that day; or
- (b) if that time falls on such excluded day — on the next following day that is not such excluded day.

(7B) A notice or other document that is —

- (a) transmitted to the Registrar or a party by means of the electronic online system; and
- (b) received, by the server of that system set up to receive such transmissions, at any time before midnight on any day,

is treated as sent to, filed with or served on, and received by, the Registrar or the party —

- (c) if that day is not an excluded day for the business of sending to, filing with or serving on the Registrar or the party the notice or document by means of that system — at that time and on that day; or
- (d) if that day is such excluded day — on the next following day that is not such excluded day.

(7C) For the purposes of paragraph (7B), the notice or other document is treated as sent to, filed with or served on, and received by, the Registrar or the party if and only if the last byte of the transmission

containing the notice or other document is received by the server mentioned in that paragraph.

(7D) Any person who sends, files or serves a notice or other document by means of the electronic online system may produce a record of transmission issued through that system as evidence of —

- (a) the sending, filing or service of that notice or document; and
- (b) the date and time when the sending, filing or service took place.”.

### **Amendment of rule 9**

#### **3. In rule 9 of the principal Rules —**

- (a) in paragraph (4)(j)(ii), replace “on a separate Form CM8” with “on the same Form CM8”;
- (b) in paragraph (4)(m)(iii), insert “and” at the end;
- (c) in paragraph (4)(n)(ii), replace “; and” with a full-stop;
- (d) in paragraph (4), delete sub-paragraph (o);
- (e) replace paragraph (6) with —

“(6) Where an address for service is not filed by or on behalf of a person as required by paragraph (1), and no address for service is effective for the purposes of any of the proceedings mentioned in paragraph (4), the Registrar may, subject to paragraph (6A), treat the person’s trade or business address in Singapore as that person’s address for service for the purposes of those proceedings.

(6A) Where the trade or business address of the person is not known to the Registrar, the Registrar may send to the person, at an alternative address of the person, a notice to furnish an address for service for the purposes of those proceedings, within 2 months after the date of the notice.

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(6B) Where the Registrar does not have any alternative address of the person to send the notice under paragraph (6A) or where the Registrar has sent a notice under that paragraph but no address for service is provided within 2 months after the date of the notice —

- (a) in the case of an applicant or a person mentioned in paragraph (1)(a), (c), (f), (g), (h) or (i) — the application made by the applicant or person is treated as withdrawn;
- (b) in the case of a person mentioned in paragraph (1)(b) or (d) — the person is treated as having withdrawn the person's opposition or intervention, as the case may be;
- (c) in the case of the proprietor mentioned in paragraph (1)(e) — the proprietor is not permitted to take part in any proceedings relating to the application for the revocation of the registration of the trade mark, the declaration of invalidity of the registration, or the rectification of the register, as the case may be;
- (d) in the case of a person mentioned in paragraph (1)(j) — the application made by the person to register the making of the assent, or the order of the Court or any other competent authority, is treated as withdrawn; and
- (e) in the case of a party mentioned in paragraph (1)(k) — the party is not permitted to take part in the proceedings in question.”; and

(f) after paragraph (8), insert —

“(9) In paragraphs (6A) and (6B), “alternative address” means —

- (a) any address (not being an email address) that was previously provided by the person to the Registrar in relation to a matter under these Rules concerning the person that is the same as the matter at hand; or
- (b) any email address that was previously provided by the person to the Registrar in relation to a matter under these Rules that is the same as the matter at hand, where the person had given prior consent for that email address to be used for correspondence with the person for such matter.”.

#### **Amendment of rule 10**

**4.** In rule 10 of the principal Rules, replace paragraphs (6) and (7) with —

“(6) Where an agent for a party to any matter intends to cease to so act, the agent —

- (a) must file with the Registrar in Form CM1 —
  - (i) a notice of the intention;
  - (ii) the party’s latest address, including any email address, on the agent’s records; and
  - (iii) a statement that the agent has given reasonable notice to the party of the intention, and informed the party of the consequences set out in rule 9(6B) as applied by paragraph (9); and
- (b) must serve Form CM1 on the party at the same time the form is filed with the Registrar.

(7) On receipt of the form mentioned in paragraph (6)(a), the Registrar must send to the party a notice requesting the party to provide an address for service within 3 months after the date of the notice.

