

Industrial Designs (Amendment) Regulations 2012

The Industrial Designs (Amendment) Regulations 2012 involves both revisions to the prescribed official fees and procedural changes. A brief summary is provided below:

Official Fees

The revisions to the prescribed official fees will come into effect from 15 February 2012 will include a number of key changes, which are as follows:

- a 25% increase in the official fee for a new industrial design application,
- abolishment of the reduced official fee for the second and subsequent designs in a multiple application, i.e., the same official fee is applicable for each design regardless whether an application for a single design, or a multiple application for two or more designs is filed,
- a four-fold increase in the official fee for the publication of each view of the design
- a flat official fee for the renewal of registered industrial designs, regardless of the period of renewal, and the abolishment of the reduced official fee for the renewal of registered industrial designs originating from a multiple application, and
- introduction of an official fee for the 4th and 5th periods of renewal for UK design registrations which have been extended to Malaysia.

Procedures

The procedural changes which will come into effect on 15 February 2012 do not signal any major departure from the current procedures, and do not appear to have any significant impact on the way industrial design applications and registrations are currently handled.

In summary, the amendments to the regulations have been made to expressly specify the following:

- an amended Power of Attorney (ID Form 10) has been introduced, and an executed ID Form 10 will be a filing requirement for all new applications,
- the certified or verified English translation of the priority document (required for non-English priority documents) must be a complete and accurate English translation of the priority document to the satisfaction of the Registrar,
- the period for submitting a verified English translation of the priority document in response to the Registrar's request will be reduced to 3 months, as opposed to the 6 months currently prescribed,
- only one copy of the representations will be required for submission with an industrial design application, as opposed to the 6 copies currently prescribed,
- new provisions relating to the introduction of electronic filing of industrial design applications, and
- the maximum surcharge prescribed in respect of the restoration of a registered industrial design registration will be increased to 12 months, as opposed to the 6 months currently prescribed.