CHAPTER 322

TRADE MARKS

TRADE MARKS RULES

G.N. 175/1948
G.N. 101/1953
G.N. 258/1953
G.N. 129/1954
G.N. 182/1960
S.I. 50/1967
S.I. 4/1982
S.I. 71/1983
S.I. 72/1983
5 of 1987

(SECTION 56(1))

[Commencement 23rd October, 1948]

PART I
PRELIMINARY

Title.

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

Interpretation.
Ch. 2.

2. In the construction of these Rules any words herein used the meaning of which is defined by the said Act or the Interpretation Act, shall have the meanings thereby assigned to them respectively and —

"agent" means an agent duly authorised to the satisfaction of the Registrar;

"declaration" means a declaration under the Oaths Act; Ch. 60.

"office" means the office for the time being of the Registrar General, Nassau, Bahamas.

Time for payment of fees.
S.I. 71/1983, r. 2.

3. Any fee required to be paid in connection with applications, registration and other matters under the Act shall be paid before or at the time of the doing of the matter in respect of which they are to be paid.

Forms.
First Schedule.
S.I. 71/1983, r. 3.

4. The forms herein referred to are the forms contained in the First Schedule to these Rules and such forms shall be used in all cases to which they are applicable, and shall be modified as directed by the Registrar to meet other cases.

Classification of goods.
S.I. 71/1983, r. 3.
Second Schedule.

5. For the purposes of trade marks registration and of these Rules goods are classified in the manner appearing in the Second Schedule hereto.

If any doubt arises as to what class any particular description of goods belongs, the doubt shall be determined by the Registrar.

Documents to be on foolscap paper.

6. Subject to any other directions that may be given by the Registrar, all applications, notices, counter-statements, papers having representations affixed, or other documents required by the said Act or by these Rules to be left with or sent to the Registrar shall be upon foolscap paper of a size approximately thirteen inches by eight inches, and shall have on the left hand part thereof a margin of not less than one inch and a half.

Sending documents through the post.

7. Any application, statement, notice, or other document authorised or required to be left, made or given at the office, or to or with the Registrar, or with or to any other person may be sent through the post by a prepaid or official-paid letter; any document so sent shall be deemed to have been delivered at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service or sending, it shall be sufficient to prove that the letter was properly addressed and put into the post. A letter addressed to a registered proprietor of a trade mark at his address as it appears on the register, or address for service, or to any applicant for or person opposing the registration of a trade mark at the address appearing in the application, or notice of opposition or given for service as hereinafter provided shall be deemed to be sufficiently addressed.

Address.

8. Where any person is by the said Act or these Rules bound to furnish the Registrar with an address the following provisions shall apply —

The address given shall in all cases be as full as possible for the purpose of enabling any person easily to find the place of business of the person whose address is given.

When a person does not reside in a town with streets, the Registrar may require the address to include all indications which he thinks necessary for such purpose so far as it can be attained.

When an applicant resides in a town where there are streets, the address given shall include the name of the street, and the number in the street or name of premises, if any.

Address within The Bahamas.

9. Every applicant for the registration of any trade mark and every opponent to such registration, and every agent who does not reside or carry on business in The Bahamas shall, if so required, give an address for service in The Bahamas, and such address may be treated as the actual address of such applicant, opponent, or agent for all purposes connected with such application for registration or the opposition thereto.

The Registrar may require the proprietor of a registered trade mark who does not reside or carry on business within The Bahamas to give an address for service within The Bahamas, and such address may be treated as the actual address of the proprietor for all purposes connected with such trade mark.

Agents.

10. An application for registration and an opposition to registration and all other communications between an applicant, and opponent and the Registrar, or the Minister, and between the proprietor of a registered trade mark and the Registrar, or the Minister, or any other person, may be made by or through an agent. Any such applicant, opponent, or proprietor may appoint an agent to represent him in the matter of the trade mark by signing and sending to the Registrar an authority in writing to that effect (Form No. 1.) or in such other form as the Registrar may deem sufficient. In case any proprietor of a registered trade mark shall appoint such an agent, service upon such agent of any document relating to such trade mark shall be deemed to be service upon the person so appointing him, and all communications directed to be made to such person in respect of such trade mark may be addressed to such agent.

Form 1.

The Registrar shall not be bound to recognise as such agent any person who has been convicted criminally or struck off the roll of counsel and attorneys or who is an undischarged bankrupt.

PART II
RESTRICTION ON REGISTRATION

Registrable trade marks.

11. The Registrar may refuse to accept any application upon which the following appear —

(a) the words "Patent", "Patented" or "By Royal Letters Patent", "Registered", "Registered Design", "Copyright", "Entered at Stationer's Hall", "To counterfeit this is forgery", or words to like effect;

(b) representations of Their Majesties or any member of the Royal Family.

Features prohibited.
S.I. 50/1967.

12. The following features may not appear on trade marks the registration of which is applied for —

(a) representations of the Royal arms, crests, armorial bearings or insignia or devices so nearly resembling any of the foregoing as to be likely to be mistaken for them;

(b) the word "Royal" or any other words, letters or devices if used in such a manner as to be likely to lead persons to think that the applicant either has, or recently has had, Royal patronage or authorization whether or not such be the case;

(c) representations of the British Royal crowns or the British national flags; and

(d) any national, territorial or civil flag, arms crest or emblem, any official control or guarantee sign, stamp or hallmark or any armorial bearing, flag or other emblem, abbreviation or title of any international intergovernmental organisation to which one or more convention countries belong, notice of objection to the use of which as a commercial device has been received pursuant to the provisions of any international convention relating to industrial property to which The Bahamas adheres and publicly given by the Registrar General:

Provided that, in the case of a trade mark containing any official control or guarantee sign, stamp or hallmark, this prohibition shall only apply in cases where the mark is intended to be used on goods of the same or a similar kind to those in respect of which such official control or guarantee sign, stamp or hallmark is already used.

Use of arms of foreign state.

13. Where representations of the arms of a foreign state or place appear on a mark the Registrar may call for such justification as he may deem necessary for their use.

Use of arms of city, etc.

14. Where a representation of the arms or emblems, of any city, borough, town, or place, society, body corporate, or institution appears on a mark, the applicant shall, if so required, furnish the Registrar with a consent from such official as the Registrar may consider entitled to give consent to the use of such arms or emblems.

Use of names, etc. of living persons.

15. Where the names or representations of living persons appear on a trade mark, the Registrar shall if he so require be furnished with consents from such persons before proceeding to register the mark. In the case of persons recently dead the Registrar may call for consents from their legal representatives before proceeding with registration of a trade mark on which their names or representations appear.

Where name or description of goods appears.

16. Where a name or a description of any goods appears on a trade mark the Registrar may refuse to register such mark in respect of any goods other than the goods so named or described.

Where the name or description of any goods appears on a trade mark which name or description in use varies the Registrar may permit the registration of the mark with the name or description upon it for goods other than those named or described, the applicant stating in his application that the name or description varies.

PART III
APPLICATION FOR REGISTRATION

Application for registration.

17. If application for registration of a trade mark be made by a firm or partnership, it may be signed in the name or for and on behalf of the firm or partnership by any one or more members thereof.

If the application be made by a body corporate it may be signed by a director or by the secretary or other principal officer of such body corporate.

Any application may be signed by an agent.

Convention applications.
S.I. 50/1967.
Ch. 324.

18. Every application claiming priority under section 63 of the Industrial Property Act, or any enactment amending or replacing that Act, by reason of an application to register the trade mark made or deemed to have been made in a convention country as defined in

section 62 of that Act, shall state the name of that convention country and the date of that application therein, and the applicant shall furnish a certificate by the registrar or other registering authority of that country or shall otherwise verify the application made or deemed to have been made therein to the satisfaction of the Registrar.

Acknowledgement of application.

19. On or after the receipt of the application the Registrar shall furnish the applicant with an acknowledgement thereof.

Representation of the mark to be affixed. Form 2.

20. Every application for registration of a trade mark shall contain a representation of the mark affixed to it in the square which Form No. 2 contains for that purpose.

Mark to be mounted.

21. Where the representation in the preceding rule mentioned exceeds such square in size the representation shall be mounted on linen, tracing cloth or other material that the Registrar may consider suitable. Part of the mounting shall be affixed in the space aforesaid and the rest may be folded over.

Four copies of the mark should be sent. Form 3.

22. There shall be sent with every application for registration of a trade mark four additional representations of such mark on Form No. 3 exactly corresponding to that affixed to the application (Form No. 2) and noted with all such particulars as may from time to time be required by the Registrar.

Signature.

23. The particulars above mentioned shall, if required, be signed by the applicant or his agent.

Representations of marks to be durable.

24. All representations of marks must be of a durable nature, but the applicant may in case of need supply in place of representation of the Form No. 3, half sheets of strong foolscap of the size aforesaid with the representations affixed thereon and noted as aforesaid.

Applications of the same mark in different classes.

25. Applications for the registration of the same mark in different classes shall be treated as separate and distinct applications, and in all cases in which a trade mark is registered under the same official number for goods in more than one class, the registration shall henceforth for the purpose of fees and otherwise be deemed to have been made on separate and distinct applications in respect of the goods included in each class.

Request for another representation.

26. The Registrar, if dissatisfied with any representation of a mark, may at any time require another representation satisfactory to him to be substituted before proceeding with the application.

A copy of the mark may be sent in full size.

27. Where a drawing or other representation or specimen cannot be given in manner aforesaid, a specimen or copy of the trade mark may be sent either of full size or on a reduced scale, and in such form as the Registrar may think most convenient.

The Registrar may also, in exceptional cases, deposit in the office a specimen or copy of any trade mark which cannot conveniently be shown by a representation, and may refer thereto in the register in such manner as he may think fit.

Applications for a series of trade marks.

Forms 2 and 3.

28. When application is made for the registration of a series of trade marks under section 24 of the said Act, a representation of each trade mark of the series shall be affixed, as aforesaid, to the application upon Form No. 2 and to each of the accompanying Forms No. 3.

