



REPUBLIC OF SOUTH AFRICA  
**GOVERNMENT GAZETTE**

**STAATSKOERANT**  
VAN DIE REPUBLIEK VAN SUID-AFRIKA

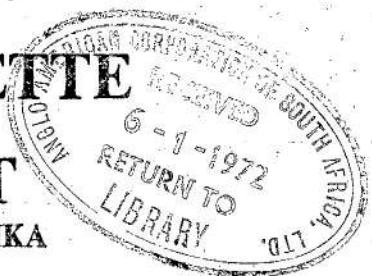
REGULATION GAZETTE No. 1548

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REGULASIEKOERANT No. 1548

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[No. 3341

**GOVERNMENT NOTICE**

**DEPARTMENT OF COMMERCE**

No. R. 2313

24 December 1971

**TRADE MARKS ACT, 1963**

**REGULATIONS**

The State President has, in terms of section 80 of the Trade Marks Act, 1963 (Act 62 of 1963), made the regulations and prescribed the tariff set forth hereunder:

**DEFINITIONS**

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Trade Marks Act, 1963 (Act 62 of 1963), bears a meaning so assigned, and—

“Office” means the Trade Marks Office established under section 5 of the Act;

“Patent Journal” means the official journal of patents, designs and trade marks of the Republic of South Africa;

“the Act” means the Trade Marks Act, 1963 (Act 62 of 1963), as amended by the Trade Marks Amendment Act, 1971 (Act 46 of 1971).

**FEES**

[Section 80 (1)]

2. (1) The fees to be paid in pursuance of the Act shall be the fees specified in Schedule 1 to these regulations.

(2) All such fees shall, subject to such conditions as the Registrar may impose, be payable by means of revenue stamps.

(3) For the purposes of this regulation, the word “stamp” shall bear the meaning assigned to it by section 1 of the Stamp Duties Act, 1968 (Act 77 of 1968).

**GOEWERMENSKENNISGEWING**

**DEPARTEMENT VAN HANDEL**

No. R. 2313

24 Desember 1971

**WET OP HANDELSMERKE, 1963**

**REGULASIES**

Die Staatspresident het, ingevolge die bepalings van artikel 80 van die Wet op Handelsmerke, 1963 (Wet 62 van 1963), die regulasies uitgevaardig en die tarief voorgeskryf wat hieronder uiteengesit word:

**WOORDBEPALINGS**

1. In hierdie regulasies, tensy dit uit die samehang anders blyk, het enige uitdrukking waaraan in die Wet op Handelsmerke, 1963 (Wet 62 van 1963), 'n betekenis geheg is, die betekenis wat aldus daaraan geheg is, en beteken—

“Kantoor” die Kantoor van Handelsmerke wat ingevolge artikel 5 van die Wet ingestel is;

“Patentjoernaal” die amptelike joernaal van patente, modelle en handelsmerke van die Republiek van Suid-Afrika;

“die Wet” die Wet op Handelsmerke, 1963 (Wet 62 van 1963), soos gewysig by die Wysigingswet op Handelsmerke, 1971 (Wet 46 van 1971).

**GELDE**

[Artikel 80 (1)]

2. (1) Die gelde wat ingevolge die Wet betaal moet word, is die wat in Bylae 1 van hierdie regulasies voorgeskryf word.

(2) Alle sodanige gelde moet, behoudens voorwaardes gestel deur die Registrateur, by wyse van inkomsteseels betaal word.

(3) Vir die toepassing van hierdie regulasie het die woord “seël” die betekenis daaraan geheg by artikel 1 van die Wet op Seëlregte, 1968 (Wet 77 van 1968).

## FORMS

## [Section 80 (2)]

3. The forms herein referred to are the forms contained in Schedule 2 to these regulations, and such forms shall be used in all cases to which they are applicable, but may be modified or amended as directed by the Registrar.

## CLASSIFICATION OF GOODS AND SERVICES

## [Section 80 (2)]

4. (1) For the purposes of trade mark registrations dated before 1 January 1964, goods are classified in the manner indicated in Schedule 3 to these regulations, unless any specification of goods has been converted to Schedule 4 in accordance with the regulations.

(2) For purposes of trade mark and certification mark registrations, and trade mark and certification mark renewals, dated after 1 January 1964, goods are classified in the manner appearing in Schedule 4 to these regulations.

(3) Services for the purpose of trade mark and certification mark registrations are classified in the manner appearing in Schedule 4 to these regulations.

(4) If any doubt arises as to what class any particular description of goods or services belongs to, the doubt shall be resolved by the Registrar.

## DOCUMENTS

## [Section 80 (2)]

5. Subject to any directions that may be given by the Registrar, all applications, notices, counterstatements, papers having representations affixed, or any other documents required by the Act or by these regulations to be lodged, left with or sent to the Registrar, shall be type-written, lithographed or printed in one of the official languages of the Republic in legible characters with deep permanent black ink upon strong paper, on one side of the paper only of a size 210 millimetres by 297 millimetres and shall have on the left-hand part thereof a margin of not less than 35 millimetres.

## SERVICE OF DOCUMENTS

## (Section 77)

6. (1) Any application, statement, notice or other document authorised or required to be lodged, left, made to or given at the Office or to or with the Registrar may be sent through the post; any such document so sent shall not be deemed to have been duly sent unless and until it is actually received in the Office.

(2) Any statement, notice or other document authorised or required to be left, made or given with or to any person other than the Registrar may be sent through the post; any document so sent shall be deemed to have been 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.

(3) All statements, notices or other documents for the purposes of proceedings relating to an entry in the register shall be left with or sent to the proprietor of the trade mark at his address for service as it appears in the register.

(4) All statements, notices or other documents for the purpose of proceedings relating to registered users or assignees shall be left with or sent to the registered user or assignee of the trade mark at his address for service as recorded in the Office.

## VORMS

## [Artikel 80 (2)]

3. Die vorms waarvan hierin melding gemaak word, is die vorms vervat in Bylae 2 van hierdie regulasies, en sodanige vorms moet gebruik word in alle gevalle waarop hulle van toepassing is, maar kan gemodifiseer of gewysig word soos deur die Registrateur gelas.

## KLASSIFIKASIE VAN GOEDERE EN DIENSTE

## [Artikel 80 (2)]

4. (1) Vir die doeleindes van handelsmerkregistrasies van vroeër datum as 1 Januarie 1964 word goedere geklassifiseer soos aangedui in Bylae 3 van hierdie regulasies, tensy die betrokke spesifikasie van goedere ingevolge die regulasies in Bylae 4 omskep is.

(2) Vir die doeleindes van handelsmerk- en waarmerkingsmerkregistrasies, en handelsmerk- en waarmerkingsmerkhervuwing, van later datum as 1 Januarie 1964 word goedere geklassifiseer soos aangedui in Bylae 4 van hierdie regulasies.

(3) Vir die doeleindes van handelsmerk- en waarmerkingsmerkregistrasies word dienste geklassifiseer soos aangedui in Bylae 4 van hierdie regulasies.

(4) Indien enige twyfel ontstaan oor die klas waartoe 'n bepaalde beskrywing van goedere of dienste behoort, moet daardie twyfel deur die Registrateur uit die weg geruim word.

## DOKUMENTE

## [Artikel 80 (2)]

5. Behoudens voorskrifte van die Registrateur moet alle aansoek, kennisgewings, teenverklarings, dokumente met voorstellings daarop, of ander dokumente wat by die Registrateur ingedien of gelaat of aan hom gestuur moet word soos by die Wet of hierdie regulasies vereis, in een van die amptelike tale van die Republiek in tiskrif, litografie of druk in leesbare letters met donker permanente swart ink getik, gelitografeer of gedruk wees op sterk papier van 'n grootte van 210 millimeter by 297 millimeter waarvan die linkerkant 'n kantruimte van minstens 35 millimeter het, en wel op net een kant van die papier.

## BESTELLING VAN DOKUMENTE

## (Artikel 77)

6. (1) Enige aansoek, verklaring, kennisgewing of ander dokumente wat volgens opdrag of vereiste ingedien of gelaat mag of moet word by of gedoen of gegee mag of moet word by die Kantoer of aan of by die Registrateur, kan per pos gestuur word; 'n dokument wat aldus gestuur word, word nie as aangestuur beskou nie tensy en alvorens dit werklik in die Kantoer ontvang is.

(2) Enige verklaring, kennisgewing of ander dokument wat gelaat mag of moet word by, of gedoen of gegee mag of moet word by of aan iemand anders as die Registrateur, kan per pos gestuur word; 'n dokument wat aldus gestuur is, word geag afgelewer te gewees het in die gewone loop van die pos, en by die levering van bewys dat dit aldus bestel of gestuur is, is dit voldoende om te bewys dat die brief behoorlik geadresseer was en gepos is.

(3) Verklarings, kennisgewings of ander dokumente vir die doeleindes van enige handeling met betrekking tot 'n inskrywing in die register moet gelaat word by of gestuur word aan die eienaar van die handelsmerk by sy adres vir bestelling soos dit in die register voorkom.

(4) Verklarings, kennisgewings of ander dokumente vir die doeleindes van enige handeling met betrekking tot geregistreerde gebruikers of sessionaris moet gelaat word by of gestuur word aan die geregistreerde gebruiker of sessionaris van die handelsmerk by sy adres soos in die register voorkom.

## ADDRESS FOR SERVICE

## (Section 77)

7. (1) An address for service shall in all cases be in the Republic and be as full as possible for the purpose of enabling any person to find such an address.

(2) Where an address for service is in a town with streets and multi-storied buildings the Registrar may require the address to include all indications which he may deem necessary to find such address.

(3) Where an address for service is in an area where there are no streets the address given shall contain such further indications as the Registrar may deem necessary to find the exact location of such address.

(4) An address for service may, in addition, contain a post office box number if such additional information could facilitate postal delivery, in special cases.

## ALTERATION OF ADDRESS AND ADDRESS FOR SERVICE

## [Section 32 and 77(2)]

8. (1) Every applicant who alters his address or address for service shall forthwith apply to the Registrar on Form TM 19 to record such alteration on the relevant documents and the Registrar shall alter the documents accordingly.

(2) Every registered proprietor or registered user who alters his address or address for service shall forthwith apply to the Registrar on Form TM 17 to insert his new address or address for service on the register and the Registrar shall alter the register accordingly.

(3) Any party to any proceedings under the Act who alters his address or address for service shall forthwith—

(a) apply to the Registrar on Form TM 19 to record such alteration on the notice of opposition or other documents or the register, and the Registrar shall alter the notice of opposition or other documents or the register accordingly; and

(b) give notice of such alteration to the applicant for or registered proprietor or registered user, as the case may be, of the trade mark and to every other person who is a party to the proceedings.

