

THE TRADE MARKS ACT

The Trade Marks (Amendment) Rules, 2011

In exercise of the power conferred upon the Minister by section 78 of the Trade Marks Act, the following Rules are hereby made:-

1. These Rules may be cited as the Trade Marks (Amendment) Rules, 2011 and shall be read and construed as one with the Trade Marks Rules, 2001 (hereinafter called the principal Rules).
2. The principal Rules are amended by deleting the First Schedule and substituting therefor the following –

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FIRST SCHEDULE		(Rules 3, 5, 8, 15, 20, 23, 24 and 25)	
<i>Fees</i>			
Matter	Rule	Fee	
—	—	—	
1. (a) application for registration of trade mark or a series of marks in one class	5 and 17		
(i) upon application		\$7,800.00	
(ii) upon acceptance		\$7,800.00	
(application fee does not include the cost of advertising)			
(b) request for extension of cooling off period	12 (4)	\$4,000.00	
(c) certified copy of any document	32	\$ 500.00 <i>for each page</i>	
(d) uncertified copy of any document	32	\$ 150.00 <i>for each page</i>	
2. Class fee for each class over one	8	\$2,200.00	
3. Certificate re claim to priority	6	\$2,200.00	
4. Address for service	9	\$2,200.00	
5. Notice of opposition to the –			

(a)	registration of a mark	12 (1) (a)	\$4,500.00
(b)	amendment of an application	14 (2)	\$4,500.00
(c)	amendment of the regulations relating to a certification or collective Trade Mark	19 (4)	\$4,500.00
(d)	alteration of a registered Trade Mark	21(4)	\$4,500.00
(e)	removal of an entry from the register	34 (2) (a)	\$4,500.00
(f)	reclassification of a mark from Schedule III to Schedule IV	35 (1)	\$4,500.00
6.	Filing of counterstatement in answer to –			
(a)	opposition to the registration of a mark	12 (3)	\$4,500.00
(b)	an application for revocation of a mark	26 (3)	\$4,500.00
7.	Filing of statutory declaration /affidavits as evidence in support of opposition to the registration of a mark	12 (5) (a)	\$4,500.00
8.	Request for division of an application	15	\$4,500.00
9.	Request for merger of either application or registration	16	\$4,500.00
10.	Filing of regulations governing the use of a certification or collective mark	18	\$11,200.00
11.	Request to amend regulations governing the use of a certification or collective mark	19	\$7,800.00
12.	(a) request for alteration of a registered Trade Mark	21	\$4,500.00
	(b) class fee for each class over one	21	\$2,200.00
13.	Notice to surrender a Trade Mark	22	\$4,500.00
14.	(a) renewal of registration	23	\$11,200.00
	(b) class fee for each class over one	23	\$2,200.00
15.	Additional renewal fee per class	24	\$2,200.00
16.	(a) request for restoration of registration removed from the register for failure to			

	renew	...	25	\$6,700.00
	(b) class fee for each class over one	...	25	\$2,200.00
17.	(a) request for revocation or invalidation of a registration	...	26	\$6,700.00
	(b) class fee for each class over one	...	26	\$2,200.00
18.	(a) request to enter details of an assignment or merger	...	30 (1) (a)	\$6,700.00
	(b) class fee for each class over one	...	30 (1) (a)	\$2,200.00
19.	(a) request for registration of a licence under a registered Trade Mark	...	30 (1) (b)	\$6,700.00
	(b) class fee for each class over one	...	30 (1) (b)	\$2,200.00
20.	(a) request for amendment or termination of a licence	...	30 (1) (c)	\$6,700.00
	(b) class fee for each class over one	...	30 (1) (c)	\$2,200.00
21.	(a) request for registration of a grant, amendment or removal of a security interest	...	30 (1) (d)	\$6,700.00
	(b) class fee for each class over one	...	30 (1) (d)	\$2,200.00
22.	(a) request for registration of an assent by a personal representative in relation to a registered Trade Mark	...	30 (1) (e)	\$6,700.00
	(b) class fee for each class over one	...	30 (1) (e)	\$2,200.00
23.	(a) request for registration of an Order of a Court or Competent Authority transferring a registered Trade Mark	...	30 (1) (e)	\$6,700.00
	(b) class fee for each class over one	...	30(1)(e)	\$2,200.00
24.	Inspection of the register per hour or fractions thereof	...	31	\$1,100.00
25.	Certified copy of extract of any entry in the register, for every page	...	32	\$1,000.00
26.	Uncertified copy of extract of any entry in the register, for every page	...	32	\$100.00
27.	(a) request to enter change of name or address in relation to an application or registration	...	13 and 33	\$6,700.00

(b) class fee for each class over one	13 and 33	\$2,200.00
28. Request for information relating to an application or registration	37	\$3,400.00
29. For inspection of documents relating to a published application or a registration per hour or parts thereof	39	\$1,100.00
30. Request to the Registrar for a statement of the reasons for his decision	50(2)	\$6,700.00
31. (a) request for the extension of time (except in the following cases) failure to file the address for service, deficiencies in application, time for filing opposition, time for filing counter-statement, delayed renewal; and restoration of registration	54(2) and (3)	\$2,200.00
(b) any matter or action to be taken not otherwise charged	54(2) and (3)	\$2,200.00
32. Transmitting information via facsimile (per page) –		
(a) Jamaica		\$ 100.00
(b) USA, Canada, Caribbean		\$ 400.00
(c) other countries		\$ 600.00”.

Dated this day of , 2011.

**Minister of Industry, Investment and
Commerce**