Translation.

29. When a trade mark contains a word or words in other than Roman characters, there shall be indorsed on the application in Form No. 2 and on each of the accompanying representations in Form No. 3 a sufficient transliteration and translation to the satisfaction of the Registrar of each of such words, and every such indorsement shall be signed by the applicant or his agent.

Where a trade mark contains a word or words in a language other than English, the Registrar may ask for an exact translation thereof, and if he so requires such translation shall be endorsed and signed as aforesaid.

PART IV
PROCEDURE ON RECEIPT OF APPLICATION

Search of registered marks.

30. Subject to the provisions for special applications under paragraph (e) of section 7 of the said Act, upon receipt of an application for registration the Registrar shall cause a search to be made amongst the registered marks and pending applications for the purpose of ascertaining whether there are on record any marks for the same goods or description of goods identical with the mark applied for or so nearly resembling it as to be calculated to deceive.

Acceptance by the Registrar.

31. If after such search and a consideration of the application the Registrar thinks there is no objection to the mark being registered, he may accept it absolutely or subject to conditions, amendments, and modifications which he shall communicate to the applicant in writing.

Statement of objections.

32. If after such search and consideration of the application any objections appear, a statement of those objections shall be sent to the applicant in writing, and unless within one month the applicant applies for a hearing, he shall be deemed to have withdrawn his application.

Objections to amendments.

33. If the Registrar accepts an application subject to any conditions, amendments, or modifications, and the applicant objects to such conditions, amendments, or modifications, he shall within one month from the date of the communication notifying such acceptance apply for a hearing, and if he does not do so he shall be deemed to have withdrawn his application. If the applicant does not object to such conditions, amendments, or modifications, he shall forthwith notify the Registrar in writing.

Decision of Registrar at hearing.

Form 4.

34. The decision of the Registrar at such hearing as aforesaid shall be communicated to the applicant in writing, and if he objects to such decision, he may within one month apply upon Form No. 4, requiring the Registrar to state in writing the grounds of his decision and the materials used by him in arriving at the same.

Upon receipt of such form the Registrar shall send to the applicant such statement as aforesaid in writing, and the date when such statement is sent shall be deemed to be the date of the Registrar's decision for the purpose of appeal.

Disclaimer.

35. The Registrar may call on an applicant to insert in his application such disclaimer as the Registrar may think fit, in order that the public generally may understand what the applicant's rights, if his mark is registered, will be.

Application under s. 7(e) of the Act.

Form 5.

36. An application to register a name, signature or word or words under paragraph (e) of section 7 of the said Act shall be made on the Form No. 5 and not otherwise.

Search of registered marks.

37. Upon receipt of such an application the Registrar shall cause a search to be made amongst the registered

marks and pending applications for the purpose of ascertaining whether there are on record any marks for the same goods or description of goods identical with the mark applied for or so nearly resembling it as to be calculated to deceive.

Notification of no similar mark.

38. If after such search the Registrar thinks there are no such marks, he shall notify the applicant accordingly, but if after such search any such marks appear, he shall notify to the applicant the numbers of those marks and the *Gazette* (if any) in which they have been advertised.

Support of application.

39. Within one month from the receipt of such notification the applicant shall send to the Registrar in writing a case in duplicate stating at length the grounds upon which he relies in support of his application, and whether he desires to be heard by the court. If he fails to do so his application shall be deemed to be withdrawn.

Order of the court.

40. If the applicant desires to obtain an order of the court he shall within one month from sending to the Registrar his case as aforesaid bring the matter before the court by motion, and if he does not do so he shall be deemed to have withdrawn his application.

Acceptance by the court.

41. If the application be accepted by the court it shall be advertised and proceedings thereafter shall be had in respect of it as if it had been accepted by the Registrar in the ordinary course.

Special trade under s. 58.

Form 6.

42. Where any association or person desires to register a mark under section 58 of the said Act they shall apply to the Registrar in writing upon the Form No. 6.

Copies of application.

43. Such application shall be in duplicate and shall be accompanied by six copies of the mark applied for. If such application is permitted to proceed the mark shall be advertised and the application shall be treated in all respects as if it were an ordinary application, and it shall be open to opposition in the same way and all such proceedings shall be had thereon as if it were an application under section 10 of the said Act.

Advertisement of application.

44. Every application when accepted shall be advertised by the Registrar in the *Gazette* during such times and in such manner as the Registrar may direct.

Specimen of trade mark on exhibition.

45. If no representation of the trade mark be inserted in connection with the advertisement of an application, the Registrar shall refer in such advertisement to the place or places where a specimen or representation of the trade mark is deposited for exhibition.

Wood block of trade mark for advertising.

46. For the purposes of such advertisement the applicant may be required to furnish a wood block or electrotype (or more than one, if necessary) of the trade mark, of such dimensions as may from time to time be directed by the Registrar, or such other information or means of advertising the trade mark as may be required by the Registrar; and the Registrar, if dissatisfied with the block or electrotype furnished by the applicant or his agent, may require a fresh block or electrotype before proceeding with the advertisement.

Wood block of each trade mark in a series may have to be given.

47. When an application relates to a series of trade marks differing from one another in respect of the particulars mentioned in section 24 of the said Act, the applicant may be required to furnish a wood block or electrotype (or more than one, if necessary) of any or of each of the trade marks constituting the series; or the Registrar may, if he thinks fit, insert with the advertisement of the application a statement of the manner in respect of which the several trade marks differ from one another.

Advertisements under section 12(9).

48. Advertisements under section 12(9) of the said Act shall, *mutatis mutandis*, be made in the same manner as advertisements relating to an application for registration.

Opposition to registration.

49. Any person may within one month from the date of any advertisement in the *Gazette* of an application for registration of a trade mark give notice in writing at the office of opposition to the registration.

Grounds of opposition.
Form 7.

50. Such notice shall be in Form No. 7, and shall contain a statement of the grounds upon which the opponent objects to the registration. If registration is opposed on the ground that the mark resembles marks already on the register, the numbers of such marks and the numbers of the *Gazette* in which they have been advertised shall be set out. Such notice shall be accompanied by a duplicate which the Registrar will forthwith send to the applicant.

Support of application.

Form 8.

51. Within one month from the receipt of such duplicate the applicant shall send to the Registrar a counter-statement (Form No. 8) in writing setting out the grounds on which he relies as supporting his application. The applicant shall also set out what facts, if any, alleged in the notice of opposition he admits. Such counter-statement shall be accompanied by a duplicate in writing.

Support of opposition.

52. Upon receipt of such counter-statement and duplicate the Registrar will forthwith send the duplicate to the opponent and within one month from the receipt of the duplicate the opponent shall leave at the office such evidence by way of declaration as he may desire to adduce in support of his opposition and shall deliver to the applicant copies thereof.

Additional support of application.

53. If an opponent leaves no evidence, he shall be deemed to have abandoned his opposition, but if he does then within one month from the receipt of the copies of declarations, the applicant shall leave at the office such evidence by way of declaration as he desires to adduce in support of his application and shall deliver to the opponent copies thereof.

Additional support of opposition.

54. Within fourteen days from the receipt by the opponent of the copies of the applicant's declarations the opponent may leave at the office evidence by declaration in reply, and shall deliver to the applicant copies thereof. Such evidence shall be confined to matters strictly in reply.

Further evidence.

55. In any proceedings before the Registrar, he may at any time, if he thinks fit, give leave to either the applicant or the opponent to file any evidence upon such terms as to costs or otherwise as the Registrar may think fit.

Exhibits to declaration in opposition.

56. Where there are exhibits to declarations filed in an opposition, copies or impressions of such exhibits shall be sent to the other party on his request, or, if such copies or impressions cannot conveniently be furnished, the originals shall be sent to the office, so that they may be open to inspection. The original exhibits shall be produced at the hearing unless the Registrar otherwise directs.

Notice of hearing.

57. Upon completion of the evidence the Registrar shall give notice to the parties of a date when he will hear

the arguments in the case. Such appointment shall be for a date at least fourteen days after the date of the notice, unless the parties consent to a shorter notice. Within seven days from the receipt of such notice both parties file Form No. 9. A party who receives such notice and who does not, within seven days from the receipt thereof, give notice on Form No. 9 that he intends to appear, may be treated as not desiring to be heard and the Registrar may act accordingly.

Form 9.

Extension of time.

58. Where in opposition proceedings any extension of time is granted to any party, the Registrar may thereafter, if he thinks fit, without giving the said party a hearing, grant any reasonable extension of time to the other party in which to take any subsequent step.

Security for costs.

59. Where a party giving notice of opposition neither resides nor carries on business in The Bahamas, the Registrar may call upon him to give a security in such form as the Registrar may deem sufficient for the costs of the proceedings before the Registrar, for such amount as to the Registrar may seem fit, and at any stage in such opposition may require further security to be given at any time before giving his decision in the case.

Non-completion.

60. Where registration of a trade mark is not completed within twelve months from the date of the application by reason of default on the part of the applicant, the Registrar shall give notice to the applicant in writing on Form No. 10 of such non-completion, and if the applicant has an agent, shall send a duplicate of such notice to such agent. If after fourteen days from the date when such notice was sent the registration is not completed, the application shall be deemed to be abandoned, but the Registrar may with such notice, where the applicant lives at a distance, give further time after such fourteen days for the completion of such application.

Form 10.

Entry on the register.

61. As soon as may be after the expiration of one month from the date of the advertisement in the *Gazette* of any application, the Registrar shall, subject to any opposition and the determination thereof, and upon payment of the prescribed fee, on Form No. 11 enter the trade mark on the register. The entry of a trade mark on the register shall give the date of the registration, the goods

Form 11.

in respect of which it is registered, and all particulars named in section 3 of the Act, together with particulars of the trade, business, profession, or occupation, if any, of the proprietor, and such other particulars as the Registrar may deem necessary.

Cross-references in the register.

62. Where a mark is registered as associated with any other mark or marks the Registrar shall note upon the register in connection with such mark the numbers of the marks with which it is associated and shall also note upon the register in connection with each of the associated marks the number of the newly registered mark as being an associated mark with each of them.