## AGENTS

## (Section 8)

9. (1) All communications to the Registrar relating to trade marks or trade mark applications may be signed by and all attendances upon the Registrar may be made by or through an attorney of the Court or a patent agent or a trade mark agent, resident or carrying on business in the Republic and duly authorised to the satisfaction of the Registrar. In any particular case the Registrar may, if he thinks fit, require the personal signature or presence of an applicant, objector or other person.

(2) Service upon such attorney or patent agent or trade mark agent shall be deemed to be service upon the person so appointing him and all communications directed to be made to such person may be addressed to such attorney or patent agent or trade mark agent.

(3) Where the address of an attorney, patent agent or trade mark agent has been used as the address for service in respect of any entry in the register and such attorney, patent agent or trade mark agent changes his address he shall forthwith apply to the Registrar on Form TM 4 for the form of advertisement of the change of address for publication in the *Patent Journal*.

## ADRES VIR BESTELLING

## (Artikel 77)

7. (1) 'n Adres vir bestelling moet in alle gevalle binne die Republiek wees en moet so volledig moontlik wees ten einde enige persoon in staat te stel om sodanige adres te vind.

(2) Indien 'n adres vir bestelling in 'n dorp met strate of in 'n meer verdiepinggebou is, kan die Registrateur vereis dat die adres alle aanwysings insluit wat hy nodig mag ag om sodanige adres te vind.

(3) Indien 'n adres vir bestelling in 'n gebied is waar daar nie strate is nie, moet die gegewe adres sodanige verdere aanwysings insluit as wat die Registrateur nodig mag om die juiste ligging van sodanige adres te vind.

(4) In spesiale gevalle kan 'n adres vir bestelling 'n posbusnommer bevat indien sodanige bykomende inligting posaflewering kan vergemaklik.

## VERANDERING VAN ADRES EN ADRES VIR BESTELLING

## [Artikel 32 en 77(2)]

8. (1) Elke applikant wat sy adres of adres vir bestelling verander, moet onverwyld by die Registrateur op Vorm TM 19 aansoek doen om sodanige wysiging op die betrokke dokumente aan te bring, en die Registrateur moet die dokumente dienooreenkomsdig wysig.

(2) Elke geregistreerde eienaar of geregistreerde gebruiker wat sy adres of adres vir bestelling verander, moet onverwyld by die Registrateur op Vorm TM 17 aansoek doen om sy nuwe adres of adres vir bestelling in die register aan te teken, en die Registrateur moet die register dienooreenkomsdig wysig.

(3) Enige party by verrigtinge ingevolge die Wet wat sy adres of adres vir bestelling verander, moet onverwyd—

(a) op Vorm TM 19 by die Registrateur aansoek doen om sodanige verandering op die kennisgewing van verset of ander dokumente of in die register aan te bring, en die Registrateur moet die kennisgewing van verset, ander dokumente of die register dienooreenkomsdig wysig; en

(b) van sodanige verandering kennis gee aan die applikant om of geregistreerde eienaar of geregistreerde gebruiker, na gelang van omstandighede, van die handelsmerk en aan enige ander persoon wat 'n party by die verrigtinge is.

## AGENTE

## (Artikel 8)

9. (1) Alle mededeling aan die Registrateur ten opsigte van handelsmerke of handelsmerkaansoek kan geteken word en alle verskynings voor die Registrateur kan gedoen word deur 'n prokureur van die Hof of deur 'n patentagent of deur 'n handelsmerkagent wat in die Republiek woonagtig is of daar besigheid dryf en behoorlik tot tevredenheid van die Registrateur daartoe gemagtig is. In enige besondere geval kan die Registrateur na goeddunke die persoonlike handtekening of teenwoordigheid van 'n applikant, teenparty of ander persoon vereis.

(2) Bestelling aan sodanige prokureur, patentagent of handelsmerkagent word geag bestelling aan die persoon wat hom alduis aangestel het, en alle mededelings wat in opdrag aan so 'n persoon gedoen moet word, kan aan die prokureur, patentagent of handelsmerkagent gerig word.

(3) Indien die adres van 'n prokureur, patentagent of handelsmerkagent as die adres vir bestelling ten opsigte van 'n inskrywing in die register gebruik is en sodanige prokureur, patentagent of handelsmerkagent sy adres verander, moet hy onverwyld op Vorm TM 4 by die Registrateur aansoek doen om die vorm van bekendmaking van die adresverandering vir publikasie in die *Patentjoernaal*.

(4) For the purpose of this regulation, a person whose name is entered on the register kept under the provisions of section 8 (2) of the Act, shall, if duly authorised by the applicant, be deemed to be duly authorised to act as an agent and to perform the duties of an attorney or patent agent or trade mark agent in so far as the Act is concerned.

### NON-REGISTRABLE TRADE MARKS

[Section 14 (c)]

10. (1) Subject to the provisions of any other law, the Registrar may refuse to accept any application upon which the following appear;

(a) The words "patent," "patented," "by letters patent", "registered," "registered trade mark," "registered design," "copyright," "certified," "guaranteed" or words to like effect;

(b) the letters "(R)", "(C)" or similar combinations which may be construed to import a reference to registration;

(c) representations of the flags, arms, or seal of the Republic or of any province of the Republic, or of any local authority of the Republic, or any badges, flags, emblems, other insignia, or crests so resembling them as to lead to confusion or deception or any letters, words, or devices calculated to lead persons to think that the applicant has the patronage or authorisation of the Government or other authority.

(2) Where representations of arms, insignia, decorations or flags of a State or local or provincial authority or of any other person or place appear on a mark, the Registrar may call for such justification, including such consent or consents as he may deem necessary as the circumstances of the case may require.

### APPLICATION FOR REGISTRATION

(Section 10, 12, 20 and 73)

11. (1) An application for a trade mark registration shall be made on Form TM 1.

(2) The application shall be dated and signed by the applicant(s) or duly authorised agent.

(3) The application shall be in duplicate and a separate and distinct application is required for each class of goods or services and for each separate mark.

(4) If the application is 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, but the full names of all the partners shall be furnished in the declaration.

(5) If the application is made by a body corporate, it may be signed by a director or by the secretary or other principal officer of such body corporate duly authorised by the Board of Directors thereof.

### CONVENTION APPLICATIONS

12. If the applicant claims convention priority under section 73 of the Act, by reason of an application made or deemed to have been made to register the trade mark in a convention country as defined in section 2 of the Act, the applicant shall, within three months of the date of the application in the Republic, lodge with the Registrar a copy of the application in the convention country duly certified, to the satisfaction of the Registrar, by the official, chief or head of the Trade Marks Office of such country.

(4) Vir die toepassing van hierdie regulasie word iemand wie se naam in die register wat ingevolge die bepalings van artikel 8 (2) van die Wet gehou word, opgeteken is, indien hy behoorlik deur die aansoeker aldus gemagtig is, geag behoorlik gemagtig te wees om as agent op te tree en om die pligte van 'n prokureur of patentagent of handelsmerkagent uit te voer vir sover dit die Wet betref.

### NIE-REGISTREERBARE HANDELSMERKE

[Artikel 14 (c)]

10. (1) Behoudens die bepalings van enige ander Wet kan die Registrateur weier om enige aansoek te aanvaar waarop die volgende voorkom:

(a) Die woorde "patent", "gepatenteer", of "by patentbrief", "geregistreerd", "geregistreerde handelsmerk", "geregistreerde model", "outeursreg", "gesertifiseerd", "gewaarborg", of woorde met dieselfde strekking;

(b) die letters "(R)", "(C)" of soortgelyke kombinasies; wat uitgelê kan word as verwysende na registrasie;

(c) voorstelling van die vlae, wapens of seëls van die Republiek of van 'n provinsie van die Republiek of van 'n plaaslike owerheid in die Republiek, of die wapens, vlae, embleme, ordetekens of helmteken wat in so 'n mate met hulle ooreenkoms dat dit sal lei tot verwarring of misleiding, of enige letters, woorde of deviese wat daarop bereken is om persone te laat glo dat die aansoeker begunstiging of magtiging van Staatsweë of 'n ander owerheid geniet.

(2) Waar 'n voorstelling van die wapens, ordetekens, dekorasies of vlae van 'n Staat of plaaslike of provinsiale owerheid of enige ander persoon of plek op 'n merk verskyn, kan die Registrateur versoek dat sodanige regverdiging daarvoor, insluitende sodanige goedkeuring of goedkeurings as wat hy na gelang van omstandighede nodig ag, aan hom verstrek moet word.

### AANSOEK OM REGISTRASIE

(Artikels 10, 12, 20 en 73)

11. (1) 'n Aansoek om die registrasie van 'n handelsmerk moet op Vorm TM 1 gedoen word.

(2) Die aansoek moet gedateer en onderteken word deur die applikant(e) of behoorlik gevoldmagtigde agent.

(3) Die aansoek moet in duplo ingedien word en 'n afsonderlike aansoek word vereis ten opsigte van elke klas goedere of dienste en ten opsigte van elke afsonderlike merk.

(4) Indien die aansoek deur 'n firma of vennootskap gedoen word, kan dit namens of ten behoeve van die firma of vennootskap deur een of meer lede daarvan geteken word, maar die volle name van al die vennote moet in die verklaring verskyn.

(5) Indien die aansoek deur 'n regspersoon gedoen word, kan dit geteken word deur 'n direkteur of deur die sekretaris of ander hoofbeampte van sodanige regspersoon wat behoorlik deur die Raad van Direkteure daartoe gemagtig is.

### KONVENTIEAANSOEKE

12. Indien die applikant ingevolge artikel 73 van die Wet aanspraak maak op konvensievoordeur, op grond van 'n aansoek gedoen of wat geag gedoen te gewees het in 'n konvensieland soos in artikel 2 van die Wet omskryf, moet die applikant binne drie maande na die datum van die aansoek in die Republiek 'n afskrif van die aansoek indien wat behoorlik tot tevredenheid van die Registrateur deur die amptelike hoof van die Handelsmerkkantoor van sodanige land gesertifiseer is. Indien sodanige

If such application is in a language other than one of the official languages of the Republic, it shall be accompanied by a translation thereof into one of the official languages of the Republic verified to the satisfaction of the Registrar.

#### REPRESENTATION OF MARKS

13. (1) Every application for the registration of a trade mark shall contain a representation affixed to it in the square which the Form TM 1, TM 5 or TM 31, as the case may be, contains for the purpose.

(2) Where a representation exceeds such square in size, part of the representation shall be affixed to the application form and the rest may be folded over.

(3) Where the trade mark applied for is not a word mark simpliciter (but a mark represented in a special or particular manner) there shall be sent with every application for the registration of the trade mark a representation of the mark on Form TM 2 containing—

(a) two additional unmounted representations of the mark exactly corresponding to the mark affixed to the application Form TM 1, TM 5 or TM 31, as the case may be; and

(b) such additional representations of the mark as the Registrar may deem necessary.