(8) The notice in paragraph (7) must be sent to the address of the party filed under paragraph (6)(a)(ii) or any alternative address of the party.

(9) Rule 9(6B)(a), (b), (c), (d) or (e) (whichever is applicable) applies, with the necessary modifications, if —

(a) the Registrar does not have any alternative address of the party to which to send a notice under paragraph (7); or

(b) the Registrar sent a notice under paragraph (7) and no address for service was provided within 3 months after the date of the notice.

(10) In paragraphs (8) and (9), “alternative address” has the meaning given by rule 9(9).”.

### **Amendment of rule 18**

**5.** In rule 18 of the principal Rules —

(a) after paragraph (2), insert —

“(2A) For the purposes of section 10(1)(d) of the Act, a person who claims a right of priority for the registration of a trade mark must provide the application number (where available) within 3 months after the date of the application for the registration of the trade mark.”;

(b) in paragraph (3)(c), delete “and” at the end;

(c) in paragraph (3)(d), replace the full-stop at the end with “; and”; and

(d) in paragraph (3), after sub-paragraph (d), insert —

“(e) the application number of the priority application, where available.”.

**Amendment of rule 19**

6. In rule 19(4) of the principal Rules, after “the Registrar may refuse to accept the application”, insert “(whether for all or some of those goods or services),”.

**Amendment of rule 22**

7. In rule 22 of the principal Rules, replace paragraph (1) with —

“(1) An application to amend an application for registration must be made —

- (a) if it is to change the name or other particular of the applicant — in Form CM2;
- (b) if it is to correct the name or other particular of the applicant — in Form CM4; or
- (c) if it is for any other purpose — in Form TM 27.”.

**New rule 22A**

8. After rule 22 of the principal Rules, insert —

**“Publication of and opposition to application for correction**

**22A.**—(1) This rule applies where a person (*X*) makes an application under rule 22 on or after 26 May 2022 for the correction in an application of an error or a mistake in —

- (a) the name or other particular of an applicant of an application for registration; or
- (b) any information pertaining to a priority application.

(2) If the Registrar determines that the interests of any person may be affected by the proposed correction, the Registrar may publish the application and the nature of the proposed correction in the Trade Marks Journal and in any other manner that the Registrar determines.

(3) Any person (*Y*) may, at any time within 2 months after the date of the publication, give a written notice to the Registrar of opposition to the application in Form TM 11.

(4) The notice of opposition must be accompanied by a supporting statement setting out fully the facts on which *Y* relies.

(5) *Y* must, at the time the notice and the statement are filed, serve on *X* a copy of the notice and a copy of the statement.

(6) If *Y* does not comply with paragraph (5), *Y*'s notice of opposition is treated as not having been filed.

(7) If *X* desires to proceed with the application, *X* must —

(a) within 2 months after the date on which *X* is served the copies of the notice and the statement, file a counter-statement in Form HC6 setting out fully the grounds on which *X* contests the opposition; and

(b) at the time the counter-statement is filed, serve on *Y* a copy of the counter-statement.

(8) If *X* does not comply with paragraph (7), *X*'s application under rule 22 is treated as withdrawn.

(9) The Registrar may give such directions as the Registrar thinks fit with regard to any aspect of the procedure for the application or the opposition to the application.

(10) The Registrar must consider the opposition in deciding whether to grant the application.”.

### **Amendment of rule 24**

9. In rule 24(2) of the principal Rules, replace “the application shall be” with “the application, or the application insofar as it relates to those goods or services for which registration is sought but the requirements for registration have not been met, is”.

### **Amendment of rule 26**

10. In rule 26 of the principal Rules, after paragraph (2), insert —

“(3) In this rule, a reference to an application for the registration of a trade mark that has been accepted includes an application that is accepted under section 12(4) or (5) of the Act only in relation to some of the goods or services for which the registration is sought.”.



**Amendment of rule 29**

**11.** In rule 29(3)(a) of the principal Rules, replace “Form TM 48” with “Form HC3”.

**Amendment of rule 42**

**12.** In rule 42 of the principal Rules —

- (a) in paragraph (1)(c), after “the priority date”, insert “and (if the application for registration of the trade mark is filed on or after 26 May 2022) the application number”; and
- (b) in paragraph (2) (definition of “Madrid Protocol”), replace “section 54(4)” with “section 2(1)”.