Death of applicant.

63. In case of the death of any applicant for a trade mark after the date of his application, and before the trade mark applied for has been entered on the register, the Registrar, after the expiration of the prescribed period of advertisement, may, on being satisfied of the applicant's death, enter on the register, in place of the name of such deceased applicant, the name, address, and description of the person owning the goodwill of the business, on such ownership being proved to the satisfaction of the Registrar.

Certificate of registration. Form 12.

64. Upon the registration of a trade mark the Registrar shall issue to the applicant a certificate in the Form No. 12.

PART V
RENEWAL

Renewal.

65. At any time not less than two months and not more than three months before the expiration of the last registration of a trade mark any person may leave at the office a fee for the renewal of the registration of the mark upon Form No. 13. Such person shall indorse upon such form his name and address, and before taking any further step the Registrar may require such person to furnish within five days an authority to pay such fee signed by the registered proprietor, and if such person does not furnish such authority, may return such fee and treat it as not received.

Form 13.

Acknowledgement.

66. When he does not require such authority, the Registrar shall upon receipt of such fee communicate with the registered proprietor at his registered address, stating that the fee has been received and that the registration will in due course be renewed.

Notice before removal from register.
Forms 13 and 14.

67. At a date not less than one month and not more than two months before the expiration of the last registration of a mark, if no fee upon the Form No. 13 has been received, the Registrar shall send to the registered proprietor at his registered address a notice in the Form No. 14.

Second notice before removal.

68. At a time not less than fourteen days and not more than twenty-eight days before the expiration of the last registration of a mark, the Registrar shall, if no renewal fee has been received, send a notice to the registered proprietor at his registered address in the Form No. 15.

Form 15.

Renewal without removal.

69. If at the date of the expiration of the last registration of a mark the renewal fee has not been paid, the Registrar shall advertise the fact forthwith in the *Gazette* and if within one month of such advertisement the renewal fee upon Form No. 16, together with an additional fee upon Form No. 17 is received, he may renew the registration without removing the mark from the register.

Forms 16 and 17.

Renewal after removal.

70. Where after one month from such advertisement such fees have not been paid, the Registrar may remove the mark from the register as of the date of the expiration of the last registration, but may upon payment of the renewal fee upon Form No. 16, together with the additional fee upon Form No. 18, restore the mark to the register if satisfied that it is just so to do, and upon such conditions as he may think fit to impose.

Forms 16 and 18.

Record of removal.

71. Where a trade mark has been removed from the register the Registrar shall cause to be entered in the register a record of such removal and of the cause thereof.

Advertisement of renewal.

72. Upon the renewal of a registration a notice to that effect shall be sent to the registered proprietor at his registered address and the renewal shall be advertised in the *Gazette*.

PART VI
SUPPLEMENTARY PROVISIONS

Assignment.

73. The Registrar may on request made jointly by a registered proprietor of a mark and the person to whom he has assigned such mark, together with the goodwill of the business concerned in the goods for which it has been registered, register the assignee as proprietor of the mark. Such application shall be in the Form No. 19. If the Registrar so requires, the assignee shall furnish a declaration in Form No. 20.

Forms 19 and 20.

Request by claimant.

74. Where no such joint request is made, any person who has become entitled to a registered trade mark by assignment, transmission, or other operation of law, may leave a request at the office for the entry of his name in the register as proprietor of such trade mark. The request shall be on the Form No. 21, and such request shall contain the name, address, and description of the person claiming to be entitled to the trade mark, hereinafter called the claimant.

Form 21.

Particulars of the assignment.

75. Together with such request the claimant shall leave a case stating full particulars of the assignment, transmission, or other operation of law by virtue of which he claims to be entitled to be entered in the register as proprietor of the trade mark, so as to show the manner in which and the person or persons to whom the trade mark has been assigned or transmitted, and so as to show further that it has been so assigned or transmitted in connection with the goodwill of the business concerned in the goods for which the trade mark has been registered.

Signature to request.

76. Such request shall in the case of an individual be made and signed by the claimant, and in the case of a firm or partnership, by one or more members of such firm or partnership, and in the case of a body corporate shall be signed by a director or by the secretary or other principal officer of such body corporate.

Declaration verifying statements.

77. Where the Registrar shall determine that the case sets out particulars such as entitle the claimant to be registered as proprietor of such trade mark, he shall call upon the claimant to furnish a declaration (Form No. 22) verifying the several statements in the case and declaring that the particulars given comprise every material fact and document affecting the proprietorship of the trade mark claimed by such request.

Form 22.

Proof of title.

78. In any case, the Registrar may call on any person who desires to be registered as proprietor of a trade mark for such proof or additional proof of title and of the existence and ownership of such goodwill as aforesaid as the Registrar may require for his satisfaction.

Alteration of address.

Form 23.

79. Every registered proprietor of a trade mark who alters his address shall forthwith apply to the Registrar on the Form No. 23 to insert the new address on the register and the Registrar shall alter the register accordingly.

Discretionary power.

80. Before exercising any discretionary power given to the Registrar by the said Act adversely to any person the Registrar shall, if so required, hear the person who will be affected by the exercise of such power.

Application for hearing.

81. An application for a hearing shall be made within one month from the date when the matter on which the Registrar is called on to exercise discretionary power has arisen.

Notice of hearing.

82. Upon receiving such application the Registrar shall give the person applying ten days' notice of a time when he may be heard by himself or his agent.

Confirmation of hearing.

83. Within five days from the date when such notice would be delivered in the ordinary course of post the person applying shall notify the Registrar whether or not he intends to be heard on the matter.

Decision of Registrar.

84. The decision of the Registrar in the exercise of any such discretionary power as aforesaid shall be notified to the person affected.

Applications under section 21.

Form 24.

85. All applications to the Registrar under section 21 of the said Act shall be upon the Form No. 24. Such applications shall be accompanied by a case setting out fully the facts relating to the marks of which the Registrar is requested to permit an apportionment.

Evidence.

86. Upon receipt of such request and of such case the Registrar shall enquire into the facts and call for such evidence as he may deem necessary upon the subject of such application. Before giving his decision the Registrar shall, if necessary, give the parties an opportunity of attending before him at a hearing either by themselves or by their agents.

Decision of Registrar.

87. The decision of the Registrar shall be in writing.

Appointment of marks.

88. Upon any apportionment of marks under this section the Registrar shall insert in the register a note in connection with each of the registered trade marks of the fact of such apportionment, and shall in such note refer to the date of the decision under which such apportionment has taken place.

Applications under section 30.

89. Applications under section 30 to the Registrar may be made by the registered proprietor, or by the trustee in bankruptcy of the registered proprietor, or where the registered proprietor is a company in liquidation by the liquidator, and in other cases by such person as the Registrar may decide to be entitled to act in the name of the registered proprietor.

Evidence.

90. Where such application is made the Registrar may require such evidence by declaration or otherwise as he may think fit as to the circumstance in which the application is made.

Advertisement of application. Form 29.

91. Where application is made, on Form No. 29 to enter a disclaimer or memorandum relating to a trade mark, the Registrar, before deciding upon such application, shall advertise the application in the *Gazette* for one month in order to enable any person desiring so to do, to state any reasons in writing against the applicant being allowed to make such disclaimer or enter such memorandum.

Applications under section 32. Form 30.

92. Where a person desires to apply under section 32 to alter a trade mark he shall make his application in writing on Form No. 30 and shall furnish the Registrar with six copies of the mark as it will appear when altered.

Block for advertisement.

93. Before proceeding with such application the Registrar may call on the applicant to furnish a block suitable to advertise in the *Gazette* the fact that such application has been made, or, if he thinks fit, the Registrar, without calling for a block, may insert an advertisement describing the alteration proposed in words so that it can be understood by persons interested in the matter.

Where leave is granted the Registrar may, if he is not already in possession of a block showing the trade mark as

altered, cause the applicant to furnish a block showing the trade mark as altered for advertisement in the *Gazette* and upon receipt of such block shall forthwith advertise the mark as altered in the *Gazette*.

Search. Form 31.

94. The Registrar, if requested so to do in writing upon a Form No. 31, may cause a search to be made in any class to ascertain whether any marks are on record at the date of such search which may resemble any mark sent in duplicate to him by the person requesting such search and may cause that person to be informed of the result of such search.

Hours of inspection.

95. The office shall be open to the public during all such hours as officers are by law required to give attendance to their respective offices.

Power to dispense with evidence.

96. Where under these Rules any person is required to do any act or thing, or to sign any document, or to make any declaration on behalf of himself or of any body corporate, or any document or evidence is required to be produced to or left with the Registrar, or at the office, and it is shown to the satisfaction of the Registrar that from any reasonable cause such person is unable to do such act or thing, or to sign such document or make such declaration, or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the Registrar, and upon the production of such other evidence, and subject to such terms as he may think fit, to dispense with any such act or thing, document, declaration, or evidence.

Amendments.

97. Any document or drawing or other representation of a trade mark may be amended, and any irregularity in procedure which in the opinion of the Registrar may be obviated without detriment to the interests of any person may be corrected, if the Registrar thinks fit, and on such terms as he may direct.

Enlargement of time.

98. The time prescribed by these Rules for doing any act, or taking any proceeding thereunder may be enlarged by the Registrar, if he thinks fit, and upon such notice to other parties, and proceedings thereon, and upon such terms, as he may direct, and such enlargement may be granted though the time has expired for doing such act or taking such proceeding.

Procedure on public holidays.

99. Whenever the last day fixed by the said Act, or by these Rules, for leaving any document or paying any fee at the office shall fall on Christmas Day, Good Friday, or on a Saturday or Sunday, or any day observed as a public holiday, or any day observed as a day of public fast or thanksgiving, or shall be a day on which the office shall not be open to the public herein referred to as excluded days, it shall be lawful to leave such document or to pay such fee on the day next following such excluded day, or days if two or more of them occur consecutively.

Late fees may be permitted.