(4) All representations of marks shall be of a durable nature and on one side of the paper only. Letters, figures and lines shall be clear and distinct. If, in the opinion of the Registrar, the representations of the mark are not satisfactory he may at any time require other representations, satisfactory to him, to be substituted before proceeding with the application.

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

(6) The Registrar may also, in exceptional cases, call for the deposit in the Office of 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.

#### TRANSLATION OF LANGUAGES

14. (1) Where a trade mark or application contains a word or words in other than roman characters, there shall be endorsed on Form TM 1, TM 5 or TM 31, as the case may be, a sufficient transliteration and translation to the satisfaction of the Registrar of each such word or words and every such endorsement shall be signed by the applicant or his agent.

(2) Where a trade mark contains a word or words in a language other than the English or Afrikaans language, the Registrar may ask for an exact translation thereof, and if he so requires, such translation shall be endorsed on the application form and signed by the applicant or his agent.

#### PROCEDURE ON RECEIPT OF APPLICATION

15. (1) On or after the receipt of any application for the registration of a trade mark, the Registrar may furnish the applicant with an acknowledgement thereof. Such acknowledgement shall contain the official number and date of the application.

aansoek in 'n ander taal as een van die amptelike tale van die Republiek is, moet dit vergesel gaan van 'n vertaling daarvan in een van die amptelike tale van die Republiek wat tot tevredenheid van die Registrateur geverifieer is.

#### VOORSTELLING VAN MERKE

13. (1) Elke aansoek om die registrasie van 'n handelsmerk moet 'n voorstelling van die merk bevatten in die vierkant wat in die Vorm TM 1, TM 5 of TM 31, na gelang van die geval, vir daardie doel aangebring is.

(2) Waar die voorstelling groter as die vierkant is, moet 'n deel van die voorstelling aan die aansoekvorm geheg word en kan die res omgevou word.

(3) Indien die handelsmerk waarom aansoek gedoen word, nie 'n woordmerk sonder meer is nie (maar 'n merk voorgestel in 'n spesiale of besondere manier) moet die aansoek om die registrasie van die handelsmerk vergesel gaan van 'n voorstelling van die merk op Vorm TM 2 wat die volgende bevat, naamlik :

(a) Twee addisionele ongemonteerde voorstellings van die merk wat presies in ooreenstemming is met die merk wat op die Aansoekvorm TM 1, TM 5 of TM 31, na gelang van die geval, aangebring is;

(b) sodanige addisionele voorstellings van die merk as wat die Registrateur nodig ag.

(4) Alle voorstellings van merke moet van duursame aard en op net een kant van die papier wees. Letters, syfers en strepe moet duidelik en helder wees. Indien die voorstellings van 'n merk nie na die mening van die Registrateur bevredigend is nie, kan hy te eniger tyd eis dat hulle deur ander voorstellings, wat vir hom bevredigend is, vervang word alvorens die aansoek verder gevoer word.

(5) Indien 'n voorstelling nie op voormalde wyse verstrekk word nie, kan 'n eksemplaar of reproduksie van die handelsmerk, hetso van volle grootte of op verminderde skaal en in so 'n vorm as wat die Registrateur die gerieflikste ag, ingedien word.

(6) Die Registrateur kan ook, in uitsonderlike gevalle, vereis dat 'n eksemplaar of reproduksie van 'n handelsmerk wat nie gerieflikerwys deur 'n voorstelling getoon kan word nie, in die Kantoor gedeponeer word en hy kan in die register daarna verwys op sodanige wyse as wat hy goedvind.

#### VERTALINGS

14. (1) Indien 'n handelsmerk of 'n aansoek 'n woord of woorde bevat wat nie uit Romeinse bestaan nie, moet daar op die Aansoekvorm TM 1, TM 5 of TM 31, na gelang van die geval, tot tevredenheid van die Registrateur 'n toereikende transkripsie en vertaling van elke sodanige woord of woorde geëndosseer word, en elke sodanige endossement moet deur die applikant of sy agent onderteken word.

(2) Indien 'n handelsmerk 'n woord of woorde bevat wat nie in die Afrikaanse of Engelse taal is nie, kan die Registrateur om 'n juiste vertaling daarvan vra, en indien hy dit vereis, moet sodanige vertaling op die aansoek geëndosseer en die endossement deur die applikant of sy agent onderteken word.

#### PROSEDURE BY ONTVANGS VAN AANSOEK

15. (1) By of na ontvangs van 'n aansoek om die registrasie van 'n handelsmerk, kan die Registrateur 'n ontvangerkenning daarvan aan die applikant stuur. Sodaanige ontvangerkenning moet die amptelike nommer en die datum van die aansoek aandui.

(2) Subject to the provisions for applications requiring proof of distinctiveness in terms of section 10 (1B) read with section 12 of the Act, the Registrar shall after receipt of the application for the registration of a trade mark, 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 goods or services so resembling the mark applied for as would be likely to deceive or cause confusion.

(3) If after such search and a consideration of the application the Registrar considers that there is no objection to the mark being registered, he may accept it absolutely or subject to conditions, modifications or amendments which he shall communicate to the applicant or his agent.

(4) 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 three months of the date of the statement the applicant submits arguments in writing or applies for a hearing, he shall be deemed to have withdrawn his application.

(5) If the Registrar accepts an application subject to any conditions, modifications or amendments, and the applicant objects to such conditions, modifications or amendments he shall within three months from the date of the communication notifying such acceptance submit arguments in writing or apply for a hearing. If he does not do so he shall be deemed to have withdrawn his application. If the applicant does not object to such conditions, modifications or amendments, he shall within three months notify the Registrar, in writing, of such acceptance, and if he fails to do so, he shall be deemed to have withdrawn his application.

## APPLICATIONS REQUIRING PROOF OF DISTINCTIVENESS

### [Section 10 (1B)]

16. (1) An application to register a special distinctive trade mark shall be made on Form TM 1, and the Registrar shall deal with the application under the provisions of subregulations 15 (1) and (2).

(2) If after a search as provided for in subregulation 15 (2), the Registrar considers that there are no resembling marks or that there are no other objections to the registration of the trade mark he shall notify the applicant in writing accordingly.

(3) If after a search as provided for in subregulation 15 (2) any objections appear, the provisions of subregulation 15 (4) shall apply.

(4) If there are no objections to the acceptance of the trade mark the applicant shall, within three months of the date of the notification, send to the Registrar in writing a statement of case setting out at length the grounds on which he relies in support of his application. The statement may be accompanied by affidavits, advertising material and such other proof of user or other facts as the Registrar may deem necessary to establish distinctiveness within the meaning of section 12.

(5) On receipt of such statement of case the Registrar shall consider the application and if he finds that the applicant has established his claim to distinctiveness, he shall notify the applicant accordingly and thereafter the application shall proceed as an ordinary application.

(2) Behoudens die bepalings ten opsigte van aansoek waarvoor ingevolge artikel 10 (1B) gelees met artikel 12 van die Wet bewys van onderskeidenheid vereis word, moet die Registrateur na ontvangs van 'n aansoek om registrasie van 'n handelsmerk, ondersoek onder die geregistreerde merke en hangende aansoek laat instel ten einde vas te stel of enige merke vir goedere of dienste aangeteken is wat in so 'n mate met die merk waarom aansoek gedoen is, ooreenkoms dat dit kan mislei of verwarring kan veroorsaak.

(3) Indien die Registrateur na sodanige ondersoek en na oorweging van die aansoek, van oordeel is dat daar geen beswaar teen die registrasie van die aansoek bestaan nie, kan hy dit aanvaar sonder voorbehoud, of onderworpe aan voorwaardes, veranderings of wysigings, wat hy aan die applikant of sy agent moet oordra.

(4) Indien na sodanige ondersoek en oorweging van die aansoek blyk dat daar besware is, moet 'n skriftelike uiteensetting van daardie besware aan die applikant, of sy agent, gestuur word, en tensy die applikant binne drie maande na die datum van daardie uiteensetting, 'n geskrewe betoog indien of aansoek doen om 'n verhoor, word geag dat hy sy aansoek teruggetrek het.

(5) Indien die Registrateur 'n aansoek onderworpe aan voorwaardes, veranderings of wysigings aanneem en die applikant teen sodanige voorwaardes, veranderings of wysigings beswaar maak, moet die applikant binne drie maande na die datum van die kennisgewing van sodanige aanneme 'n skriftelike betoog indien of aansoek doen om 'n verhoor. Indien hy dit nie doen nie, word geag dat hy sy aansoek teruggetrek het. Indien die applikant nie teen sodanige voorwaardes, veranderings of wysigings beswaar maak nie, moet hy die Registrateur binne drie maande skriftelik van sy aanvaarding daarvan verwittig en as hy verskuim om dit te doen, word daar geag dat hy sy aansoek teruggetrek het.

## AANSOEK WAARVOOR BEWYS VAN ONDERSKEIDENHEID VEREIS WORD

### [Artikel 10 (1B)]

16. (1) Aansoek om die registrasie van 'n spesiale onderskeidende handelsmerk moet op Vorm TM 1 gedoen word, en die Registrateur moet daarmee handel soos in regulasies 15 (1) en (2) bepaal.

(2) Indien die Registrateur, na 'n ondersoek soos in regulasie 15 (2) bedoel, van oordeel is dat daar geen merke is wat ooreenkoms met die merk waarom aansoek gedoen word nie, of dat daar geen ander beswaar teen die registrasie van die handelsmerk bestaan nie, moet hy die applikant skriftelik dienoordeekomstig verwittig.

(3) Indien daar na 'n ondersoek soos in subregulasie 15 (2) bepaal, blyk dat daar beswaar is, geld die voorskrifte van regulasie 15 (4).

(4) Indien daar geen beswaar teen die aanneme van die handelsmerk bestaan nie, moet die applikant, binne drie maande na die datum van die kennisgewing, 'n skriftelike uiteensetting van sy saak met breedvoerige vermelding van die gronde ter stawing van sy aansoek aan die Registrateur stuur. Die uiteensetting kan vergesel gaan van beëdigde verklarings, advertensiemateriaal en sodanige ander bewys van gebruik of ander feite as wat die Registrateur nodig mag ag om onderskeidenheid binne die bedoeling van artikel 12 van die Wet te bewys.

(5) Indien die Registrateur, na ontvangs van sodanige uiteensetting van saak, die aansoek oorweeg en bevind dat die applikant sy aanspraak op onderskeidenheid bewys het, moet hy die applikant dienoordeekomstig verwittig, en daarna word die aansoek soos 'n gewone aansoek behandel.