**Amendment of rule 44**

**13.** In rule 44 of the principal Rules —

- (a) replace paragraph (1) with —

“(1) An application by a person to change the person’s name or other particular appearing in the register must be filed with the Registrar in Form CM2.”; and

- (b) in the rule heading, replace “address” with “other particular appearing”.

**Amendment of rule 48**

**14.** In rule 48 of the principal Rules, replace “request from the Registrar any of the following” with “apply for any of the following under section 68(3) of the Act”.

**New rule 48A**

**15.** After rule 48 of the principal Rules, insert —

**“Certifying document issued by Registrar**

**48A.** Any person may, by filing Form CM12 with the Registrar, request to certify a document issued by the Registrar to the person.”.

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**Amendment of rule 55****16.** In rule 55 of the principal Rules —

## (a) replace paragraph (2) with —

“(2) Where an application under paragraph (1)(a), (b), (c) or (d) is filed other than by means of the electronic filing system, the application must be signed by or on behalf of all relevant parties.”;

## (b) in paragraphs (3) and (3A), replace “paragraph (1)” with “paragraph (1)(a), (b), (c) or (d)”;

## (c) after paragraph (3), insert —

“(3AA) In paragraphs (2) and (3), “relevant party” means —

(a) in the case of an assignment in paragraph (1)(a) — the assignor;

(b) in the case of a transaction other than an assignment in paragraph (1)(a) — all parties to the transaction;

(c) in the case of paragraph (1)(b) — the grantor of the licence;

(d) in the case of paragraph (1)(c) — the grantor of the security interest; or

(e) in the case of paragraph (1)(d) — each personal representative who makes the assent.”;

## (d) in paragraph (3A), replace “paragraph (2)(a), (b) or (d)” with “paragraph (2)”;

## (e) delete paragraphs (3B) and (3C); and

## (f) after paragraph (5), insert —

“(6) The Registrar must refuse an application under paragraph (1) if paragraph (2), (3) or (3A) or a requirement under paragraph (5) is not complied with.”.

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**Amendment of rule 57****17. In rule 57 of the principal Rules —**

(a) in paragraph (1A), replace sub-paragraphs (a) and (b) with —

“(a) in the case of an application by any person to rectify the name or other particular of the person in the register — in Form CM4;

(b) in the case of an application by the proprietor of a registered trade mark to rectify any information (other than the name or other particular of the proprietor) in the register relating to that trade mark — in Form TM 27; or

(c) in the case of an application by any person (other than the proprietor of a registered trade mark) to rectify any information (other than the name or other particular of the person) in the register — in Form TM 28.”; and

(b) after paragraph (4), insert —

“(5) Rule 22A applies, with the necessary modifications, in relation to an application made by a proprietor of a registered trade mark on or after 26 May 2022 to rectify an error or omission in the name or other particular of the proprietor, or in any information pertaining to a priority application, in the register, as it applies in relation to an application to correct an error or a mistake in the name or other particular of an applicant, or in any information pertaining to a priority application, in an application for registration.

(6) Paragraphs (3) and (4) do not apply to an application mentioned in paragraph (1A)(a).”.

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**Amendment of rule 58**

**18.** In rule 58 of the principal Rules —

- (a) renumber paragraphs (1), (2), (3), (4), (4A), (5), (6), (7), (8), (10), (11), (12) and (13) as paragraphs (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13) and (14), respectively;
- (b) before paragraph (2) (as renumbered by paragraph (a)), insert —

“(1) This rule and rules 59 and 60 do not apply to an application mentioned in rule 57(1A)(a) or (b).”;
- (c) in paragraph (2) (as renumbered by paragraph (a)), after “from the applicant”, insert “served under rule 57(3)”;
- (d) in paragraph (6) (as renumbered by paragraph (a)), replace “paragraph (4)” with “paragraph (5)”;
- (e) in paragraph (8)(b) (as renumbered by paragraph (a)), replace “paragraph (4)” with “paragraph (5)”;
- (f) in paragraph (9) (as renumbered by paragraph (a)), replace “paragraph (4)(b)(ii)” with “paragraph (5)(b)(ii)”;
- (g) in paragraph (10) (as renumbered by paragraph (a)), replace “paragraph (4)” with “paragraph (5)”;
- (h) in paragraph (11) (as renumbered by paragraph (a)), replace “paragraph (3)” with “paragraph (4)”.