100. Where a time for paying a fee is limited by these Rules and the person who is bound to pay such fee resides at such distance from the office that he cannot reasonably be expected to pay the fee on the date limited by the Rule, the Registrar, if satisfied that the omission to pay the fee has not been from any want of diligence on the part of the person whose business it is to pay it, may accept the fee even though the date for paying the fee has passed, and treat it as if received on the correct date, provided always that the fee is actually paid with such promptitude as can be expected in the circumstances.

Certificates. Forms 33, 35 and 36.

101. The Registrar, when required otherwise than under section 15 of the said Act to give a certificate as to any entry, matter, or thing which he is authorised by the said Act or any of these Rules to make or do, may, on receipt of a request in writing, and on payment of the prescribed fee, give such certificate, but every certificate of registration so given shall have specified on the face thereof whether the same is to be used in legal proceedings, or for the purpose of obtaining registration abroad, or for purposes other than use in legal proceedings or obtaining registration abroad.

Alteration of colours.

102. Where a mark is registered without limitation of colour it shall be lawful for the Registrar to grant a certificate of its registration for the purpose of obtaining registration abroad either in the colour in which it appears upon the register or in any other colour or colours.

Registration abroad.

103. Where a certificate of registration is desired for use in obtaining registration abroad, the Registrar shall affix to the said certificate a copy of the mark, and shall state in such certificate such particulars concerning the registration of the marks as to him may seem fit, and may omit therefrom reference to any disclaimers appearing on the register.

Declarations.

104. The declarations required by the said Act and these Rules, or used in any proceedings thereunder, shall be made and subscribed as follows —

(a) in The Bahamas, before any justice of the peace, magistrate, notary public, the Registrar or other officer by law authorised to administer an oath for the purpose of any legal proceeding;

(b) in the United Kingdom, before any justice of the peace, or any commissioner or other officer authorised by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceeding;

(c) in any other part of the Commonwealth, before any court, judge, justice of the peace, or any officer authorised by law to administer an oath there for the purpose of a legal proceeding; and

(d) if made out of the Commonwealth, before a British minister, or person exercising the functions of a British minister or a consul, vice-consul, or other person exercising the functions of a British consul, or a notary public, or before a judge or magistrate.

Seal or signature admitted without proof.

105. Any document purporting to have affixed, impressed, or subscribed thereto or thereon the seal or signature of any person hereby authorised to take such declaration in testimony of such declaration having been made and subscribed before him, may be admitted by the Registrar without proof of the genuineness of any such seal or signature, or of the official character of such person or his authority to take such declaration.

Appeals to the court.

106. When any person intends to appeal to the court, no such appeal shall be entertained unless notice of motion be given within one month from the date of the decision appealed against or within such further time as the Registrar shall allow.

Orders of the court.

107. Where an order has been made by the court in any case under the said Act, the person in whose favour such order has been made, or such one of them, if more than one, as the Registrar may direct, shall forthwith leave at the office an office copy of such order, together with Form No. 32 if required. The register may, if necessary, thereupon be rectified or altered by the Registrar.

Form 32.

Service on Registrar.

108. Every application to the court under the said Act shall be served on the Registrar.

Publication of court order.

109. Whenever an order is made by the court under the said Act, the Registrar may, if he thinks that such order should be made public, publish it in the *Gazette*.

G.N. 182/1960.

PART VII
DEFENSIVE REGISTRATION

Application under section 35.

Form 37.

110. An application for the registration of a defensive trade mark under section 35 of the said Act shall be made, addressed and sent to the Registrar on Form No. 37 and shall be accompanied by a statement of case setting forth full particulars of the facts on which the applicant relies in support of his application, verified by a statutory declaration made by the applicant or some other person approved for the purpose by the Registrar. The applicant may send with this declaration, or subsequently, such other evidence as he may desire to furnish, whether after request made by the Registrar or otherwise and the Registrar shall consider the whole of the evidence before deciding on the application. In all other respects, and where they are appropriate and it is not otherwise stated, these Rules shall apply to such applications as they apply to applications for the registration of ordinary trade marks.

Application to rectify or remove a trade mark from the register. Form 38.

111. An application to the Registrar under section 35 for the making, expunging or varying of any entry in the register shall be made on Form No. 38 and shall be accompanied by a statement setting out fully the nature of the applicant's interest, the facts upon which he bases his case and the relief which he seeks. Where the application is made by a person who is not the registered proprietor of the trade mark in question it shall be accompanied by an unstamped copy of the application and a copy of the statement, and these copies will be transmitted forthwith by the Registrar to the registered proprietor.

Further procedure.

112. Upon such application being made, and copy thereof transmitted to the registered proprietor, if necessary, the provisions of rules 51 to 61 shall apply, *mutatis mutandis*, to the further proceedings thereon; but the Registrar shall not rectify the register or remove the mark from the register merely because the registered proprietor has not filed a counter-statement. In any case of doubt any party may apply to the Registrar for directions.

Intervention by third parties.

Forms 38 and 39.

113. Any person other than the registered proprietor alleging interest in a registered trade mark in respect of which an application is made on Form No. 38 may apply to the Registrar on Form No. 39 for leave to intervene, stating thereon the nature of his interest, and the Registrar may refuse or grant such leave, after hearing (if so required) the parties concerned, upon such conditions and terms as he may deem fit. Before dealing in any way with the application for leave to intervene the Registrar may require the applicant to give an undertaking to pay such costs as in the circumstances he may award to any party.

PART VIII
REGISTERED USERS

Application for entry of registered user.

Form 40.

114. An application to the Registrar for the registration under section 36 of the said Act of a person as a registered user of a registered trade mark shall be made by that person and the registered proprietor on Form No. 40.

Entry and notification.

Form. 23.

115. The entry of a registered user in the register shall state the date on which it was made. In addition to the trade or business address of the registered user it may include an address for service, if an application therefor by him on Form No. 23 has been approved. A notification in writing of the registration of a registered user shall be sent to the registered proprietor of the trade mark, to the registered user, and to every other registered user whose name is entered in relation to the same registration of a trade mark, and shall be inserted in the *Gazette*.

Registered proprietor's application to vary entry.

Form 41.

116. An application by the registered proprietor of a trade mark for the variation of the registration of a registered user of that trade mark under paragraph (a) of section 36(8) shall be made on Form No. 41; and shall be accompanied by a statement of the grounds on which it is made and, where the registered user in question consents, by the written consent of that registered user.

Application by registered proprietor or user to cancel entry.

Form 42.

117. An application by the registered proprietor or any registered user of a trade mark for the cancellation of the registration of a registered user of that trade mark under paragraph (b) of section 36(8) shall be made on Form No. 42 and shall be accompanied by a statement of the grounds on which it is made.

Application under section 36(8)(c) to cancel entry. Form 43.

118. An application by any person for the cancellation of the registration of a registered user under paragraph (c) of section 36(8) shall be made on Form No. 43 and shall be accompanied by a statement of the grounds on which it is made.

Notification and hearing.

119. The Registrar shall notify in writing applications under the last three foregoing rules to the registered proprietor and each registered user (not being the applicant) under the registration of the trade mark. Any person so notified who intends to intervene in the proceedings shall within one month of the receipt of such notification give notice to the Registrar on Form No. 44 to that effect and shall send therewith a statement of the grounds of his intervention. The Registrar shall thereupon send copies of such notice and statement to the other parties, so that the intervention may be known to the applicant, the registered proprietor, the registered user whose registration is in suit, and any other registered user who intervenes. Any such party may, within such time or times as the Registrar may appoint, leave evidence in support of his case, and the Registrar after giving the parties an opportunity of being heard may accept or refuse the application or accept it subject to any conditions, amendments, modifications or limitations he may think right to impose.

Form 44.

Cancellation by Registrar.

120. In the case of the registration of a registered user for a period, in accordance with paragraph (d) of section 36(4), the Registrar shall cancel the entry of the registered user at the end of the period. Where some or all of the goods are struck out from those in respect of which a trade mark is registered, the Registrar shall at the same time strike them out from those specifications of registered users of the trade mark in which they are comprised. The Registrar shall notify every cancellation or striking out under this paragraph to the registered users whose permitted use is affected thereby and the registered proprietor of the trade mark.

PART IX
CERTIFICATION TRADE MARKS

Application under section 37.

121. An application for the registration of a certification trade mark under section 37 of the said Act shall be

Forms 45 and 3.

made to the Registrar upon Form No. 45, and shall be accompanied by two duplicates of the application on unstamped copies of Form No. 45, and by six additional representations of the trade mark on Form No. 3.

Authorization to proceed.

122. The provisions of section 10(2) to (6), section 11 and section 12(2) to (11) of the said Act and these Rules shall have effect in relation to the registration of the mark as if the application had been an application under section 10(1) of the said Act, except that for references therein to acceptance of an application there shall be substituted references to authorization to proceed with the application, and that the applicant shall not be deemed to have abandoned his application if in the circumstances of rule 32 or rule 33 he does not apply for a hearing or reply in writing.

The address of an applicant to register a certification trade mark shall be deemed to be a trade or business address for all the purposes for which such an address is required by these Rules.

Case; draft regulations.

123. The applicant shall send to the registrar with his application or when required by the Registrar a case setting out the grounds on which he relies in support of his application together with draft regulations for governing the use of the mark and Form No. 46, all being in duplicate. The Registrar may communicate to the applicant any observations he may have to make on the sufficiency of the case or the suitability of the draft regulations and the applicant may modify either of these documents.

Form 46.

Application for an order to expunge or vary the register.

124. (1) Any registered proprietor of a certification trade mark or any aggrieved person may make application to the Registrar for an order expunging or varying an entry in the register of or relating to a certification trade mark, or varying the relevant deposited regulations and such application shall include full particulars of the grounds on which the application is made.

(2) An application by an aggrieved person may be made on the following grounds —

(a) that the proprietor is no longer competent, in the case of any of the goods in respect of which the trade mark is registered, to certify those goods;

(b) that the proprietor has failed to observe a provision of the deposited regulations to be observed on his part;

(c) that it is no longer to the public advantage that the trade mark should be registered; or

(d) that it is requisite for the public advantage that, if the trade mark remains registered, the regulations should be varied.