(6) If after consideration of the statement of case, the Registrar accepts the application subject to conditions, modifications or amendments, he shall notify the applicant accordingly, and if the applicant does not object to such conditions, modifications or amendments, the provisions of regulation 15 (5) shall, *mutatis mutandis*, apply.

(7) If the Registrar finds that the applicant has not established his claim to distinctiveness, the provisions of subregulation 15 (4) shall apply.

### CONVERSION OF APPLICATIONS

17. (1) Where an applicant requires that an ordinary application be converted to a special distinctive trade mark application, he shall apply on Form TM 19, or endorse the Form TM 1 accordingly.

(2) Where an applicant requires that an application in Part A of the register be converted to an application in Part B of the register in terms of the proviso to section 3 (2) of the Act, he shall apply on Form TM 19, or endorse the Form TM 1 accordingly.

### DEFENSIVE APPLICATIONS

#### (Section 53)

18. (1) An application for a defensive trade mark under the provisions of section 53 of the Act shall be made on Form TM 31.

(2) The provisions of regulations 11 (3) to (5), 13, 14, 15, 16 (4) to (6) and 23 to 35, both inclusive, shall *mutatis mutandis* apply to the application.

19. (1) If the registered proprietor of a trade mark intends to apply under the provisions of section 53 (2) of the Act, for a defensive registration in lieu of an existing registration which is not a defensive registration, he shall apply on Form TM 33. If such an application for a defensive registration relates only to some of the goods in respect of which a registration already exists, the registered proprietor shall simultaneously apply in terms of regulations 63 to 65, both inclusive, to amend his existing registration by excluding from that registration the goods in respect of which he seeks a defensive registration.

(2) If the registered proprietor of a defensive registration intends to apply under the provisions of section 53 (2) of the Act for a registration other than a defensive registration, in lieu of an existing defensive registration, he shall apply on Form TM 32. If such an application relates only to some of the goods in respect of which a defensive registration already exists, the registered proprietor shall simultaneously apply in terms of regulations 63 to 65, both inclusive, to amend his existing defensive registration by excluding from that registration the goods in respect of which he seeks a registration other than a defensive registration.

(3) An application for the cancellation of a defensive registration in terms of section 53 (4) of the Act shall be made on Form TM 45 and the provisions of regulation 77 shall, *mutatis mutandis*, apply.

(4) The provisions of regulations 11 (3) to (5), 13, 14, 15, 16 (4) to (6), and 23 to 35 shall *mutatis mutandis* apply to applications under subregulations (1) and (2) of this regulation.

(6) Indien die Registrateur, na oorweging van die uitsetting van saak, die aansoek onderworpe aan voorwaardes, veranderings of wysigings aanvaar, moet hy die applikant dienooreenkomsdig verwittig, en indien die applikant geen beswaar teen sodanige voorwaardes, veranderings of wysigings opper nie, geld die bepalings van regulasie 15 (5), *mutatis mutandis*.

(7) Indien die Registrateur bevind dat die applikant nie sy aanspraak op onderskeidelid bewys het nie, geld die bepalings van regulasie 15 (4).

### OMSKEPPING VAN AANSOEKE

17. (1) Indien 'n applikant vereis dat 'n gewone aansoek omskep moet word in 'n aansoek om 'n spesiale onderskeidelid handelsmerk, moet hy op Vorm TM 19 aansoek doen of Vorm TM 1 dienooreenkomsdig endosseer.

(2) Indien 'n applikant vereis dat 'n aansoek in Deel A van die register ooreenkomsdig die voorbehoudbepaling van artikel 3 (2) van die Wet omskep word in 'n aansoek in Deel B van die register, moet hy op Vorm TM 19 aansoek doen of die Vorm TM 1 dienooreenkomsdig endosseer.

### AANSOEKE OM DEFENSIEWE HANDELSMERKE

#### (Artikel 53)

18. (1) 'n Aansoek om 'n defensiewe handelsmerk ingevolge bepalings van artikel 53 van die Wet moet op Vorm TM 31 gedoen word.

(2) Die bepalings van regulasies 11 (3) tot (5), 13, 14, 15, 16 (4) tot (6) en 23 tot en met 35 geld, *mutatis mutandis*, vir so 'n aansoek.

19. (1) Indien die geregistreerde eienaar van 'n handelsmerk van voorneme is om ingevolge die bepalings van artikel 53 (2) van die Wet aansoek te doen om 'n defensiewe registrasie in die plek van 'n bestaande registrasie wat nie 'n defensiewe registrasie is nie, moet hy op Vorm TM 33 aansoek doen. Indien sodanige aansoek om 'n defensiewe registrasie net betrekking het op sommige van die goedere ten opsigte waarvan daar reeds 'n registrasie bestaan, moet die geregistreerde eienaar gelyktydig ingevolge regulasies 63 tot en met 65 aansoek doen om sy bestaande registrasie te wysig deur van daardie registrasie die goedere uit te sluit waarvoor hy 'n defensiewe registrasie verlang.

(2) Indien die geregistreerde eienaar van 'n defensiewe registrasie van voorneme is om ingevolge artikel 53 (2) van die Wet ter vervanging van 'n bestaande defensiewe registrasie om 'n ander registrasie as 'n defensiewe registrasie aansoek te doen, moet hy aansoek doen op Vorm TM 32. Indien sodanige aansoek betrekking het op net sommige van die goedere ten opsigte waarvan daar reeds 'n defensiewe registrasie bestaan, moet die geregistreerde eienaar gelyktydig ingevolge regulasies 63 tot en met 65 aansoek doen om sy bestaande defensiewe registrasie te wysig deur van daardie registrasie die goedere uit te sluit waarvoor hy 'n ander registrasie as 'n defensiewe registrasie verlang.

(3) 'n Aansoek ingevolge die bepalings van artikel 53 (4) van die Wet om die intrekking van 'n defensiewe registrasie moet op Vorm TM 45 gedoen word en die bepalings van regulasie 77 geld, *mutatis mutandis*.

(4) Die bepalings van regulasies 11 (3) tot (5), 13, 14, 15, 16 (4) tot (6) en 23 tot 35 geld, *mutatis mutandis*, ten opsigte van aansoeke ingevolge subregulasies (1) en (2) van hierdie regulasie.

## APPLICATION TO ASSIGN OR GRANT REGISTERED USER OF PENDING APPLICATION

### (Section 24)

20. (1) An application under the provisions of section 24 (1) (a) of the Act, shall be supported by an affidavit to the effect that a body corporate is about to be constituted and that the applicant intends to assign the trade mark to that body corporate when registered. The Registrar shall not register the trade mark unless simultaneously, the registration of the assignment to such body corporate can be affected by him.

(2) An application made under the provisions of section 24 (1) (b) of the Act, shall be accompanied by an application for the registration of a person as registered user.

## HONEST CONCURRENT USER AND SIMILAR PENDING APPLICATIONS

### [Section 17 (2) and (3)]

21. (1) An application under the provisions of section 17 (2) of the Act, shall be made on Form TM 40. The Registrar shall require the application to be advertised in the *Patent Journal* and shall in addition require the applicant to serve notice of his application together with a copy of the statement of case and evidence on the proprietor of the already registered mark.

(2) If any other person can show an interest he may apply to the Registrar to inspect the statement of case and evidence filed in support of the application and to be furnished with copies thereof at his own cost.

(3) If there is opposition to the application, the provisions of regulations 24 to 35, both inclusive, shall *mutatis mutandis* apply to such application.

22. (1) Where different persons desire to have their rights determined under the provisions of section 17 (3) of the Act, and there has not been any settlement by agreement in a manner approved by the Registrar, he shall call upon each such person to apply to him on Form TM 41 for their rights to be determined by him.

(2) If any of the persons, as aforesaid, neglects to file a TM 41 within three months of being so required by the Registrar, his application shall be deemed to have been abandoned, and the Registrar may proceed with the remaining application or applications as though such further application had not been filed.

(3) Each party filing Form TM 41 shall furnish a sufficient number of copies of such form, the supporting statement of case, and evidence, if any, to permit copies being served by the Registrar on each other applicant for the identical or nearly resembling trade mark. After receiving the statements and evidence of each or all the parties, the Registrar shall serve copies thereof on each or all of the remaining parties, who shall have an opportunity of filing evidence in reply within two months of receipt of such aforesaid statements and evidence. If any of the persons neglects to file a statement of case and evidence, his application shall be deemed to have been abandoned.

(4) After the Registrar has received the replying evidence (or it has been intimated that no replying evidence is to be filed) the applications shall be set down for hearing and the Registrar may direct that one or more of the applications shall be accepted with or without limitations, as he may think fit, and that one or more shall be refused.

## AANSOEK OM HANGENDE AANSOEK TE SEDEER OF OM GERECHTIGDE GEBRUIKER DAARIN TOE TE KEN

### (Artikel 24)

20. (1) 'n Aansoek ingevolge artikel 24 (1) (a) van die Wet moet gesteun word deur 'n beëdigde verklaring met die strekking dat 'n regspersoon ingelyk staan te word en dat die applikant van voorneme is om die handelsmerk aan daardie regspersoon te sedeer nadat dié ingelyf is. Die Registrateur mag nie die handelsmerk registrer nie tensy 'n gelykydige registrasie van die sessie aan die regspersoon deur hom bewerkstellig kan word.

(2) 'n Aansoek ingevolge artikel 24 (1) (b) van die Wet moet vergesel gaan van 'n aansoek om die registrasie van 'n persoon as gerechteerde gebruiker.

## EERLIKE GELYKTYDIGE GEBRUIK EN ANDER SOORTGELYKE HANGENDE AANSOEKE

### [Artikel 17 (2) en (3)]

21. (1) 'n Aansoek ingevolge artikel 17 (2) van die Wet moet op Vorm TM 40 gedoen word. Die Registrateur moet gelas dat die aansoek in die *Patentjoernaal* bekendgemaak word en moet verder gelas dat die applikant kennis van sy aansoek, tesame met 'n afskrif van die uiteensetting van saak en getuienis, aan die eienaar van die reeds gerechteerde merk bestel.

(2) As iemand anders kan bewys dat hy belang daarby het, kan hy by die Registrateur aansoek doen om insae in die uiteensetting van saak en getuienis wat ter ondersteuning van die aansoek ingedien is en om op sy eie koste van afskrifte daarvan voorsien te word.

(3) As daar verset teen die aansoek is, geld die bepalings van regulasies 24 tot en met 35 *mutatis mutandis* ten opsigte van sodanige aansoek.

22. (1) Indien verskillende persone verlang dat hulle regte ingevolge die bepalings van artikel 17 (3) van die Wet bepaal word en indien daar tot geen vergelyk op 'n wyse goedkeur deur die Registrateur bereik is nie, moet die Registrateur elke sôdane persoon versoek om op Vorm TM 41 by hom aansoek te doen ten einde hul regte deur hom te laat bepaal.

