

REGISTER OF DESIGNS

Official application No.:

Date of lodgement:

Date of registration:

Classification:

Full name(s) of applicant(s):

Address(es) of applicant(s):

Type of design

☐

Part A

☐

Part F

Release date (if applicable):

Applicant substituted:

Date registered:

Assignee(s):

Date registered:

PRIORITY CLAIMED	COUNTRY	NUMBER	DATE

Articles to which design is to be applied:

Address for service:

REGISTRATION OF DESIGNS IN THE REPUBLIC OF SOUTH AFRICA

(DESIGNS ACT NO.195 OF 1993)

CIPC'S PURPOSE IS "TO REGISTER COMPANIES AND INTELLECTUAL PROPERTY RIGHTS, MAINTAIN RELATED REGISTRIES AND DEVELOP INFORMATION FOR DISCLOSURE TO STAKEHOLDERS"

Registration of Design

The Design Act provides for Registration of Two Designs vz.

AESTHETIC DESIGNS : Which have features appeal to and are judged solely by the irrespective of the aesthetic Quality thereof.(PROTECTION IS VALID FOR 15 YEARS)

FUNCTIONAL DESIGNS: Which have features which are necessitated by the function which article to which they applied is perform(PROTECTION IS VALID FOR 10 YEARS)

However the registration has to be renewed on the third year(3) On the date of lodgement, the release(date on which the design was first made available to the public) renewal should then be paid annually thereafter, see the attached schedule of fees;

NB An application for the registration of a design in the republic of South Africa affords an applicant a priority right for the registration of same design in Convention countries provided the application in Convention country is filed within 6 months of filing date of application in the republic of South Africa

HOW TO REGISTER A DESIGN

Make search before registration and have a Classification of your design

IF not sure of the classification of a design the registrar of design may be requested to determine the class in terms of section 15, regulation 9 ,FORM D 9 amount R220.00

DOCUMENTS

FORMS D1.

- Complete in duplicate
 - Attached proof of payment for the amount of R240.00
- And Agent code or customer code

FORM D2

- Registration of Designs (complete in duplicate)

FORM D3 (Declaration/Power of Attorneys)

FORM D6 (Definitive statement and explanatory statement) – to Filled in duplicate. Should be a description of the featured of the Design for which protection is sought.

FORM D8 (in duplicate)

- Publication particulars
- The brief statement of the features shall be a single paragraph of not more than 100 words (just a short summary to explain the design)

REPRESENTATION

5 copies identical representation and 2 copies of representations for (publication) **in the patent journal**

ACKNOWLEDGEMENT (within 2 days from the date of lodgement , the office will send the acknowledgement receipt with the official number)

EXAMINATION / ACCEPTANCE

(Within 6 months the examination must be done if all the required documents are submitted if not, the official action is issued.
FORM D4 –(EXPEDITE & DELAY at the cost of R60.00)

EXPEDITE- (request of acceptance an earlier stage)
DELAY- request of acceptance at a later stage)

FORM D5 (at the cost of R44.00 the form is submitted together with the outstanding documents.

MAINTENANCE

1. D4 at the cost R60.00 for a change of name/proprietor
2. Assignments/substitutions D7 at the cost of R75.00
 D7 in duplicate and Deed of assignment of designs signed by
 Both assignor and assignee.
3. D4 Change of Address of Service at the cost of R17.00
4. D12 Amendment of designs at the cost of R82.00 e.g clerical error.

D10 RENEWALS (on the third year)

WHO CAN RENEW A DESIGN (Applicant/Attorney)

Fees for the renewals are as follows

DESIGN RENEWAL FEES

D10	Renewal fees in terms of section 22(1), regulation 34:	R 120.00
	i. Before expiration of the third year	
	ii. Before expiration of the fourth year	R 120.00
	iii. Before expiration of the fifth year	R 120.00
	iv. Before expiration of the sixth year	R 77.00
	v. Before expiration of the seventh year	R 77.00
	vi. Before expiration of the eighth year	R 90.00
	vii. Before expiration of the ninth year (Functional designs only pay up to here)	R 90.00
	viii. Before expiration of the tenth year	R110.00
	ix. Before expiration of the eleventh year	R110.00
	x. Before expiration of the twelfth year	R132.00
	xi. Before expiration of the thirteenth year	R132.00

	xii. Before expiration of the fourteenth year	R149.00
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PENALTY FEES

D10	Application of the extension of the period for payment of renewal fees in terms of section 22, regulation 34, for the first month.	R 82.00
	Thereafter, for each month or part thereof (not exceeding five months).	R 44.00

RESTORATION OF DESIGNS (FORM D18)**RESTORATION PROCEDURE**

Complete form D18 and attach proof of payment for the amount of R260. An affidavit must be lodged with the form D18. In this affidavit a very good reason/excuse must be provided why the design had lapsed. Also it must be stated that it was not the intention to let it lapse and that the applicant is applying for the restoration as soon as he/she did become aware that the design had lapsed. If this reason/excuse is accepted the restoration will be advertised in the Patent Journal for possible opposition. If no opposition is noted in two months, the office will notify the applicant of the outstanding amount of renewal fees to be paid. On the payment of the outstanding renewal fees (on form D10) the design rights will be reinstated and the annual renewals may continue.