(3) An application under this rule shall be made on Form No. 47. Form 47.

(4) The Registrar may as he sees fit on such an application make an order rectifying the register or the deposited regulations, or both, as the case may be.

(5) These Rules shall apply to such applications as they apply to applications under section 10 (1) of the said Act.

FIRST SCHEDULE (Rule 4) *S.I. 71/1983.*

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FORM 1 (Rule 10)

FORM OF AUTHORIZATION

BAHAMAS TRADE MARKS ACT

Sir,

I beg to inform you that I have appointed.....

of .....

to act as my agent for .....

I am, Sir,
Your obedient Servant,
Address

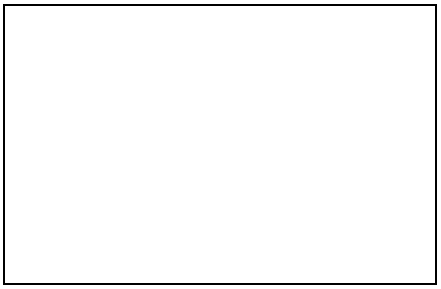
Dated the ..... day of .....,19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 2 (Rules 20 and 28)

APPLICATION FOR REGISTRATION OF TRADE MARK

BAHAMAS TRADE MARKS ACT



Application is hereby made for registration of the accompanying trade mark in class ..... in respect of ..... in the name of

[*Address and description*] .... trading as .... who claims to be the proprietor thereof.

..... do not claim the registration of this trade mark under the special provisions of paragraph (e) of section 7 of the Trade Marks Act in regard to names, signatures, or words.

(Signed) .....

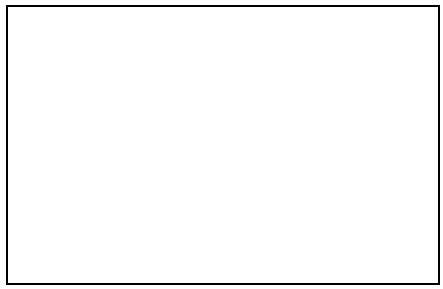
Dated the ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 3 (Rules 22 and 28)

ADDITIONAL REPRESENTATION OF TRADE MARK, TO ACCOMPANY APPLICATION FOR REGISTRATION

BAHAMAS TRADE MARKS ACT



Four of these additional representations of the trade mark must accompany each form of application.

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 4 (Rule 34)

REQUEST FOR STATEMENT OF GROUNDS OF DECISION UNDER SECTION 10(3)

BAHAMAS TRADE MARKS ACT

You are hereby requested under subsection (3) of section 10 of the Trade Marks Act and rule 34 made thereunder to state in writing the grounds of your decision, dated the ..... day of ..... 19 ....., after the hearing on the ..... day of ..... 19 ....., and the materials used by you in arriving at such decision.

(Signed) .....

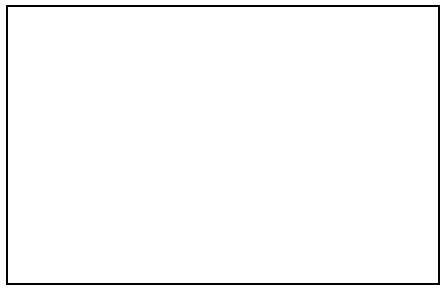
Dated the ..... day of ..... 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 5 (Rule 36)

SPECIAL APPLICATION FOR REGISTRATION OF TRADE MARK UNDER PARAGRAPH (e) OF SECTION 7

BAHAMAS TRADE MARKS ACT



Application is hereby made for registration of the accompanying trade mark in class .....
in respect of .....
in the name of .....
of [*address and description*] .....
trading as .....
who claims to be the proprietor thereof and desires an order of the court directing registration of the same.

(Signed) .....

Dated the ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 6 (Rule 42)

SPECIAL APPLICATION FOR REGISTRATION OF TRADE MARK UNDER SECTION 58

BAHAMAS TRADE MARKS ACT

(*To be accompanied by an unstamped duplicate*)

Application is hereby made for registration of the accompanying trade mark in class .....
in respect of .....
in the name of .....
of [*address and description*] .....
who desire the Registrar under section 58 of the said Act to permit the registration thereof.

(Signed) .....

Dated the ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 7 (Rule 50)

NOTICE OF OPPOSITION TO APPLICATION FOR REGISTRATION

BAHAMAS TRADE MARKS ACT

(*To be accompanied by a duplicate*)

In the matter of an application,
No. ..... by.....
of .....

I, ... hereby give notice of my intention to oppose the registration of the trade mark advertised under the above number for class ..... in the *Gazette* of the ..... day of ..... 19 ....., No. ....., page .....

The grounds of opposition are as follows —

(Signed) .....

Dated the ..... day of .....,19 .....

Address for service —

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 8 (Rule 51)

FORM OF COUNTER-STATEMENT

BAHAMAS TRADE MARKS ACT

(*To be accompanied by a duplicate*)

In the matter of an opposition,
No. ....., to application
No. .....

I, ... the applicant for the above trade mark, hereby give notice that the following are the grounds on which I rely as supporting my application —

I admit the following allegations in the notice of opposition —

(*Signed*) .....

Dated the ..... day of .....19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 9 (Rule 57)

FORM OF APPLICATION FOR HEARING BY THE REGISTRAR IN CASES OF OPPOSITION

BAHAMAS TRADE MARKS ACT

Sir,

In reply to your notice dated the .....
giving .....
of .....
a date on which you will hear the arguments in the case of opposition No. ..... to application No. ....., I beg to say that I intend to appear before you on the date you have fixed, namely the ..... day of ....., 19 .....

I am,
Sir,
Your obedient Servant,

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 10 (Rule 60)

NOTICE OF NON-COMPLETION OF REGISTRATION

BAHAMAS TRADE MARKS ACT

No.

The Registrar has to call your attention to section 16 of the Trade Marks Act, and to rule 60 of the Trade Marks Rules made thereunder. The section and the rule are printed on the back hereof.

Your application numbered as above was made on the ..... day of ..... 19 ..... Registration has not been completed by reason of your default. Unless it is completed within ..... days from this date the application will be treated as abandoned.

(*Signed*) .....

Dated the ..... day of .....19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

SECTION 16 OF THE TRADE MARKS ACT

16. Where registration of a trade mark is not completed within twelve months from the date of the application by reason of default on the part of the applicant, the Registrar may, after giving notice of the non-completion to the applicant in writing in the prescribed manner, treat the application as abandoned unless it is completed within the time specified in that behalf in such notice.

RULE 60 OF THE TRADE MARKS RULES

60. Where registration of a trade mark is not completed within twelve months from the date of the application by reason of default on the part of the applicant, the Registrar shall give notice to the applicant in writing on Form No. 10 of such non-completion, and if the applicant has an agent, shall send a duplicate of such notice to such agent. If after fourteen days from the date when such notice was sent the registration is not completed, the application shall be deemed to be abandoned, but the Registrar may with such notice, where the applicant lives at a distance, give further time after such fourteen days for the completion of such application.

FORM 11 (Rule 61)

FEE FOR REGISTRATION OF A TRADE MARK

BAHAMAS TRADE MARKS ACT

Sir,

In reply to your request I hereby transmit the prescribed fee for the registration of the trade mark No. ..... in class .....

I am,
Sir,
Your obedient Servant,

Dated the ..... day of .....19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 12 (Rule 64)

CERTIFICATE OF REGISTRATION UNDER SECTION 15

BAHAMAS TRADE MARKS ACT

To .....

I hereby certify, pursuant to rule 64 of the Rules under the above Act, that the trade mark in your application No. ..... was duly advertised in the *Gazette* and has been registered in your name in class ....., in respect of the goods specified by you.

Witness my hand this
..... day of.....
19 .....

Registrar.

FORM 13 (Rules 65 and 67)

RENEWAL OF REGISTRATION BEFORE NOTICE GIVEN

BAHAMAS TRADE MARKS ACT

I hereby leave the prescribed fee of ..... for the renewal of the registration of the trade mark No. ..... in class .....

Dated the ..... day of ....., 19 .....

(Signed) .....
(Address) .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 14 (Rule 67)

NOTICE BEFORE REMOVAL OF TRADE MARK FROM THE REGISTER, UNDER SECTION 28

BAHAMAS TRADE MARKS ACT

FIRST NOTICE

The Registrar hereby gives you notice that in conformity with the provisions of section 28 of the above Act (printed at back hereof), your trade mark No. ..... registered in class .....

will be removed from the trade marks register, unless the prescribed fee of ..... (payable on Form No. 16) be received at this office before the ..... day of ..... 19 ..... on which date the existing registration will expire.

(Signed) .....

Dated the ..... day of ....., 19 .....

To .....

SECTION 28 OF THE TRADE MARKS ACT

28. At the prescribed time, before the expiration of the last registration of a trade mark, the Registrar shall send notice in the prescribed manner to the registered proprietor at his registered address of the date at which the existing registration will expire and the conditions as to payment of fees and otherwise upon which a renewal of such registration may be obtained, and if, at the expiration of the time prescribed in that behalf, such conditions have not been duly complied with, the Registrar may remove such trade mark from the register, subject to such conditions (if any) as to its restoration to the register as may be prescribed.

FORM 15 (Rule 68)

NOTICE BEFORE REMOVAL OF TRADE MARK FROM THE REGISTER, UNDER SECTION 28

BAHAMAS TRADE MARKS ACT

SECOND NOTICE

The Registrar hereby gives you notice that, in conformity with the provisions of section 28 of the above Act (printed at back hereof), your trade mark No. ....., registered in class ....., will be removed from the trade marks register, unless the prescribed fee of ..... (payable on Form No. 16) be received at this office before the ..... day of ..... 19 ....., on which date the existing registration will expire.

