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GEOGRAPHICAL INDICATIONS ACT 2014 (ACT 19 OF 2014)

GEOGRAPHICAL INDICATIONS (AMENDMENT NO. 2) RULES 2020

In exercise of the powers conferred by section 84 of the Geographical Indications Act 2014, the Minister for Law makes the following Rules:

Citation and commencement

1. These Rules are the Geographical Indications (Amendment No. 2) Rules 2020 and come into operation on 15 August 2020.

Amendment of rule 2

2. Rule 2 of the Geographical Indications Rules 2019 (G.N. No. S 125/2019) (called in these Rules the principal Rules) is amended by inserting, immediately after paragraph (3), the following paragraph:

“(4) To avoid doubt, unless the context otherwise requires, a reference to a geographical indication in these Rules includes a reference to any variant constituting that geographical indication.”

Amendment of rule 28

3. Rule 28 of the principal Rules is amended —

- (a) by inserting, immediately after the words “The notice of opposition must” in paragraph (1), the words “specify the geographical indication or variant of the geographical indication that the opponent opposes the registration of, and”; and
- (b) by inserting, immediately after paragraph (2), the following paragraph:

“(2A) Where the opponent opposes the registration of 2 or more variants constituting a geographical indication, the statement of the grounds mentioned in paragraph (1) must specify which variant or variants each of the grounds relates to.”.

Amendment of rule 29

4. Rule 29 of the principal Rules is amended by inserting, immediately after paragraph (2), the following paragraph:

“(2A) Where the opponent opposes the registration of 2 or more variants constituting a geographical indication, the counter-statement mentioned in paragraph (1)(a) must specify which variant or variants each of the grounds mentioned in paragraph (2)(a) relates to.”.

Amendment of rule 40

5. Rule 40 of the principal Rules is amended —

- (a) by inserting, immediately after the words “request for a qualification of” in paragraph (1), the words “any of”;
- (b) by deleting the words “or a registrant (as the case may be)” in paragraph (3);
- (c) by deleting the words “or the registrant, as the case may be” in paragraph (3); and
- (d) by inserting, immediately after the words “the grounds in section 46(2) of the Act is or are made out” in paragraph (5), the words “and that the request does not fall within section 46(3A) of the Act”.

Amendment of rule 65

6. Rule 65 of the principal Rules is amended —

- (a) by deleting the word “and” at the end of paragraph (2)(a);
- (b) by deleting the full-stop at the end of sub-paragraph (b) of paragraph (2) and substituting the word “; and”, and by inserting immediately thereafter the following sub-paragraph:

“(c) must specify the registered variant of the geographical indication for which the application for cancellation is made, if the application for cancellation is not made in respect of all the variants that are registered.”; and

(c) by inserting, immediately after paragraph (2), the following paragraph:

“(2A) Where the application is for the cancellation of the registration of 2 or more variants constituting a geographical indication, the statement of the grounds mentioned in paragraph (2)(a) must specify which variant or variants each of the grounds relates to.”.

Amendment of rule 66

7. Rule 66 of the principal Rules is amended by inserting, immediately after paragraph (2), the following paragraph:

“(2A) Where the application for cancellation made under rule 65 is for the cancellation of the registration of 2 or more variants constituting a geographical indication, the statement of the grounds mentioned in paragraph (2) must specify which variant or variants each of the grounds relates to.”.

Amendment of rule 67

8. Rule 67 of the principal Rules is amended by inserting, immediately after paragraph (1), the following paragraph:

“(1A) Where the application for cancellation made under rule 65 is for the cancellation of the registration of 2 or more variants constituting a geographical indication, the counter-statement must specify which variant or variants each of the grounds mentioned in paragraph (1)(a) relates to.”.

Amendment of rule 95

9. Rule 95 of the principal Rules is amended by inserting, immediately after paragraph (2), the following paragraph:

“(3) If the order is to enter in the register a limitation of the scope of any of the rights conferred under the Act in respect of a registered geographical indication, the Registrar must enter in the register the limitation of the scope of the rights in accordance with that order.”.

Transitional provision

10. Despite rule 5, rule 40 of the principal Rules as in force immediately before 15 August 2020 continues to apply to or in relation to any request that a qualification of any of the rights conferred under the Act be entered in the register in respect of a geographical indication, made before that date.

[G.N. No. S 436/2020]

Made on 12 August 2020.

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