



Jersey

# **REGISTERED DESIGNS RULES 1958**

## **Official Consolidated Version**

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Jersey

## REGISTERED DESIGNS RULES 1958

### Contents

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#### Rule

1	Interpretation .....	5
2	5	
3	5	
4	6	
5	6	
6	6	
7	6	
8	6	
9	7	
10	7	
11	7	
12	7	

<b>APPENDIX</b>	<b>8</b>
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<b>ENDNOTES</b>	<b>13</b>
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Table of Legislation History .....	13
Table of Renumbered Provisions .....	13
Table of Endnote References .....	13





Jersey

## REGISTERED DESIGNS RULES 1958

**THE SUPERIOR NUMBER OF THE ROYAL COURT**, in pursuance of Article 13 of the [Royal Court \(Jersey\) Law 1948](#) and of Article 20 of the [Registered Designs \(Jersey\) Law 1957](#), has made the following Rules –

Commencement [[see endnotes](#)]

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### 1 Interpretation

In these Rules –

- “Court” means the Samedi division of the Royal Court;
- “design” has the same meaning as in the Law;
- “Government department” has the same meaning as in the Law;
- “Law” means the [Registered Designs \(Jersey\) Law 1957](#);
- “register” has the same meaning as in the Law;
- “register of designs” has the same meaning as in the Law;
- “registered design” has the same meaning as in the Law.

### 2

The forms set out in the Appendix to these Rules shall be used in all cases to which they are applicable, and may be modified as directed by the Judicial Greffier.

### 3

An application under Article 4 of the Law for the registration of a design shall be made on Registered Designs Form No. 1.

**4**

An application under Article 5 of the Law for the registration of an extension of copyright in a design shall be made on Registered Designs Form No. 2.

**5**

An application under Article 6 of the Law for the registration of a title or interest shall be made on whichever of Registered Designs Forms Nos. 3 or 4 is appropriate.

**6**

Any application made on Registered Designs Forms Nos. 1, 2, 3 or 4 and any request made under Article 7 or Article 12 of the Law shall be signed –

- (a) in the case of an individual, by the individual or by the individual's lawfully constituted attorney in Jersey or by an advocate or solicitor of the Royal Court duly authorized to sign on the individual's behalf;
- (b) in the case of a body corporate, by a director or the secretary thereof or by its lawfully constituted attorney in Jersey or by an advocate or solicitor of the Royal Court duly authorized to sign on its behalf.

**7**

- (1) Every applicant in any proceedings to which these Rules relate, and every person registered as proprietor of, or as being entitled to a share in, or as having an interest in, a design, shall furnish to the Judicial Greffier in addition to the person's full residential or business address an address for service in Jersey.
- (2) Such address for service may be treated, for all purposes connected with such proceedings or design, as the actual address of such applicant or person and shall, in the case of a person registered as aforesaid, be entered on the register of designs as the address for service of such person.

**8**

- (1) A party wishing to refer to the Court any dispute as to the exercise by a Government department or by the States, or by a person authorized by a Government department or by the States, of the powers conferred by Article 13 or 14 of the Law, or as to the terms for the use of a registered design for the services of the Crown or of the States thereunder, or as to the right of any person to receive any part of a payment in respect of those services, shall present to the Court a written statement setting out the nature of the dispute.
- (2) The Court may order such persons to be convened, such evidence to be taken and such enquiries to be made as the Court may deem necessary for the determination of the dispute.

**9**

In any proceedings under the Law, or in proceedings for the infringement of the copyright in a registered design, the Court may, at any time, appoint an independent adviser to assist the Court or to enquire and report upon any question of fact or of opinion not involving questions of law or construction.

**10**

- (1) Any person desirous of taking proceedings under the Law *in forma pauperis* may lay his or her suit before an advocate or solicitor of the Royal Court and, if such advocate or solicitor is of opinion that such person has a good cause of action, he or she shall deliver to the Viscount a statement of the material facts which may be alleged, and of the points of law which may be raised, by such person, together with such documents appertaining to such suit as the person may have in his or her possession.
- (2) If the Viscount is satisfied that such person has *prima facie* a good cause of action, the Viscount shall grant a certificate by virtue whereof such person shall be exempt from the payment of all court fees to which the person would otherwise have been liable by reason of such suit.
- (3) The Viscount may, before granting such certificate, require such affidavits as the Viscount considers necessary.
- (4) Every document presented by a person to whom such a certificate has been granted shall, if it would otherwise have been required to have stamps affixed thereto, be marked “*gratis*” by the person designated in the tariff as being responsible for cancelling the stamps.

**11**

Any proceedings for the purposes of the Law may be instituted, prosecuted and heard in or out of term.

**12**

These Rules may be cited as the Registered Designs Rules 1958.