(2) Indien een van voormalde persone nalaat om 'n Vorm TM 41 in te dien binne drie maande nadat hy aldus deur die Registrateur versoek is, word geag dat hy van sy aansoek afgesien het en die Registrateur kan dan met die oorblywende aansoek of aansoeke voortgaan asof sodanige verdere aansoek nie ingedien was nie.

(3) Elke party wat 'n Vorm TM 41 indien, moet voldoende afskrifte van daardie vorm, die ondersteunde uiteensetting van saak, en getuienis, indien daar is, versaf om dit vir die Registrateur moontlik te maak om afskrifte te bestel aan elke ander applikant vir die identiese handelsmerk of vir 'n handelsmerk wat amper daarmee ooreenkoms. Nadat die uiteensettings en getuienis van elkeen van of al die partye ontvang is, moet die Registrateur afskrifte daarvan bestel aan elkeen van of al die oorblywende partye, wat 'n geleenthed moet hê om getuienis in antwoord daarop binne twee maande na ontvangst van bedoelde uiteensettings en getuienis in te dien. Indien 'n persoon nalaat om bedoelde uiteensetting van saak en getuienis in te dien, word daar geag dat hy van sy aansoek afgesien het.

(4) Nadat die Registrateur die antwoordende getuienis ontvang het (of waar aangedui is dat geen antwoordende getuienis ingedien sal word nie), moet die aansoeke op die rol geplaas word, en die Registrateur kan gelas dat een of meer van die aansoeke met of sonder beperkings, na gelang hy goeddink, aanvaar en dat een of meer geweier moet word.

(5) The Registrar, in his discretion, may order that all or any part of the evidence of the parties shall be taken *viva voce* instead of by affidavit, and may give leave to file further evidence by any of the parties on such terms as to costs or otherwise as he may think fit.

## ADVERTISEMENT OF APPLICATION

### (Section 21)

23. (1) Every application for registration of a trade mark shall be advertised once in the *Patent Journal* by the applicant, in the form and wording required by the Registrar, but in the case of an application which has been advertised before acceptance, the Registrar may require it to be advertised again when it has been accepted, if he thinks fit.

(2) If no representation of the trade mark be inserted in the advertisement of an application, the applicant shall refer in such advertisement to the place or places where a specimen or representation of the trade mark may be inspected.

(3) Where an application has been advertised before acceptance as contemplated in the proviso to section 21 of the Act, and the Registrar requires it to be advertised again after acceptance, he shall advise the applicant accordingly, and the applicant shall apply to the Registrar on Form TM 4 to be furnished with the form and wording of an advertisement.

(4) In respect of any advertisement inviting opposition, or otherwise, the provisions of subregulation (1) shall *mutatis mutandis* apply.

(5) For the purposes of any advertisement, the applicant may be required to furnish a wood block or electro-type (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 directed by the Registrar; and the Registrar, if not satisfied with the block or electro-type furnished by the applicant or his attorney, trade mark agent or patent agent, may require a fresh block or electro-type before permitting the advertisement.

## OPPOSITION TO REGISTRATION

### (Sections 26-30)

24. (1) Any person may within two months after the date of advertisement in the *Patent Journal* of an application for registration of a trade mark, or within such further time as the Registrar may allow, serve on the applicant at his address for service and lodge at the Office a notice of opposition to the registration of the trade mark.

(2) Such notice shall be on Form TM 6, 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 in the register, the numbers and dates of registration of such marks shall be set out.

## COUNTERSTATEMENT

### (Section 27)

25. (1) Subject to the provisions of section 27 of the Act, within one month after lodging of notice of opposition the applicant may serve on the objector at his address for service and lodge at the Office a counterstatement

(5) Die Registrateur kan, na goeddunke, gelas dat al of enige deel van die getuienis van die partye *viva voce* in plaas van by wyse van beëdigde verklaring afgeneem word en hy kan verlof gee dat enige van die partye verdere getuienis mag indien onderworpe aan sodanige voorwaarde ten opsigte van koste of andersins as wat hy goeddink.

## BEKENDMAKING VAN AANSOEK

### (Artikel 21)

23. (1) Elke aansoek om die registrasie van 'n handelsmerk moet eenmaal in die *Patentjoernaal* deur die applikant in die vorm en met die bewoording vereis deur die Registrateur bekendgemaak word maar in die geval van 'n aansoek wat bekendgemaak is voor aannname kan die Registrateur as hy dit goedvind, eis dat dit weer bekendgemaak word nadat dit aangeneem is.

(2) As daar in die bekendmaking van 'n aansoek nie 'n voorstelling van die handelsmerk verskyn nie, moet die applikant in bedoelde bekendmaking verwys na die plek of plekke vermeld waar 'n afdruk of voorstelling van die handelsmerk nagegaan kan word.

(3) Waar 'n aansoek voor aanname, soos bedoel in die voorbehoudsbepaling tot artikel 21 van die Wet, bekend gemaak is, en die Registrateur eis dat dit weer na aanname bekend gemaak word, moet hy die applikant dienooreenkomsig inlig, en die applikant moet dan op Vorm TM 4 by die Registrateur aansoek doen om voorsien te word van die vorm en bewoording van die bekendmaking.

(4) Ten opsigte van 'n bekendmaking waarin om besware al dan nie gevra word, geld subregulasie (1) hiervan *mutatis mutandis*.

(5) Vir die doel van 'n bekendmaking, kan van die applikant vereis word om 'n houtdrukplaat of galvano van die handelsmerk (of meer as een indien nodig) te voorsien, van sodanige afmetings soos die Registrateur van tyd tot tyd mag bepaal, of sodanige ander inligting of middels vir die bekendmaking van die handelsmerk te voorsien as wat die Registrateur gelas, en as die Registrateur nie tevrede is met die drukplaat of galvano soos deur die applikant, of sy prokureur, handelsmerkagent of patentagent verskaf nie, kan hy eis dat 'n nuwe drukplaat of galvano verskaf word alvorens hy die bekendmaking toelaat.

## VERSET TEEN REGISTRASIE

### (Artikels 26-30)

24. (1) Enige persoon mag binne twee maande na die bekendmaking van 'n aansoek om die registrasie van 'n handelsmerk in die *Patentjoernaal*, of binne sodanige verdere tydperk as wat die Registrateur mag toelaat, 'n kennisgewing van verset teen die registrasie van die handelsmerk bestel aan die applikant by sy adres vir bestelling en by die Kantoor.

(2) Sodaanige kennisgewing moet op Vorm TM 6 wees, en moet 'n uiteensetting bevat van die gronde waarop die beswaarmaker sy verset baseer. Indien verset teen die registrasie aangeteken word op grond dat die merk ooreenkoms met merke wat alreeds in die register aangegetek is, moet die nommers en datums van registrasie van sodanige merke vermeld word.

## TEENVERKLARING

### (Artikel 27)

25. (1) Behoudens die bepalings van artikel 27 van die Wet, kan die applikant binne een maand na die indiening van kennisgewing van verset, 'n skriftelike teenverklaring op Vorm TM 7 op die teenparty by sy adres vir bestelling

in writing on Form TM 7 setting out the grounds on which he relies in support of his application. The applicant shall also set out what facts, if any, alleged in the notice of opposition, he admits.

(2) If the applicant fails so to lodge a counterstatement, he shall be deemed to have abandoned his application.

(3) Proof of service of both notice of opposition and counterstatement shall be to the satisfaction of the Registrar.

### INFORMAL OPPOSITION PROCEEDINGS

#### (Section 28)

26. After lodgement of the notice of opposition and the counterstatement, the Registrar shall with the consent of both parties lodged on Form TM 43 within a period of one month consider those documents and all the relevant facts as provided for in section 28 of the Act.

### NORMAL OPPOSITION PROCEEDINGS

27. If either party fails to lodge Form TM 43 within a period of one month, the Registrar shall, as soon as may be, advise all interested parties accordingly, and thereafter the provisions of section 29 of the Act shall apply.

28. In case of normal opposition to the registration of a trade mark, the Registrar may, at the request of the parties or otherwise, order that all or any part of the evidence be taken *viva voce* or by affidavit and may give such directions as are required in that behalf, but, in the absence of any direction by the Registrar, the evidence in any such case shall be by affidavit and shall be given as follows:

(a) Within two months after the advice by the Registrar in terms of regulation 27 the opponent shall leave at the Office the evidence he adduces in support of his opposition, and deliver to the applicant copies thereof.

(b) Within two months after the delivery to the applicant of the opponent's evidence, the applicant shall leave at the Office his evidence and deliver to the opponent copies thereof.

(c) Within one month after the delivery of the applicant's evidence the opponent shall leave at the Office his evidence in reply and deliver to the applicant copies thereof. The last-mentioned evidence shall be confined to matters strictly in reply.

(d) No further evidence shall be left on either side except by leave of the Registrar upon the written consent of the parties or by special leave of the Registrar given on an application made to him. Either party making the application shall give notice thereof to the opposite party who shall be entitled to oppose the application. Leave to file further evidence may be given upon such terms as to costs or otherwise as the Registrar may think fit.

(e) Where exhibits are referred to in affidavit but not attached thereto, the party adducing the evidence shall send the originals to the Office and, if so directed by the Registrar, shall furnish copies or impressions thereof to the other party.

en by die Kantoor bestel waarin die gronde waarop hy staatmaak om sy aansoek te steun, uiteengesit word. Die applikant moet ook 'n uiteensetting gee van die feite, indien daar is, wat in die kennisgewing van verset beweer word en wat hy erken.

(2) Indien die applikant versuim om 'n teenverklaring aldus in te dien, word geag dat hy van sy aansoek afgesien het.

(3) Bewys van bestelling beide die kennisgewing van verset en die teenverklaring moet tot tevredenheid van die Registrateur gelewer word.

### INFORMELE VERSETVERRIGTINGE

#### (Artikel 28)

26. Na die indiening van die kennisgewing van verset en die teenverklaring, moet die Registrateur met die toestemming van albei partye, ingedien op Vorm TM 43, die stukke en al die tersaaklike besonderhede binne 'n bestek van een maand oorweeg soos bepaal in artikel 28 van die Wet.

### GEWONE VERSETVERRIGTINGE

27. Indien enige van die partye versuim om Vorm TM 43 binne een maand in te dien, moet die Registrateur so gou doenlik al die belanghebbende partye dienooreenkomsdig in kennis stel, en daarna geld die bepalings van artikel 29 van die Wet.