**Amendment of rule 59**

**19.** In rule 59(1)(b) of the principal Rules, replace “rule 57(1A)(b)” with “rule 57(1A)(c)”.

**Amendment of rule 62**

**20.** In rule 62(3) of the principal Rules, replace “rule 9(4)(o)” with “rule 9(6)”.

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**Amendment of heading to Part XI**

**21.** In Part XI of the principal Rules, in the Part heading, replace “AND REINSTATEMENT OF APPLICATIONS, RIGHTS AND THINGS” with “, CONTINUED PROCESSING OF APPLICATIONS, AND REINSTATEMENT OF RIGHTS AND THINGS”.

**Amendment of rule 77**

**22.** In rule 77(6) of the principal Rules —

(a) after sub-paragraph (*ac*), insert —

“(ad) the prescribed time for the provision of the application number of a priority application under rule 18(2A);”; and

(b) replace sub-paragraph (*oa*) with —

“(oa) the filing of a request under rule 77AA(2) to continue processing an application treated as withdrawn;

(ob) the filing of a request under rule 77B(2) to reinstate a right or thing that has been abrogated or has ceased to be in force or to exist;”.

**New rule 77AA**

**23.** After rule 77A of the principal Rules, insert —

**“Continued processing of application**

**77AA.**—(1) This rule applies to an application for registration of a trade mark that, on or after 26 May 2022, is treated as withdrawn under —

(a) section 12(5) of, paragraph 6(3) or 7(4) of the First Schedule to, or paragraph 7(3) or 8(4) of the Second Schedule to, the Act; or

(b) rule 9(6B)(a), 21(5) or 24(2).

(2) The applicant may make a request to the Registrar in Form CM13 for the Registrar to continue processing the application.

(3) The Registrar must reject the request unless —

(a) the request is made within 2 months starting on the date the application is treated as withdrawn; and

(b) the request is accompanied by the document or thing the non-filing or late filing of which resulted in the application being treated as withdrawn.

(4) If the request complies with this rule, the Registrar must continue to process the application unless there is a good and sufficient reason to refuse the request.

(5) To avoid doubt, a reference in this rule to an application that is treated as withdrawn includes one that is treated as withdrawn only in relation to some of the goods or services for which registration is sought.”.

### **Amendment of rule 77B**

**24.** In rule 77B of the principal Rules —

(a) in paragraph (1), delete sub-paragraph (a);

(b) in paragraph (1), delete “application,”;

(c) in paragraph (2), delete “application,”;

(d) in paragraph (2)(a), replace “in Form CM13 and filed with the Registrar within 6 months after the date the application was treated as withdrawn,” with “by written request to the Registrar within 6 months starting on the date”;

(e) in paragraph (2)(b), delete sub-paragraph (i);

(f) in paragraph (5)(b), delete “any application which is treated as withdrawn,”;

(g) in paragraph (5)(b)(ii), after sub-paragraph (D), insert —

“(DA) any act under rule 22A, or rule 22A as applied by rule 57(5) or 84(6), in any

proceedings relating to an opposition to an application for correction or rectification;”;

(h) in paragraph (5)(b)(ii)(E), delete “or” at the end;

(i) in paragraph (5)(b)(ii), after sub-paragraph (F), insert —  
“(G) the filing of a request under rule 77AA(2); or”;

(j) after paragraph (5), insert —

“(6) To avoid doubt, this rule does not apply to an application that is treated as withdrawn or that is otherwise rejected.”; and

(k) in the rule heading, delete “application.”.

#### **Amendment of rule 78A**

**25.** In rule 78A of the principal Rules, replace paragraph (2A) with —

“(2A) The electronic online system may be used —

(a) by the Registrar for giving or sending to or serving on any person any notice or other document; and

(b) by a party for the giving, sending or serving on another party (other than the Registrar) of any document required to be given, sent to or served on that other party under this Act.

(2B) To avoid doubt, paragraph (2A) does not apply to the service of any notice or document to be served in proceedings in court.”.

#### **Amendment of rule 79**

**26.** In rule 79 of the principal Rules —

(a) in paragraph (1), replace “Subject to paragraph (4), any” with “Any”;

- (b) in paragraph (3), after “expires on an excluded day”, insert “for the business of giving, sending, filing or serving the notice or document”;
- (c) in paragraph (3), replace “not an excluded day” with “not such excluded day”; and
- (d) delete paragraphs (4), (5) and (6).