If the above fee be not paid before the date above-named, the trade mark will, after the end of one month from the date on which the omission to pay the fee has been advertised in the *Gazette*, be removed from the trade marks register, unless an additional fee of $2.00 (payable on Form No. 17) be remitted.

5 of 1987, s. 1.

(Signed) .....

Dated the ..... day of ..... 19 .....

To .....

SECTION 28 OF THE TRADE MARKS ACT

28. At the prescribed time, before the expiration of the last registration of a trade mark, the Registrar shall send notice in the prescribed manner to the registered proprietor at his registered address of the date at which the existing registration will expire and the conditions as to payment of fees and otherwise upon which a renewal of such registration may be obtained, and if, at the expiration of the time prescribed in that behalf, such conditions have not been duly complied with, the Registrar may remove such trade mark from the register, subject to such conditions (if any) as to its restoration to the register as may be prescribed.

FORM 16 (Rules 69 and 70)

RENEWAL OF REGISTRATION OF MARK AFTER NOTICE

BAHAMAS TRADE MARKS ACT

Sir,

In pursuance of the notice received from you, I hereby transmit the prescribed fee of ..... for renewal of registration of the trade mark No ....., in class .....

Dated the ..... day of ....., 19 .....

(Signed) .....
(Address) .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 17

ADDITIONAL FEE TO ACCOMPANY RENEWAL FEE

ADDITIONAL FEE OF $20.00 TO ACCOMPANY RENEWAL FEE (FORM No. 16) WITHIN ONE MONTH AFTER ADVERTISEMENT OF NON-PAYMENT OF RENEWAL FEE

BAHAMAS TRADE MARKS ACT *S.I. 72/1983.*

Sir,

In pursuance of the notices issued by you, I hereby transmit the additional fee of $20.00 (along with Form No. 16) for the renewal of the registration of the trade mark No. ..... in class

Dated the ..... day of .....19 .....

(Signed) .....
(Address) .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

S.I. 72/1983.

FORM 18 (Rule 70)

RESTORATION OF TRADE MARKS WHERE REMOVED FOR NON-PAYMENT OF FEE

BAHAMAS TRADE MARKS ACT

[To accompany Form No. 16]

Sir,

In pursuance of the notices issued by you, I hereby transmit the additional fee of $40.00 (along with Form No. 16) for the restoration to the trade marks register of the trade mark No. ..... in class.....

Dated the ..... day of ....., 19 .....

(Signed) .....
(Address) .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 19 (Rule 73)

JOINT REQUEST BY REGISTERED PROPRIETOR AND ASSIGNEE TO REGISTER THE ASSIGNEE AS SUBSEQUENT PROPRIETOR OF A TRADE MARK

BAHAMAS TRADE MARKS ACT

We, ... of ....., and ..... of ....., hereby request under rule 73 that the name of ....., carrying on business as ..... at ..... may be entered in the register of trade marks as proprietor of the trade mark No. ..... in class .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 20 (Rule 73)

FORM OF DECLARATION BY ASSIGNEE IN SUPPORT OF FORM No. 19

FORM OF DECLARATION (ONLY TO BE FURNISHED WHEN REQUESTED BY REGISTRAR) BY ASSIGNEE IN SUPPORT OF FORM No. 19

BAHAMAS TRADE MARKS ACT

I, ...of .... do hereby solemnly and sincerely declare that the trade mark No. ..... in class ..... has been assigned to me by ..... of ..... together with the goodwill of the business concerned in the goods for which it has been registered, and that I have accepted such assignment.

And I make this declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act (Ch. 60).

(Signed) .....

Declared at .....
this ..... day of ..... 19.....

Before me.....

(Signed) .....

FORM 21 (Rule 74)

REQUEST TO ENTER NAME OF SUBSEQUENT PROPRIETOR OF TRADE MARK UPON THE REGISTER

BAHAMAS TRADE MARKS ACT

I, ... hereby request that you will enter ..... name in the register of trade marks as proprietor of the trade mark No. ..... in class ..... entitled to the said trade mark and to the goodwill of the business concerned in the goods with respect to which the said trade mark is registered.

Accompanying this request is a statement of case,

Dated the ..... day of .....,19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 22 (Rule 77)

FORM OF DECLARATION IN SUPPORT OF STATEMENT OF CASE ACCOMPANYING FORM No. 21

FORM OF DECLARATION (ONLY TO BE FURNISHED WHEN REQUESTED BY REGISTRAR) IN SUPPORT OF STATEMENT OF CASE ACCOMPANYING FORM No. 21

BAHAMAS TRADE MARKS ACT

I, ..., of ..... do hereby solemnly and sincerely declare that the particulars set out in the statement of case, exhibit marked ..... and left by me in connection with my request to be registered as subsequent proprietor of the trade mark No. ....., in class ....., are true and comprise every material fact and document affecting the proprietorship of the said trade mark as above claimed.

And I make this declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act (Ch. 60.)

(*Signed*) .....

Declared at.....
this ..... day of .....19 .....
Before me,
(Signed) .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 23 (Rules 79 and 115)

NOTICE OF APPLICATION FOR ALTERATION OF ADDRESS ON REGISTER OF TRADE MARKS

BAHAMAS TRADE MARKS ACT

In the matter of the trade mark,
No. ..... registered
in class .....

I, ...
of .....
the registered proprietor of the trade mark numbered as above desire that my address on the register of trade marks be altered to
.....

Dated the ..... day of .....,19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 24 (Rule 85)

APPLICATION TO PERMIT AN APPORTIONMENT OF TRADE MARKS

BAHAMAS TRADE MARKS ACT

In the matter of the registered trade marks Nos. .....

We, being the parties interested within the meaning of section 21 of the Trade Marks Act, in certain marks of ..... who has ceased to carry on business, request you to permit an apportionment of those marks amongst the persons in fact continuing the business. With this application we send a case in pursuance of rule 85.

(Signed) .....
(Signed) .....

Dated this ..... day of ..... ,19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 25 (Sections 10(6) and 30(1))

FORM OF REQUEST FOR CORRECTION OF CLERICAL ERROR OR FOR PERMISSION TO AMEND APPLICATION UNDER SECTION 10(6) OR 30(1)

BAHAMAS TRADE MARKS ACT

Sir,

I hereby request that .....

(Signed) .....

Dated this ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 26 (Section 30(1))

REQUEST TO ENTER CHANGE OF NAME OF REGISTERED PROPRIETOR OF TRADE MARK UPON THE REGISTER

BAHAMAS TRADE MARKS ACT

I, ..., hereby request that you will enter ..... name in the register of trade marks as proprietor ..... of the trade mark No. ..... in class ..... entitled to the said trade mark and to the goodwill of the business concerned in the goods with respect to which the said trade mark is registered.

There has been no change in the actual proprietorship of the said trade mark, but .....

Dated this ..... day of ..... ,19 .....

To the Registrar,

Office of the Registrar General,

Nassau, Bahamas.

FORM 27 (Section 30(1))

FORM OF APPLICATION BY PROPRIETOR OF REGISTERED TRADE MARK TO CANCEL ENTRY ON REGISTER

BAHAMAS TRADE MARKS ACT

Trade mark No. ....., class ..... advertised in *Gazette*, No. ....., page.....

Name of registered proprietor .....

Place of business .....

Description.....

I, the undersigned, ... of ..... (or I, the undersigned, ... a member of the firm of ..... of .... on behalf of my said [*Firm*] .....) apply that the entry upon the register of trade marks of the trade No. .....in class ..... may be cancelled.

(Signed) .....

Dated this ..... day of ..... 19 .....

To the Registrar,

Office of the Registrar General,

Nassau, Bahamas.

FORM 28 (Section 30(1))

REQUEST TO STRIKE OUT GOODS FROM THOSE FOR WHICH A TRADE MARK IS REGISTERED

BAHAMAS TRADE MARKS ACT

I, ...
of .....
hereby request that you will strike out .....
..... from the goods for which the trade mark No. ..... is registered in class .....

(*Signed*) .....

Dated this ..... day of ..... ,19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 29 (Rule 91)

REQUEST TO ENTER DISCLAIMER OF MEMORANDUM RELATING TO A TRADE MARK

BAHAMAS TRADE MARKS ACT

I, ... of .....
hereby request that you will enter in the register in connection with trade mark No. ..... in class ..... the following ..... namely —

(*Signed*) .....

Dated this ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 30 (Rule 92)

APPLICATION UNDER SECTION 32 TO ADD TO OR ALTER A TRADE MARK

BAHAMAS TRADE MARKS ACT

In the matter of trade mark
No. ..... in class

Application is hereby made on behalf of the registered proprietor of the trade mark numbered as above to alter it in the following particulars that is to say —

Six copies of the mark as it will appear when so altered are filed herewith.

(Signed) .....

Dated this ..... day of ..... ,19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 31 (Rule 94)

REQUEST FOR SEARCH

BAHAMAS TRADE MARKS ACT

You are hereby requested to search under rule 94 in class ..... to ascertain whether any trade marks are on record which resemble the trade mark sent herewith in duplicate each mounted on a half-sheet of foolscap.

(Signed) .....

Dated this ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 32 (Rule 107)

NOTICE OF ORDER OF COURT FOR ALTERATION OR RECTIFICATION OF REGISTER OF TRADE MARKS

BAHAMAS TRADE MARKS ACT

In the matter of trade mark,
No. .....,registered in
class ..... in the name of

Sir,

Notice is hereby given that by an order of the court made on the ..... day of ....., 19 ....., it was directed that .....
.....

An office copy of the order of the court is enclosed herewith.

(Signed) .....

Dated this ..... day of ..... 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 33 (Rule 101) *S.I. 72/1983.*

REQUEST FOR GENERAL CERTIFICATE OF REGISTRAR (OTHER THAN CERTIFICATE FOR USE IN LEGAL PROCEEDINGS OR FOR USE IN OBTAINING REGISTRATION ABROAD)

Fee $44.00

BAHAMAS TRADE MARKS ACT

In the matter of trade mark
No ..... in class
.....

Sir,

I, ...
of .....
hereby request you to furnish me with your certificate that .....