28. In die geval van gewone verset teen die registrasie van 'n handelsmerk kan die Registrateur, op versoek van die partye of andersins, gelas dat al of enige deel van die getuienis *of viva voce* *of* by wyse van beëdigde verklaring afgelê word en kan hy sodanige voorskrifte gee as wat in daardie verband nodig is, maar by onstentious van 'n voorskrif deur die Registrateur, moet die getuienis in enige sodanige geval by wyse van beëdigde verklaring soos volg afgelê word:

(a) Binne twee maande na die kennisgewing deur die Registrateur ooreenkomsdig regulasie 27 moet die teenparty by die Kantoor die getuienis wat hy ter stawing van sy verset aanvoer, indien en afskrifte daarvan aan die applikant lewer.

(b) Binne twee maande na die lewering aan die applikant van die teenparty se getuienis moet die applikant sy getuienis in antwoord daarop by die Kantoor laat en afskrifte daarvan aan die teenparty verstrek.

(c) Binne een maand na aflewing van die applikant se getuienis moet die teenparty sy getuienis in antwoord daarop by die Kantoor laat en afskrifte daarvan aan die applikant lewer. Laasgenoemde getuienis moet streng beperk word tot sake waarop 'n antwoord verskuldig is.

(d) Geen verdere getuienis deur enige party mag gelewer word nie behalwe met vergunning van die Registrateur of met die skriftelike toestemming van die partye, of met spesiale vergunning van die Registrateur gegee nadat aansoek by hom gedaan is. Enige party wat aldus aansoek doen, moet kennis daarvan gee aan die teenparty, wat geregtig sal wees om verset teen die aansoek aan te teken. Vergunning om verdere getuienis in te dien, kan gegee word onderworpe aan sodanige voorwaardes betreffende koste of andersins as wat die Registrateur goedvind.

(e) Waar in die beëdigde verklaring verwys word na bewyssukkies wat nie daaraan vasegeleg is nie, moet die party wat die getuienis aanvoer, die oorspronklikes aan die Kantoor stuur, en, indien so gelas deur die Registrateur, moet hy afskrifte of afdrukke daarvan aan die teenparty verskaf.

29. If the opponent fails, within the time allowed, to file evidence in support of his opposition, or to state that he intends to rely on the facts stated in the notice of opposition, the opposition shall be deemed to have been abandoned.

30. If the applicant fails, within the time allowed, to file evidence in answer to opponent's statement or affidavits, or to file evidence in support of his application, or to state that he intends to rely upon the documents lodged with the application, the application shall be deemed to have been abandoned.

31. The Registrar may extend the periods laid down in regulations 28 to 30, both inclusive, on application made to him. The party making such application shall give seven days' notice to the Registrar and to the other party who shall be entitled to oppose the application, save as provided in the following regulation.

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

33. Upon completion of the evidence or affidavit the Registrar shall give notice to the parties of a date for the hearing of the proceedings, including *viva voce* evidence, if any. Such appointment shall be for a date at least 14 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 shall pay the prescribed hearing fee on Form TM 47; a party failing to pay such fee shall not be entitled to appear and the Registrar may deal with the matter in his absence.

34. In the event of an opposition being uncontested by the applicant, the Registrar, in deciding whether costs should be awarded to the opponent, shall consider whether proceedings might have been avoided if reasonable notice had been given by the opponent to the applicant before the opposition was filed.

## SECURITY FOR COSTS

[Section 24 (3) and 30 (5)]

35. Where any party to opposition proceedings neither resides nor carries on business in the Republic, the Registrar may order him to give security within 30 days for such amount, and in such form as the Registrar may deem sufficient, for the costs of the proceedings before the Registrar and the Registrar may further at any stage in such opposition proceedings require further security to be given at any time before giving his decision in the case. If any order or requirement is not duly complied with within 30 days, the Registrar may treat the opposition or applications, as the case may be, as abandoned.

## NON-COMPLETION

(Section 25)

36. Where registration of a trade mark is not completed within six months from the date of the acceptance of the application by reason of default on the part of the applicant, the Registrar shall give notice to the applicant or his agent, in writing, in the Form 0.1 of such non-completion. If after 30 days from the date when such notice was sent or such further time as the Registrar may allow, the registration is not completed, the application shall be deemed to be abandoned. If

29. As die teenparty versuim om binne die toegelate tydperk getuienis ter ondersteuning van sy verset in te dien of om aan te dui dat hy van voorneme is om staat te maak op die feite soos in sy kennisgewing van verset uiteengesit is, word geag dat hy van die verset afgesien het.

30. As die applikant versuim om binne die toegelate tydperk getuienis in te dien in antwoord op die teenparty se verklaring of beëdigde verklaring, of om getuienis ter ondersteuning van sy aansoek in te dien, of aan te dui dat hy van voorneme is om staat te maak op die stukke wat met die aansoek ingedien is, word geag dat hy van sy aansoek afgesien het.

31. Die Registrateur kan die tydperk bepaal in regulasies 28 tot en met 30 verleng indien by hom daarom aansoek gedoen word. Die party wat so aansoek doen, moet sewe dae kennis gee aan die Registrateur en ook aan die ander party, wat geregtig is om die aansoek teen te staan behalwe soos bepaal in die volgende regulasie.

32. As in versetterrigtinge uitstel aan 'n party verleen is, kan die Registrateur daarna, as hy dit goedvind, sonder om voorhele party aan te hoor, aan die ander party enige redelike uitstel verleen om enige daaropvolgende stap te doen.

33. Nadat die getuienis by wyse van beëdigde verklarings voltooi is, moet die Registrateur aan die partye kennis gee van die datum waarop die verrygtinge sal plaasvind, met inbegrip van die lewering van *viva voce* getuienis, indien daar is. Sodanige datum moet minstens 14 dae na die datum van die kennisgewing wees, tensy die partye toestem tot korter kennisgewing. Binne sewe dae na ontvang van sodanige kennisgewing, moet beide partye op Vorm TM 47 die voorgeskrewe verhoogde betaal; 'n party wat versuim om sodanige geldte betaal, sal nie geregtig wees om te verskyn nie en die Registrateur kan die saak in sy afwesigheid behandel.

34. Indien 'n verset nie deur die applikant betwissel word nie, moet die Registrateur, wanneer beslis word of die applikant met koste belas moet word, oorweeg of die verrygtinge vermy kon gewees het as redelike kennis deur die teenparty aan die applikant gegee was voordat verset aangegeteken is.

## SEKERHEID VIR KOSTE

[Arikels 24 (3) en 30 (5)]

35. As 'n party in versetterrigtinge nie in die Republiek woonagtig is of besigheid daarin dryf nie, kan die Registrateur hom gelas om binne 30 dae sekerheid te stel vir sodanige bedrag en in sodanige vorm as wat die Registrateur as voldoende mag ag om die koste van verrygtinge voor die Registrateur te dek, en die Registrateur mag voorts, in enige stadium van sodanige versetterrigtinge, gelas dat verdere sekerheid gegee word te eniger tyd voordat hy sy beslissing in die saak vel. As 'n bevel of vereiste nie binne 30 dae behoorlik nagekom word nie, kan die Registrateur die verset of aansoek, na gelang van die geval, behandel asof daarvan afgesien is.

## NIE-VOLTOOIING

(Artikel 25)

36. Wanneer die registrasie van 'n handelsmerk weens versuim deur die applikant nie binne ses maande na die datum van aanname van die aansoek voltooi is nie, moet die Registrateur skriftelik op Vorm 0.1, kennis van nie-voltooiing aan die applikant of sy agent gee. As die registrasie nie voltooi is binne 30 dae na die datum waarop 'n kennisgewing aldus gestuur is of binne sodanige verdere tydperk as wat die Registrateur toelaat nie, word geag dat van die aansoek afgesien is. As aan-

an acceptance does not take place and the applicant, having been advised of the Registrar's objections to the application, fails to take any action within three months of the date of such advice, the application shall be deemed to have been abandoned.

### ENTRY IN THE REGISTER

#### (Section 31)

37. Subject to the proviso to section 21 of the Act, as soon as may be after the expiration of two months after the date of the advertisement in the *Patent Journal* of any application, the Registrar shall, subject to any opposition and the determination thereof, and subject to the provisions of the proviso to section 37 (1) (b) of the Act, enter the trade mark in the register and record the date of issue of the certificate of registration. The entry of a trade mark on the register shall give the date of the registration, the goods or services in respect of which it is registered and all particulars specified in section 23 (2) and 31 of the Act, and such other particulars as the Registrar may deem necessary.

### ASSOCIATED MARKS

#### (Section 38)

38. (1) Where a mark is registered as associated with any other mark or marks, the Registrar shall note in the register in connection with such mark the numbers of the marks with which it is associated and shall also note in 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.

(2) An application by a registered proprietor under section 38 (6) of the Act, to the Registrar to dissolve the association between two or more associated trade marks shall be made on Form TM 16 and shall include a statement of the grounds of the application. The registration fee for recordal of such dissolution shall be paid on lodgement of Form TM 39.

### DEATH OF APPLICANT

39. 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 in the register, the Registrar, after the expiration of two months from the date of advertisement, may, on being satisfied of the applicant's death, enter in the register, in place of the name of such deceased applicant, the name and address of the person owning the goodwill of the business, on such ownership being proved to the satisfaction of the Registrar.

### CERTIFICATE OF REGISTRATION

#### (Section 37)

40. Upon the registration of a trade mark the Registrar shall, as required by section 37 (2) of the Act, issue to the applicant a certificate on the Form 0.2.

### RENEWAL

#### (Section 13 and 47)

41. (1) The notice under section 47 (3) of the Act shall be sent by the Registrar not less than two nor more than six months prior to the expiration of the last registration. The notice shall be on Form 0.3 and shall, if the trade mark had been registered before 1 January 1964, notify the registered proprietor of the substituted

name nie plaasvind nie en die applikant, nadat hy van die besware van die Registrateur teen die aansoek verwittig is, versuim om enige stappe te doen binne drie maande na die datum van sodanige kennisgewing, word geag dat van die aansoek afgesien is.

### INSKRYWING IN REGISTER

#### (Artikel 31)

37. Behoudens die voorbehoudbepaling van artikel 21 van die Wet en so gou doenlik na verstryking van twee maande na die datum van die bekendmaking van 'n aansoek in die *Patentjoernaal*, moet die Registrateur, onderworpe aan enige verset en die beslissing daaroor, en onderworpe aan die voorbehoudbepaling van artikel 37 (1) (b) van die Wet, en by betaling op Vorm TM 8 van die voorgeskrewe gelde, die handelsmerk in die register inskrywe en die datum van uitreiking van die sertifikaat van registrasie aanteken. Die inskrywing van 'n handelsmerk in die register moet die datum van registrasie, die goedere of dienste ten opsigte waarvan dit geregistreer is en alle besonderhede voorgeskryf by artikels 23 (2) en 31 van die Wet, en sodanige ander besonderhede vermeld as wat die Registrateur nodig ag.