### **Amendment of rule 80A**

**27.** In rule 80A(1) of the principal Rules, replace “first day next following (not being an excluded day)” with “next following day (not being an excluded day for such business)”.

### **Amendment of rule 83**

**28.** In rule 83 of the principal Rules —

- (a) renumber rule 83 as rule 83(1); and
- (b) after paragraph (1), insert —

“(2) Where the irregularity in procedure in connection with any proceedings (other than proceedings with notice) is attributable, wholly or in part, to an omission or other error by the party to the proceedings and the irregularity has been corrected under paragraph (1) on or after 26 May 2022, the Registrar must publish a notification of the decision in the register.”.

### **Amendment of rule 84**

**29.** In rule 84 of the principal Rules —

- (a) replace paragraph (1) with —

“(1) A request for the correction of an error or a mistake in an application (other than an application for the registration of a trade mark), a notice or other document under section 25(1)(a) of the Act must be made in Form CM4.”;

- (b) in paragraph (4)(a), before sub-paragraph (i) insert —



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- “(ia) rule 22A(3), (4) and (7);”;
- (c) in paragraph (4)(a), after sub-paragraph (v) insert —
- “(va) rule 22A(3), (4) and (7), as applied by rule 57(5);”;
- (d) in paragraph (4)(a)(xi), delete “or” at the end;
- (e) in paragraph (4)(a)(xii), insert “or” at the end;
- (f) in paragraph (4)(a), after sub-paragraph (xii), insert —
- “(xiii) rule 22A(3), (4) and (7), as applied by paragraph (6);”;
- (g) after paragraph (5), insert —
- “(6) Rule 22A applies, with the necessary modifications, in relation to a request made under paragraph (1) on or after 26 May 2022 to correct an error or a mistake in a particular of an applicant of an application for registration of a trade mark or the proprietor of a registered trade mark, or in any information pertaining to a priority application, as it applies in relation to an application to correct an error or a mistake in the name or other particular of an applicant, or in any information pertaining to a priority application, in an application for registration.
- (7) The Registrar may, on the Registrar’s own initiative, make any consequential amendment to the register arising from any correction pursuant to a request under paragraph (1) that is made on or after 26 May 2022, and the Registrar must notify the applicant making the request of the amendment.”.

### **Amendment of First Schedule**

#### **30. In the First Schedule to the principal Rules —**

- (a) in item 1, in the third column, replace “\$341” wherever it appears with “\$380”;

- (b) in item 1A, in the third column, replace “\$240” wherever it appears with “\$280”;
- (c) in item 6, in the third column, replace “\$380” with “\$440”;
- (d) in item 7, in the third column, replace “\$560” with “\$645”;
- (e) in item 8, in the third column, replace “\$610” with “\$705”;
- (f) in item 10(a) and (b), in the second column, replace “57(1A)(a)(ii)” with “57(1A)(b)”;
- (g) in item 11, in the third column, replace “\$35” with “\$40”;
- (h) replace item 16 with —

“16. Request for correction of error or mistake under section 25(1)(a) of the Act	84(1)	\$50	Form CM4
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16A. Application to correct an error in the name or other particular of an applicant in an application for registration, or to rectify an error or omission in the name or other particular of a person in the register	22(1)(b), 57(1A)(a)	\$50	Form CM4”;
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- (i) in item 17A, in the third column, replace “\$100” with “\$120”;
- (j) in item 18, in the third column, replace “\$100” with “\$120”;
- (k) in item 21, delete paragraphs (b) and (c);
- (l) replace item 25 with —

“25. Request for continued processing of application	77AA(2)	\$100	Form CM13”;
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- (m) in item 26, reletter paragraph (a) as paragraph (aa);

(*n*) in item 26, before paragraph (*aa*) (as relettered by paragraph (*m*)), insert —

“(a) an application for correction or rectification of an error or a mistake	22A(3), 22A(3) read with 57(5) or 84(6)	\$420 × number of classes	Form TM 11”;
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(*o*) in item 26, in the third column, replace “\$374” wherever it appears with “\$420”;

(*p*) in item 27, in the second column, replace “(1A)(*b*)” with “(1A)(*c*)”;

(*q*) in item 27, in the third column, replace “\$357” with “\$420”;