(Signed) .....

Dated this ..... day of ..... ,19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

5 of 1987, s. 2.

FORM 34 (Section 10(3))

REQUEST FOR CERTIFICATE OF REFUSAL TO REGISTER A TRADE MARK

Fee $40.00

BAHAMAS TRADE MARKS ACT

In the matter of an application for registration of a trade mark, No. ..... in class .....

Sir,

I,.....
of.....
the applicant in the above matter, hereby request you to furnish me with your certificate of refusal to register the said trade mark.

(Signed) .....

Dated this ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

5 of 1987, s. 2.

FORM 35 (Rules 101 and 103)

REQUEST FOR CERTIFICATE OF REGISTRATION OF TRADE MARK FOR USE IN OBTAINING REGISTRATION ABROAD

Fee $4 or $8.

BAHAMAS TRADE MARKS ACT

In the matter of the trade mark, No. ..... registered in class .....in the name of .....

Sir,

I, ...,
of .....
the registered proprietor of the above trade mark, hereby request you to furnish me with your certificate of registration for use in obtaining registration of the same in .....

(Signed) .....

Dated this ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 36 (Rule 101)

REQUEST FOR CERTIFICATE OF REGISTRATION OF TRADE MARK TO BE USED IN LEGAL PROCEEDINGS

BAHAMAS TRADE MARKS ACT

In the matter of the trade mark, No. ..... registered in class ..... in the name of

Sir,

I, ..., of ..... the registered proprietor of the above trade mark, hereby request you to furnish me with your certificate of registration to be used in legal proceedings.

(Signed) .....

Dated this ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 37 (Rule 110)

G.N. 182/1960.

APPLICATION FOR THE REGISTRATION OF A DEFENSIVE TRADE MARK

BAHAMAS TRADE MARKS ACT

	One representation to be fixed within this space, and[1] four others to be sent on separate Forms No. 3.

Application is hereby made for registration in the register of the above word(s) as a defensive trade mark in class .....

[1] An application made in respect of textile goods should be accompanied by six other representations of the trade mark, each on a separate Form No. 3, by a statement of case in triplicate, and also by an unstamped duplicate of the application.

in respect of [2](a) .....
.....
.....
in the name of [3](b) .....
of [4](c) .....
.....
trading as [5](d) .....
who is (are) the proprietor(s) of the same trade mark registered in class [6](e) ..... in respect of ..... under No. ..... According to my (our) information and belief, the word(s) is (are) invented.

The particulars of the facts on which I (we) rely in support of this application are set forth in the accompanying statement of case [7](f).

..... [8](g)

Dated the ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

G.N. 182/1960.

FORM 38 (Rules 111 and 113)

APPLICATION FOR RECTIFICATION UNDER SECTION 35

BAHAMAS TRADE MARKS ACT

(*To be accompanied by a copy and a statement of case in duplicate*)

In the matter of the trade mark No. ..... registered in the name of .....
in class .....

I (We) [9](a) .....
.....
.....
hereby apply that the entry in the register in respect of the abovementioned trade mark be removed [10](b) rectified in the following manner .....
.....

[2] Here specify the goods. Only goods included in one and the same class should be specified.

[3] Here insert legibly the full name, description and nationality of the individual, firm, or body corporate making the application. The names of all partners in a firm must be given in full. If the applicant is a body corporate, the kind and country of incorporation should be stated.

[4] Here insert the full trade or business address of the applicant.

[5] Here insert the trading style (if any).

[6] Here insert particulars of the applicant's registration of the trade mark.

[7] To be furnished in duplicate.

[8] Signature.

[9] Here state full name and address.

[10] Strike out the word (or words) that is (are) not applicable.

.....
.....
The grounds of my (our) application are as follows —
.....
.....
No action concerning the trade mark in question is pending in the court.

[11](c) .....

Dated the ..... day of ....., 19 .....

Address for service —

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 39 (Rule 113)

G.N. 182/1960.

APPLICATION FOR LEAVE TO INTERVENE WHERE AN APPLICATION IS MADE FOR RECTIFICATION

BAHAMAS TRADE MARKS ACT

In the matter of the trade mark No. ..... registered in the name of ..... in class .....

I (We) [12](a) .....
.....
.....
hereby apply for leave to intervene in the proceedings relating to the rectification or removal of the entry in the register in respect of the above-mentioned trade mark.

My (Our) interest in the trade mark is .....
.....
.....
.....
.....

[13](b) .....

Dated the ..... day of ....., 19 .....

Address for service —

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

[11] Signature.
[12] Here state full name and address.
[13] Signature.

G.N. 182/1960.

FORM 40 (Rule 114)

APPLICATION FOR REGISTRATION OF A REGISTERED USER OF A REGISTERED TRADE MARK

BAHAMAS TRADE MARKS ACT

(*To be accompanied by a statement of case giving particulars and stating as required by section 36(4), verified by a statutory declaration made by the proprietor, or by some person authorized to act on his behalf and approved by the Registrar*)

Application is hereby made by [14](a) .....
.....
.....
who is (are) the registered proprietor(s) of trade mark(s) No.(s) .....
[15]registered in class ..... in respect of [16](b) .....
that [17](c) .....
of [18](d) .....trading as [19](e) .....
.....
who hereby joins in the application, may be registered as a registered user of the above-numbered registered trade mark(s) in respect of [20](f) .....
subject to the following conditions or restrictions [21](g) .....[22]
.....
[23](h) The proposed permitted use is to end on the ..... day of ..... 19 ..... The proposed limited use is without limit of period.

[24](i) .....

Dated the ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

[14] Here insert full name, trade or business address and description of the registered proprietor(s).
[15] Additional numbers may be given in a signed schedule on the back of the form.
[16] Here insert the specification in the register.
[17] Here insert the full name, description and nationality of the individual, firm, or body corporate, proposed as registered user. The names of all partners in a firm must be given in full. In the case of a body corporate brief particulars of the kind and country of incorporation should be stated.
[18] Here insert the full trade or business address of the proposed registered user.
[19] Here insert trading style (if any).
[20] Here insert designation of goods (which must be comprised within the specification).
[21] Write "None" if there are no conditions or restrictions.
[22] Write "None" if there are no conditions or restrictions.
[23] Strike out the words that are not applicable.
[24] Signature.

FORM 41 (Rule 116)

APPLICATION BY THE REGISTERED PROPRIETOR OF A TRADE MARK FOR THE VARIATION OF THE REGISTRATION OF A REGISTERED USER OF THAT TRADE MARK

BAHAMAS TRADE MARKS ACT

(*To be accompanied by a statement of the grounds for the application and the written consent (if given) of the registered user)*

Application is hereby made by [25](a) .....
.....
.....
.....
the proprietor of trade mark(s) No. ..... [26]registered in class.....
in respect of [27](b) .....
.....
.....
that the registration of [28](c) .....
.....
.....
as a registered user of the above-numbered trade mark(s) in respect of [29](d) .....
..... may be varied in the following manner: [30](e) .....
[31](f) .....

Dated the ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

[25] Here insert the full name, description and trade or business address of the registered proprietor.
[26] Additional numbers may be given in a signed schedule on the back of the form.
[27] Here insert the specification in the register.
[28] Here insert the full name, description and trade or business address of the registered user.
[29] Here insert the goods in respect of which the user is registered.
[30] Here state in terms the manner in which it is requested that the entry should be varied.
[31] Signature.

G.N. 182/1960.

FORMS 42 and 43 (Rule 118)

APPLICATION FOR CANCELLATION OF ENTRY OF A REGISTERED USER OF A TRADE MARK

BAHAMAS TRADE MARKS ACT

(*To be accompanied by a statement of the grounds for the application*)

[32](a) In the matter of trade mark(s) No.(s) ..... [33]registered in the name of .... in class

Application is hereby made by [34](b) .... whose address for service is ..... for the cancellation of the entry under the above-mentioned registration(s) of [35](c) .... as the registered user thereof in respect of [36](d) .... The grounds of this application, particulars of which are given in detail in the accompanying statement of case are [37](e) ....

[38](f) .....

Dated the ..... day of ....., 19.....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

[32] Here insert the name, trade or business address and description of the registered proprietor as entered in the register.

[33] Additional numbers may be given is a signed schedule on the back of the form.

[34] Here insert the name and address of the applicant for cancellation.

[35] Here insert the name, trade or business address and description of the registered user as entered in the register.

[36] Here insert the goods in respect of which the registered user is entered.

[37] Here insert one or more of the subparagraphs or paragraph (c) of section 36(8) numbered (i), (ii), (iii).

[38] Signature.

FORM 44 (Rule 119) *G.N. 182/1960.*

NOTICE OF INTENTION TO INTERVENE IN PROCEEDINGS

BAHAMAS TRADE MARKS ACT

(*To be accompanied by a statement of the grounds of intervention*)

IN THE MATTER OF a trade mark No. ..... registered in class ..... in the name of [39](a) .....

And

IN THE MATTER OF a registration of [40](b) ..... [41] ..... thereunder as a registered user of the mark.

In reply to the Registrar's notification, dated the ..... day of ....., 19 ....., notice is hereby given of my intention to intervene in the proceedings in the above matter.

[42](c) .....

Dated the ..... day of ....., 19 .....

Address for service —

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

FORM 45 (Rule 121) *G.N. 182/1960.*

APPLICATION FOR THE REGISTRATION OF A CERTIFICATION TRADE MARK

BAHAMAS TRADE MARKS ACT

	One representation to be fixed within this space, and six others to be sent on separate Forms No. 3. Representations of a larger size may be folded, but must then be mounted upon linen or other suitable material and affixed hereto.

[39] Insert here the name of the registered proprietor.
[40] Insert here the name and trade or business address of the registered user.
[41] Insert here the name and trade or business address of the registered user.
[42] Signature.

Application is hereby made for registration in the register of the accompanying certification trade mark in class
in respect of [43](a) .....
.....
in the name of [44](b) .....
.....
whose address is [45](c) .....
[46](d) .....