### GEASSOSIEERDE MERKE

#### (Artikel 38)

38. (1) Waar 'n merk geregistreer word as geassosieer met 'n ander merk of merke, moet die Registrateur, ten opsigte van sodanige merk, die nommers van die merke waarmee dit geassosieer is, in die register aanteken, en moet hy ook ten opsigte van elkeen van die geassosieerde merke die nommer van die nuut geregistreerde merk in die register aanteken as die merk waarmee elkeen geassosieer is.

(2) 'n Aansoek aan die Registrateur deur 'n geregistreerde eienaar ingevolge artikel 38 (6) van die Wet om die assosiasie tussen twee of meer geassosieerde handelsmerke te ontbind, moet op Vorm TM 16 gedoen word en moet 'n uiteensetting bevat van die gronde waarop die aansoek gedoen word. Die registrasiegelde om sodanige ontbinding aan te teken, moet betaal word by indiening van Vorm TM 39.

### AFSTERWE VAN APPLIKANT

39. Indien 'n applikant om 'n handelsmerk te sterwe kom na die datum van sy aansoek en voordat die aangevraagde handelsmerk in die register ingeskryf is, kan die Registrateur, na verstryking van 'n tydperk van twee maande na die datum van bekendmaking en mits hy van die applikant se dood oortuig is, in die plek van die naam van sodanige afgestorwe applikant die naam en adres van die persoon aan wie die klandisiewaarde van die besigheid behoort, in die register opteken as sodanige eiendomsreg tot tevredenheid van die Registrateur bewys word.

### REGISTRASIESERTIFIKAAT

#### (Artikel 37)

40. By registrasie van 'n handelsmerk moet die Registrateur, ingevolge artikel 37 (2) van die Wet, 'n sertifikaat op Vorm 0.2 aan die applikant uitrek.

### HERNUWING

#### (Artikel 13 en 47)

41. (1) Die kennisgewing ingevolge artikel 47 (3) van die Wet, moet deur die Registrateur minstens twee en hoogstens ses maande voor die vervalddatum van die laaste registrasie uitgestuur word. Die kennisgewing moet op Vorm 0.3 wees en, indien die handelsmerk voor 1 Januarie 1964 geregistreer is, die geregistreerde eienaar

classification and the registered proprietor may apply to the Registrar to renew his trade mark in accordance with the classification specified in Schedule 4 to these regulations.

(2) If, as a result of the substituted classification the trade mark in question is required to be recorded in more than one class, such mark will be deemed to be a separate registration in each class in respect of which the mark is so recorded and shall be given a separate distinguishing number in each class and shall be treated as a separate trade mark for the purposes of renewal thereof in each class.

(3) If, as a result of the substituted classification two or more identical trade marks having the same date of registration and owned by the same proprietor and which were previously registered in different classes are, in terms of Schedule 4 found to fall in the same class, such marks shall on renewal be consolidated into one registration having one distinguishing number and shall for the purposes of these regulations, be deemed to be a single trade mark.

(4) The Registrar shall be required to make any entries or amendments in the register in order to record the changes in classification resulting from the introduction of Schedule 4.

#### APPLICATION FOR RENEWAL BY PROPRIETOR

(Section 13 and 47)

42. (1) An application to the Registrar for the renewal of the registration of a trade mark including a variation of the class in terms of section 13 of the Act, may be made on Form TM 9 within six months prior to the expiration of the last registration.

(2) In every case involving action under regulation 41 (2) the proprietor of the mark shall furnish such additional representations of the mark as may be required to be lodged on an original registration of a mark and he shall apply on Form TM 9 for the renewal of the mark in each class.

43. If at the date of expiration of the registration of a mark the renewal fee has not been paid, the Registrar shall advertise the fact forthwith in the *Patent Journal*. If within one month of such expiration the renewal fee upon Form TM 10, together with an additional fee upon Form TM 11, is received he may renew the registration without removing the mark from the register.

44. Whenever after the expiry of the said period of one month 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 TM 10, together with the additional fee upon the Form TM 12, 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.

45. Where the application for the renewal of the trade mark is not made by the registered proprietor, the Registrar, before taking any further steps, may require the applicant to furnish within 14 days an authority to make such application and in the absence of such authority may return the application and treat it as not having been received.

46. 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 and shall advertise that fact in the *Patent Journal*.

in kennis stel van die vervangende klassifikasie, en die geregistreerde eienaar kan by die Registrateur aansoek doen om sy handelsmerk ooreenkomsdig die klassifikasie uiteengesit in Bylae 4 te hervie.

(2) Indien die betrokke handelsmerk as gevolg van die vervangende klassifikasie in meer as een klas opgeteken moet word, word sodanige merk geag 'n afsonderlike registrasie te wees in elke klas ten opsigte waarvan die merk so opgeteken word en moet dit in elke klas 'n afsonderlike onderskeidende nommer gegee en vir die hernuwing daarvan in elke klas as 'n afsonderlike handelsmerk behandel word.

(3) Indien as gevolg van die vervangende klassifikasie gevind word dat twee of meer identiese handelsmerke met dieselfde datum van registrasie, behorende aan diezelfde eienaar en voorheen in verskillende klasse geregistreer, ingevolge die bepalings van Bylae 4 in dieselfde klas val, moet sodanige merke by hernuwing in een registrasie met een onderskeidende nommer saamgevoeg en vir die toepassing van hierdie regulasies as 'n enkele handelsmerk beskou word.

(4) Die Registrateur moet inskrywings of wysigings in die register aanbring ten einde die veranderings in klassifikasie te boekstaaf wat deur die inwerkingtreding van Bylae 4 meegebring word.

#### AANSOEK OM HERNUWING DEUR EIENAAR

(Artikels 13 en 47)

42. (1) Aansoek by die Registrateur om die hernuwing van die registrasie van 'n handelsmerk insluitende 'n wysiging van die klas ingevolge artikel 13 van die Wet, kan op Vorm TM 9 gedoen word binne ses maande voor die vervaldatum van die laaste registrasie.

(2) In elke geval waarby 'n handeling ingevolge regulasie 41 (2) betrokke is, moet die eienaar van die merk sodanige bykomende voorstelling van die merk verskaf as wat by die oorspronklike registrasie van 'n merk verskaf moet word en moet hy op Vorm TM 9 aansoek doen om die hernuwing van die merk in elke klas.

43. Indien die hernuwingsgelde nie op die vervaldatum van die registrasie van 'n merk betaal is nie, moet die Registrateur hierdie feit onmiddellik in die *Patentjoernaal* bekendmaak, en as die hernuwingsgelde op Vorm TM 10, tesame met die bykomende gelde op Vorm TM 11 binne een maand na sodanige vervaldatum ontvang word, kan hy die registrasie hernuwe sonder om die merk van die register te verwijder.

44. Wanneer sodanige gelde nie na verstryking van gemelde tydperk van een maand betaal is nie, kan die registrateur die merk van uit die register verwijder met ingang van die vervaldatum van die laaste registrasie, maar hy kan, teen betaling van die hernuwingsgelde op Vorm TM 10, tesame met die bykomende gelde op Vorm TM 12, die merk op sodanige voorwaardes as wat hy mag goedvind, in die register herstel, mits hy daarvan oortuig is dat so 'n stap billik is.

45. Wanneer die aansoek om die hernuwing van die handelsmerk nie deur die geregistreerde eienaar gedoen word nie, kan die Registrateur, alvorens hy enige verdere stappe doen, eis dat die applikant binne 14 dae 'n magtiging verstrek om sodanige aansoek te doen en by ontstentenis van sodanige magtiging kan hy die aansoek terugstuur en behandel asof dit nie ontvang is nie.

46. Waar 'n handelsmerk uit die register verwijder is, moet die Registrateur sodanige verwijdering en die rede daarvoor in die register laat opteken en daardie feit in die *Patentjoernaal* bekendmaak.

47. (1) Upon the renewal of the registration, notice on Form 0.8 to that effect shall be sent to the registered proprietor at his registered address or at the address given on Form TM 9 or Form TM 10, as the case may be.

(2) The renewal shall thereafter be forthwith advertised by the Registrar in the *Patent Journal*.

#### ASSIGNMENT OR TRANSMISSION

(Section 49 to 51)

48. Where a person becomes entitled by assignment or transmission to a registered trade mark, he may conjointly with the registered proprietor, make application to the Registrar on Form TM 13 to register his title as soon as possible and if application is not made to register the assignment or transmission within 12 months of the effective date thereof, a penalty of R10 shall be payable in respect of each period of 12 months or portion thereof following the expiration of 12 months from the effective date; provided that in the case of an assignment taking place before 1 January 1964, the effective date for the calculation of the penalty shall be 1 January 1964.

49. Where a person becomes entitled to a registered trade mark in the manner referred to in regulation 48 and no conjoint application as therein mentioned is made, he shall make application to the Registrar on Form TM 14 to register his title as soon as possible and if application is not made to register the assignment or transmission within 12 months of the effective date thereof, a penalty of R10 shall be payable in respect of each period of 12 months or portion thereof following the expiration of 12 months from the effective date.

50. An application under regulation 48 or 49 shall contain the name, trade or business address and nature of the business of the applicant together with a description of the person claiming to be so entitled, and in the case of a body corporate the state or country under whose law it is incorporated, together with full particulars of the instrument, if any, under which he claims and such instrument shall be produced for inspection by the Registrar, preferably at the time of application. The full names of all the partners in a partnership shall be given in the body of the application. The Registrar may in any case require and retain an attested copy of any instrument produced for inspection in proof of title, but such copy shall not be open to public inspection unless the Registrar decides that it is in the public interest to permit an inspection of such instrument.

51. Where in the case of an application on Form TM 13 or Form TM 14 the person applying for registration of his title does not claim under any document or instrument which is capable in itself of furnishing proof of his title, he shall, unless the Registrar otherwise directs, either upon or with the application, state a case setting forth the full particulars of the facts upon which his claim to be proprietor of the trade mark is based and showing that the trade mark has been assigned or transmitted to him. If the Registrar so requires, the case shall be verified by the sworn declaration on Form TM 15.

52. The Registrar may call on any person who applies to be registered as proprietor of a registered trade mark for such proof or additional proof of title as he may require.

47. (1) By die hernuwing van registrasie moet 'n kennisgewing op Vorm 0.8 met daardie strekking aan die geregistreerde eienaar gestuur word by sy geregistreerde adres of by die adres wat verstrek is op Vorm TM 9 of Vorm TM 10, na gelang van die geväl.

(2) Die hernuwing moet daarna onmiddellik deur die Registrateur in die *Patentjoernaal* bekendgemaak word.