(*r*) replace item 29 with —

“29. Attending hearing and obtaining decision —	37(3), 37(3) read with 23(4), 56(6), 59, 65(1) or 66A(3)	Form HC1”;
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(a) in respect of each trade mark number, where one class is involved in the proceedings	\$1,000
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(*b*) in respect of each trade  
mark number, where  
more than one class is  
involved in the  
proceedings —

(i) for the first class; and	\$1,000
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(ii) for each subsequent class	\$800
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(*s*) in item 33, in the first column, delete “for hearing at which only the party who requested the hearing was present”;

(*t*) in item 34, reletter paragraph (*a*) as paragraph (*aa*);

(*u*) in item 34, before paragraph (*aa*) (as relettered by paragraph (*t*)), insert —

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“(a) a notice of opposition to an application for correction or rectification of an error or a mistake	22A(7)(a), 22A(7)(a) read with 57(5) or 84(6)	\$360 × number of classes	Form HC6”;
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(v) in item 34(c), in the second column, replace “58(1)” with “58(2)”; and

(w) replace item 37 with —

“37. Certifying document issued by Registrar	48A	\$12	Form CM12”.
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### **Amendment of Second Schedule**

**31.** In the Second Schedule to the principal Rules —

- (a) in item 8, in the second column, replace “, address or address for service” with “or other particular of any person”;
- (b) delete item 10;
- (c) in item 11, in the second column, replace “, change or remove agent” with “or change agent or notice of intention to cease to act as agent”;
- (d) in item 12, in the second column, replace “, address and Singapore address for service of agent, applicant, proprietor or other interested person” with “or other particular of any person”;
- (e) in item 20, in the second column, after “pertaining to application for registration”, insert “; or for certifying document issued by Registrar”;
- (f) in item 21, in the second column, replace “reinstatement of rights” with “continued processing of application”;
- (g) in item 22, in the second column, replace “Notice of attendance at hearing” with “Hearing and decision”; and
- (h) in item 26, in the second column, delete “for hearing at which only the party who requested the hearing was present”.

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### **Saving and transitional provisions**

**32.**—(1) Despite rule 4, rule 10(7) of the principal Rules as in force immediately before 26 May 2022 (called in this paragraph the old rule) continues to apply in relation to a notice mentioned in the old rule that was filed and served in accordance with the old rule before that date.

(2) Despite rule 5, rule 18 of the principal Rules as in force immediately before 26 May 2022 continues to apply in relation to an application for the registration of a trade mark filed before that date.

(3) Despite rules 6, 9 and 10, rules 19, 24 and 26 of the principal Rules as in force immediately before 26 May 2022 continue to apply in relation to an application for registration of a trade mark for which the date of application under section 5(4) of the Act is before that date.

(4) Despite rule 7, an application to amend an application for registration that was made in accordance with rule 22(1) of the principal Rules as in force immediately before 26 May 2022, and that is pending on that date, is treated as made in accordance with rule 22(1) of the principal Rules as replaced by rule 7.

(5) Despite rule 11, a request for an extension of time that was filed in accordance with rule 29(3) of the principal Rules as in force immediately before 26 May 2022, and that is pending on that date, is treated as filed in accordance with rule 29(3) of the principal Rules as amended by rule 11.

(6) Despite rule 16, rule 55 of the principal Rules as in force immediately before 26 May 2022 continues to apply in relation to an application to register particulars of a transaction to which section 39 of the Act applies, or a notice to be given to the Registrar of particulars of a transaction to which section 41 of the Act applies, that was filed before that date.

(7) Despite rules 17, 18 and 19, rules 57, 58, 59 and 60 of the principal Rules as in force immediately before 26 May 2022 continue to apply in relation to an application made to the Registrar before that date for the revocation of the registration of a trade mark under section 22 of the Act, for a declaration of invalidity of the registration

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of a trade mark under section 23 of the Act, or for the rectification of an error or omission in the register under section 67 of the Act.

(8) Despite rule 24, rule 77B of the principal Rules as in force immediately before 26 May 2022 continues to apply in relation to an application that is treated as withdrawn at any time before that date.

*[G.N. Nos. S 598/2008; S 588/2011; S 761/2013;  
S 743/2014; S 739/2015; S 22/2017; S 149/2017;  
S 433/2020; S 692/2021; S 263/2022]*

Made on 19 May 2022.

LOH KHUM YEAN  
*Permanent Secretary,  
Ministry of Law,  
Singapore.*

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