**APPENDIX**

## Registered Designs Form No. 1

## REGISTERED DESIGNS (JERSEY) LAW 1957

## APPLICATION FOR THE REGISTRATION OF A DESIGN

(a) Full name(s) of applicant(s). A married woman should give her <i>maiden</i> surname and the full name of her husband, stating whether "wife", "widow" or "divorced"	I/We (a)..... ..... of (b) ..... .....
(b) Address of applicant(s)	declare that I/we am/are the person(s) for the time being entered in the United Kingdom register of designs as the proprietor(s) of Design No..... and I/we apply for the registration of the said design in the register of designs.
	I/We enclose a certified representation/ specimen of the design and a certificate of the Comptroller-General of Patents, Designs and Trade Marks in the United Kingdom setting forth the rights or interests to which my/our application relates and stating the date at which the representation/specimen of the design became, or is due to become, open to public inspection in the United Kingdom.
	My/Our address for service in Jersey is ..... .....
	Dated this.....day of ..... 20 ..
(c) The advocate, solicitor or attorney in Jersey of the applicant(s) may sign on his/her/their behalf	Signature of applicant(s)(c)
	<i>Where any partial assignment or transmission of the design has been made, the following section must also be completed.</i>
	I/We (a) ..... of (b) .....
(d) Specify the nature declare of the claim	declare that I/we am/are entitled by virtue of (d) ..... .....
(e) Delete if inapplicable	to a share in the above mentioned design (e)



or

to an interest in the above mentioned design<sup>(e)</sup> and I/we enclose a certificate of the Comptroller-General relating to the registration in the United Kingdom of my/our title/interest.

AND I/we declare that I/we also apply for the registration in the register of designs of the above mentioned design.

My/Our address for service in Jersey is .....

.....

Dated this ..... day of ..... 20 ..

Signature of  
person(s) entitled  
to a share or  
interest. (c) .....

.....

## Registered Designs Form No. 2

## REGISTERED DESIGNS (JERSEY) LAW 1957

APPLICATION FOR THE REGISTRATION OF AN EXTENSION OF  
COPYRIGHT IN A DESIGN UNDER ARTICLE 5

(a)  
Full name(s) of  
applicant(s). A married  
woman should give her  
*maiden* surname and the  
full name of her husband,  
stating whether "wife",  
"widow" or "divorced"

(b)  
Address of applicant(s)

I/We (a) .....  
.....  
of (b) .....  
.....  
apply for the registration in the register of designs of the extension  
of copyright in Design No..... for a second/third period of 5  
years, which design is registered in Jersey in my/our name.

I/We enclose a certificate of the competent authority in the United  
Kingdom stating that the copyright in the said design has been so  
extended.

My/Our address for service in Jersey is .....  
.....

(c)  
The advocate, solicitor or  
attorney in Jersey of the  
applicant(s) may sign on  
his/her/their behalf

Dated this ..... day of ..... 20 ..

Signature of applicant(s) (c) .....  
.....

Registered Designs Form No. 3

REGISTERED DESIGNS (JERSEY) LAW 1957

APPLICATION FOR THE REGISTRATION OF THE TITLE OF A PERSON  
BECOMING ENTITLED BY ASSIGNMENT, TRANSMISSION OR OTHER  
OPERATION OF LAW TO A REGISTERED DESIGN OR TO A SHARE  
THEREIN

(a)  
Full name(s) of  
applicant(s). A married  
woman should give her  
maiden surname and the  
full name of her husband,  
stating whether "wife",  
"widow" or "divorced"  
(b)  
Address of applicant(s)

I/We (a) .....  
.....  
of (b) .....  
.....  
apply that you will enter my/our name(s) in the register of designs  
as proprietor(s)/co-proprietor(s) of Design No..... at present  
registered in Jersey in the name of .....  
.....

(c)  
Specify the nature of the  
claim

I/We claim to be so entitled by virtue of (c) .....  
.....  
.....

I/We append a certificate of the Comptroller-General of Patents,  
Designs and Trade Marks in the United Kingdom relating to the  
registration in the United Kingdom of my/our title as aforesaid.

My/Our address for service in Jersey is .....  
.....

(d)  
The advocate, solicitor or  
attorney in Jersey of the  
applicant(s) may sign on  
his/her/their behalf

Dated this..... day of..... 20 .  
Signature of applicant(s) (d) .....  
.....

## Registered Designs Form No. 4

## REGISTERED DESIGNS (JERSEY) LAW 1957

APPLICATION FOR THE REGISTRATION OF AN INTEREST IN A  
REGISTERED DESIGN

(a)  
Full name(s) of  
applicant(s). A married  
woman should give her  
*maiden* surname and the  
full name of her husband,  
stating whether "wife",  
"widow" or "divorced"

(b)  
Address of applicant(s)

(c)  
Insert the nature of the  
claim, *e.g.*, "as licensee"

(d)  
Give particulars of the  
document by which you are  
entitled to the interest,  
including the date and the  
names of the parties

I/We (a) .....

.....

of (b) .....

.....

apply that you will enter in the register of designs a notice of the

following interest in Design No.....: –

I/We claim to be entitled (c) .....

.....

to an interest in the said design at present registered in Jersey in the

name of .....

.....

by virtue of (d).....

.....

.....

.....

I/We append a certificate of the Comptroller-General of Patents,  
Designs and Trade Marks in the United Kingdom relating to the  
registration in the United Kingdom of my/our interest as aforesaid.

My/Our address for service in Jersey is .....

.....

(e)  
The advocate, solicitor or  
attorney in Jersey of the  
applicant(s) may sign on  
his/her/their behalf

Dated this..... day of..... 20 ..

Signature of applicant(s) (e) .....

.....

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Registered Designs (Jersey) Rules 1958	R&O.3867	6 January 1958
Royal Court (General) (Jersey) Rules 1963	R&O.4450	8 July 1963
Royal Court (Process, Fines and Forfeitures) (Jersey) Rules 1967	R&O.5013	1 January 1968

### Table of Renumbered Provisions

Original	Current
11	repealed by R&O.5013
12	repealed by R&O.4450
13	11
14	12

### Table of Endnote References

*There are currently no endnote references*