Dated the ..... day of ....., 19 .....

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

G.N. 182/1960.

FORM 46 (Rule 123)

REGULATIONS GOVERNING THE USE OF TRADE MARK

BAHAMAS TRADE MARKS ACT

Regulations for governing the use of certification trade mark No. ..... in class ..... in respect of [47](a) .....
.....
.....

(For official use)

Advertised in the *Gazette* on the .....day of. ....., 19 .....
(Date of application and registration ....., 19 .....)

[43] Here specify the goods. Only goods included in one and the same class should be specified. A separate application form is required for each class.
[44] Here insert the full name, description and nationality of the applicant. If the applicant is a body corporate, the kind and country of incorporation should be stated.
[45] Here insert the full address of the applicant.
[46] Signature.
[47] Here specify the goods of the registration.

FORM 47 (Rule 124) *G.N. 182/1960.*

APPLICATION FOR AN ORDER EXPUNGING OR VARYING THE REGISTER RELATING TO A CERTIFICATION TRADE MARK OR VARYING THE RELEVANT DEPOSITED REGULATIONS

BAHAMAS TRADE MARKS ACT

(*To be accompanied by an unstamped copy and a statement of case in duplicate*)

In the matter of Certification
trade mark No. .....
registered in the .....
name of .....
in class .....

I (We) [48](a) .....
.....
being (an) aggrieved person(s), hereby apply for an order of the Registrar that:

1. [49](b) The entry in the register in respect of the above-mentioned .....

expunged

trade mark may be [50](c)

varied in the following manner

.....

2. (b) The deposited regulations governing the use of the above-mentioned trade mark may be varied in the following manner ...
.....

The grounds of my (our) application are as follows —
.....
.....

[51](d) .....

Dated the ..... day of....., 19.....

Address for service —

To the Registrar,
Office of the Registrar General,
Nassau, Bahamas.

[48] Here state full name and address.
[49] Strike out either paragraph that is not applicable.
[50] Strike out one of these lines.
[51] Signature.

SECOND SCHEDULE (Rule 5)

CLASSIFICATION OF GOODS

Classes	Illustrations (**Note —** Goods are mentioned in this column by way of illustration, and not as an exhaustive list of the contents of a class.)
CLASS 1	
Chemical substances used in manufactures, photography, or philosophical research, and anti-corrosives.	Such as — Acids, including vegetable acids. Alkalis. Artists' colours. Pigments. Mineral dyes.
CLASS 2	
Chemical substances used for agricultural, horticultural, veterinary, and sanitary purposes.	Such as — Artificial manure. Cattle medicines. Deodorisers. Vermin destroyers.
CLASS 3	
Chemical substances prepared for use in medicine and pharmacy.	Such as — Cod liver oil. Medicated articles. Patent medicines. Plasters. Rhubarb.
CLASS 4	
Raw or partly prepared vegetable, animal, and mineral substances used in manufactures, not included in other classes.	Such as — Resins. Oils used in manufactures and not included in other classes. Dyes, other than mineral. Tanning substances. Fibrous substances (e.g. cotton, hemp, flax, jute.)

CLASS 4

Raw or partly prepared vegetable, animal, and mineral substances used in manufactures, not included in other classes.	Such as - Wool. Silk. Bristles. Hair. Feathers. Cork. Seeds. Coal. Coke. Bone. Sponge.

CLASS 5

Unwrought and partly wrought metals used in manufacture.	Such as — Iron and steel, pig or cast. Iron, rough. Iron, bar and rail. Iron rails for railways Iron bolt and rod. Iron sheet, and boiler and armour plates. Iron hoop. Lead pig. Lead rolled. Lead, sheet. Wire. Copper. Zinc. Gold, in ingots.

CLASS 6

Machinery of all kinds, and parts of machinery, except agricultural and horticultural machines included in Class 7.	Such as — Steam engines. Boilers. Pneumatic machines. Hydraulic machines. Locomotives. Sewing machines. Weighing machines. Machine tools. Mining machinery. Fire engines.

CLASS 7

Agricultural and horticultural machinery, and parts of such machinery.	Such as — Ploughs. Drilling machines. Reaping machines. Thrashing machines. Churns. Cyder presses. Chaff cutters.

CLASS 8

Philosophical instruments, scientific instruments, and apparatus for useful purposes. Instruments and apparatus for teaching.	Such as — Mathematical instruments. Gauges. Logs. Spectacles. Educational appliances.

CLASS 9

Musical instruments.

CLASS 10

Horological instruments.

CLASS 11

Instruments, apparatus, and contrivances, not medicated, for surgical or curative purposes, or in relation to the health of men or animals.	Such as — Bandages Friction gloves. Lancets. Fleams. Enemas.

CLASS 12

Cutlery and edge tools.	Such as — Knives. Forks. Scissors. Shears. Files. Saws.

CLASS 13

Metal goods not included in other classes.	Such as — Anvils. Keys. Basins (Metal). Needles. Hoes. Shovels. Corkscrews.

CLASS 14

Goods of precious metals (including aluminium, nickel, Britannia metal, etc.) and jewellery, and imitations of such goods and jewellery.	Such as — Plates. Clock cases and pencil cases of such metals. Sheffield and other plated goods. Gilt and ormolu work.

CLASS 15

Glass.	Such as — Window and plate glass. Painted glass. Glass mosaic. Glass beads.

CLASS 16

Porcelain and earthenware.	Such as — China. Stoneware. Terracotta. Statuary porcelain. Tiles. Bricks.

CLASS 17

Manufactures from mineral and other substances for building or other decoration.	Such as — Cement. Plaster. Imitation marble. Asphalt.

CLASS 18

Engineering, architectural, and building contrivances.	Such as — Diving apparatus. Warming apparatus. Ventilating apparatus. Filtering apparatus. Lighting contrivances. Drainage contrivances. Electric and pneumatic bells.

CLASS 19

Arms, ammunition and stores not included in Class 20.	Such as — Cannon. Small-arms. Fowling pieces. Swords. Shot and other projectiles. Camp equipage. Equipments.

CLASS 20

Explosive substances.	Such as — Gunpowder. Gun-cotton. Dynamite. Fog-signals. Percussion caps. Fireworks. Cartridges.

CLASS 21

Naval architectural contrivances and naval equipments not included in classes 19 and 20.	Such as — Boats. Anchors. Chain Cables. Rigging.

CLASS 22

Carriages.	Such as — Railway carriages. Waggons. Railway Trucks. Bicycles. Bath chairs.

CLASS 23

(a) Cotton yarn.

(b) Sewing cotton.

CLASS 24

Cotton piece goods of all kinds.	Such as — Cotton shirtings. Long cloth.

CLASS 25	
Cotton goods not included in Class 23, 24, or 38.	Such as — Cotton lace. Cotton braids. Cotton tapes.
CLASS 26	
Linen and hemp yarn and thread.	
CLASS 27	
Linen and hemp piece goods.	
CLASS 28	
Linen and hemp goods not included in Classes 26, 27 and 50.	
CLASS 29	
Jute yarns and tissues, and other articles made of jute not included in Class 50.	
CLASS 30	
Silk, spun, thrown, or sewing.	
CLASS 31	
Silk piece goods.	
CLASS 32	
Other silk goods not included in Classes 30 and 31.	
CLASS 33	
Yarns of wool, worsted, or hair.	
CLASS 34	
Cloths and stuffs of wool, worsted or hair.	

CLASS 35	
Woollen and worsted and hair goods not included in Classes 33 and 34.	
CLASS 36	
Carpets, floor-cloth, and oil-cloth.	Such as — Drugget. Mats and matting. Rugs.
CLASS 37	
Leather skins, unwrought, and wrought, and articles made of leather not included in other classes.	Such as — Saddlery. Harness. Whips. Portmanteaux. Furs.
CLASS 38	
Articles of clothing.	Such as — Hats of all kinds. Caps and bonnets. Hosiery. Gloves. Boots and shoes. Other ready-made clothing.
CLASS 39	
Paper (except paperhangings), stationery, and bookbinding.	Such as — Envelopes. Sealing wax. Pens (except gold pens). Ink. Playing cards. Blotting cases. Copying presses.
CLASS 40	
Goods manufactured from india-rubber and guttapercha not included in other classes.	

CLASS 41

Furniture and upholstery.	Such as — Paper hangings. Papier machÕ. Mirrors. Mattresses.

CLASS 42

Substances used as food, or as ingredients in food.	Such as — Cereals. Pulses. Olive oil. Hops. Malt. Dried fruits. Tea. Sago. Salt. Sugar. Preserved meats. Confectionery. Oil cakes. Pickles. Vinegar. Beer clarifiers.

CLASS 43

Fermented liquors and spirits.	Such as — Beer. Cyder. Wine. Whisky. Liqueurs.

CLASS 44

Mineral and aerated waters natural and artificial including ginger beer.

CLASS 45

Tobacco, whether manufactured or unmanufactured.

CLASS 46

Seeds for agricultural and horticultural purposes.

CLASS 47

Candles, common soap, detergents; illuminating, heating, or lubricating oils; matches, and starch, blue, and other preparations for laundry purposes.	Such as — Washing powders. Benzine collar.

CLASS 48

Perfumery (including toilet articles, preparations for the teeth and hair, and perfumed soap).	

CLASS 49

Games of all kinds and sporting articles not included in other classes.	Such as — Billiard tables. Roller skates. Fishing nets and lines. Toys.

CLASS 50

Miscellaneous — (1) Goods manufactured from ivory bone or wood, not included in other classes. (2) Goods manufactured from straw or grass, not included in other classes. (3) Goods manufactured from animal and vegetable substances, not included in other classes. (4) Tobacco pipes. (5) Umbrellas, walking sticks, brushes, and combs. (6) Furniture cream, plate powder. (7) Tarpaulins, tents, rick-cloths, rope twine. (8) Buttons of all kinds other than of precious metal or imitations thereof. (9) Packing and hose of all kinds. (10) Goods not included in the foregoing classes.	Such as — Coopers' wares.