#### SESSIE OF OORDRAG

(Artikels 49 tot 51)

48. Wanneer 'n persoon tot 'n geregistreerde handelsmerk geregtig word by wyse van sessie of oordrag, kan hy, saam met die geregistreerde eienaar by die Registrateur op vorm TM 13 aansoek doen om sy titel so gou doenlik te registreer en as aansoek om die sessie of oordrag te registréer nie binne 12 maande na die effektiewe datum daarvan gedoen word nie, word 'n boete van R10 betaalbaar ten opsigte van elke tydperk van 12 maande of gedeelte daarvan na verstryking van 12 maande vanaf die effektiewe datum; met dien verstande dat, in dié geval van 'n sessie wat voor 1 Januarie 1964 plaasgevind het, die effektiewe datum vir die berekening van die boete 1 Januarie 1964 is.

49. Wanneer 'n persoon tot 'n geregistreerde handelsmerk op die wyse vermeld in regulasie 48 geregtig word en geen gesamentlike aansoek soos daarin bepaal word gedoen is nie, moet hy by die Registrateur op Vorm TM 14 aansoek doen om sy titel so spoedig doenlik te registreer en indien aansoek om die sessie of oordrag te registréer, nie binne 12 maande na die effektiewe datum daarvan gedoen word nie, is 'n boete van R10 betaalbaar ten opsigte van elke tydperk van 12 maande of gedeelte daarvan na verstryking van 12 maande vanaf die effektiewe datum.

50. 'n Aansoek ingevolge regulasie 48 of 49 moet die volgende vermeld, naamlik die naam, handels- of besigheidsadres en die aard van die besigheid van die applikant en 'n beskrywing van die persoon wat daarop aanspraak maak om aldus geregtig te wees en, in die geval van 'n regspersoon, die staat of land onder wie se wette dit geïnkorporeer is, tesame met volle besonderhede van die eventuele dokument ingevolge waarvan hy aanspraak maak en sodanige dokument moet vir ondersoek aan die Registrateur voorgelê word, verkiesslik ten tye van die aansoek. Die volle name van al die vennote in 'n vennootskap moet in die aansoek verstrek word. Die Registrateur kan in enige geval 'n geattesteerde afskrif vereis van enige dokument aan hom voorgelê vir ondersoek ten bewyse van titel, en hy kan dit behou, maar sodanige afskrif is nie ter publieke insae beskikbaar nie tensy die Registrateur beslis dat dit in die openbare belang is om insae in sodanige dokument toe te laat.

51. Wanneer, in die geval van 'n aansoek op Vorm TM 13 of Vorm TM 14, die persoon wat om registrasie van sy titel aansoek doen, nie aanspraak maak kragtens enige akte of dokument wat op sigself geskik is om van sy titel bewys te lewer nie, moet hy, tensy die Registrateur andersins gelas, of by of saam met die aansoek 'n saak stel waarin volle besonderhede verstrek word van die feite waarop hy in sy aanspraak op eiendomsreg op die handelsmerk berus, en aangedui word dat die handelsmerk aan hom gesedeer of oorgemaak is. Indien die Registrateur dit vereis, moet die saak deur 'n beëdigde verklaring op Vorm TM 15 bevestig word.

52. Die Registrateur kan van 'n persoon wat aansoek doen om as die eienaar van 'n geregistreerde handelsmerk geregistreer te word, vereis om hom te voorsien van sodanige bewys of bykomende titelbewys as wat hy verlang.

53. When the Registrar is satisfied as to the title of the person claiming to be registered, he shall on application on Form TM 39, cause him to be registered as proprietor of the trade mark in respect of the relevant goods or services and shall enter in the register his name, trade or business address and description and particulars of the assignment or transmission, and statement indicating whether the assignment or transmission is with or without goodwill and also the effective date of the assignment.

54. Where pursuant to an application under regulation 48 or 49 and as the result of a division and separation of the goods or services or a division and separation of places or markets, different persons become registered separately under the same official number as subsequent proprietors of a trade mark, each of the resulting separate registrations in the name of those different persons shall be deemed to be a separate registration for the purposes of the Act.

55. Any person who desires to obtain the Registrar's certificate under section 49 (5) of the Act, or his notification of approval under section 49 (6) of the Act, shall send to the Registrar with his application on Form TM 29 or TM 30, as the case may be, a statement of case in duplicate setting out the circumstances and a copy of any instrument or proposed instrument effecting the assignment or transmission. The Registrar may call for any evidence or further information that he may consider necessary and the statement of case shall be amended, if required, to include all the relevant circumstances and shall, if required, be verified by a sworn affidavit. The Registrar, after hearing, if so required, the applicant and any other person whom the Registrar may consider to be interested in the transfer, shall consider the matter and issue a certificate thereon or a notification in writing of approval or disapproval thereof, as the case may be. Where a statement of case is amended, two fair copies thereof in its final form shall be left with the Registrar. The Registrar shall seal a copy of the statement of case in its final form to the certificate or notification.

#### SUBSTITUTION OF APPLICANTS

[Section 49 or 56 (2)]

56. (1) Notwithstanding anything contained in these regulations and subject to section 49 (7) of the Act, any person may apply on Form TM 18 for a substitution of applicant in respect of a trade mark which is the subject of a pending application for registration; and the Registrar may, if satisfied that there is good reason to grant the application, approve of the substitution subject to such conditions as he deems necessary.

(2) The application to substitute a body corporate in terms of section 56 (2) of the Act for another applicant in the case of a pending application, shall likewise be made on Form TM 18 and dealt with in terms of sub-regulation (1) of this regulation.

#### REGISTERED USERS

(Section 48)

57. An application to the Registrar for the registration under section 48 (4) of the 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 TM 34.

53. Wanneer die Registrateur oortuig is wat betrek die titel van die persoon wat op registrasie aanspraak maak, moet hy, by aansoek op Vorm TM 39, daardie persoon laat regstreer as eienaar van die handelsmerk ten opsigte van die betrokke goedere of dienste en dié se naam, beskrywing en handels- of besigheidsadres en besonderhede van die sessie of oordrag, en 'n verklaring wat aandui of die sessie of oordrag met of sonder klandisiewaarde is, asook die effektiewe datum van die sessie, in die register laat opteken.

54. Waar ingevolge 'n aansoek kragtens regulasie 48 of 49 en as gevolg van 'n verdeling en skeiding van die goedere of dienste of 'n verdeling en skeiding van plekke of markte, verskillende persone afsonderlik geregistreer word met dieselfde amptelike nommer as daaropvolgende eienaars van 'n handelsmerk, word elkeen van die gevoulige afsonderlike registrasies op die name van daardie verskillende persone vir die toepassing van die Wet as 'n afsonderlike registrasie beskou.

55. 'n Persoon wat verlang om die Registrateur se sertifikaat ingevolge artikel 49 (5) van die Wet of sy bekendmaking van goedkeuring ingevolge artikel 49 (6) van die Wet te verkry, moet saam met sy aansoek op Vorm TM 29 of TM 30, na gelang van die geval, die volgende aan die Registrateur stuur, naamlik 'n uiteensetting van sy saak in tweevoud waarin die omstandighede uiteengesit word, en 'n afskrif van enige dokument of voorgestelde dokument wat die sessie of oordrag bewerkstellig. Die Registrateur kan om enige getuenis of verdere inligting vra wat hy nodig mag ag, en die uiteensetting van saak moet, indien vereis, gewysig word ten einde al die betrokke omstandighede in te sluit en moet, indien vereis, deur 'n beëdigde verklaring bevestig word. Nadat die Registrateur die applikant en enige ander persoon wat volgens sy oordeel belang by die oordrag het, aangehoor het indien dit nodig was, moet hy die saak oorweeg en 'n sertifikaat in verband daarvan of 'n skriftelike kennisgewing van goedkeuring of afkeuring daarvan, na gelang van die geval, uitreik. Wanneer 'n uiteensetting van saak gewysig word, moet twee leesbare afskrifte daarvan, in die finale vorm, by die Registrateur gelaat word. Die Registrateur moet 'n afskrif van die uiteensetting van saak in die finale vorm aan die sertifikaat of bekendmaking verseël.

#### VERVANGING VAN APPLIKANTE

[Artikels 49 of 56 (2)]

56. (1) Ondanks die bepalings van hierdie regulasies en behoudens die bepalings van artikel 49 (7) van die Wet, kan enige persoon op Vorm TM 18 aansoek doen om die vervanging van 'n applikant ten opsigte van 'n handelsmerk in verband waarmee 'n aansoek om registrasie hangende is, en die Registrateur kan, as hy daarvan oortuig is dat daar goeie rede is om die aansoek toe te staan, die vervanging goedkeur onderworpe aan sodanige voorwaardes as wat hy nodig ag.

(2) Die aansoek om 'n ander applikant deur 'n regpersoon te vervang ingevolge artikel 56 (2) van die Wet moet in die geval van 'n hangende aansoek insgelyks op Vorm TM 18 gedoen word, en moet behandel word ooreenkomsdig die bepalings van subregulasie (1) van hierdie regulasie.

#### GEREGISTREERDE GEBRUIKERS

(Artikel 48)

57. 'n Aansoek by die Registrateur ingevolge artikel 48 (4) van die Wet om die registrasie van 'n persoon as 'n geregistreerde gebruiker van 'n geregistreerde handelsmerk moet deur daardie persoon en die geregistreerde eienaar op Vorm TM 34 gedoen word.

58. The date of an entry of a registered user in the register shall be the date on which the application for registration as a registered user was made. In addition to the trade or business address of the registered user the application shall include the address for service of the registered user. A notification, in writing, of the registration of a registered user shall be sent to the registered proprietor of the trade mark, and shall be inserted in the *Patent Journal*.

59. 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 section 48 (8) (a) of the Act, shall be made on Form TM 35 and shall be accompanied by a statement of the ground on which it is made and, where the registered user in question consents, by the written consent of that registered user.

60. 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 section 48 (8) (b) of the Act, shall be made on Form TM 36 and shall be accompanied by a statement of grounds on which it is made.

61. Application by any person for the cancellation of the registration of a registered user under section 48 (8) (c) of the Act, shall be made on Form TM 37 and shall be accompanied by a statement of the grounds on which it is made.

62. (1) The applicant for the variation or cancellation made under the provisions of regulations 59, 60 and 61 shall satisfy the Registrar that he has given a notification of the application to each registered user of the trade mark, and also to the registered proprietor of the trade mark, if the registered proprietor is not the applicant, and that he has duly notified the interested persons of their right of intervention as provided in subregulation (2).

(2) Any person so notified who intends to intervene shall within one month of the receipt of the notification or within such further time as the Registrar may allow serve on the registered proprietor of the trade mark, on the registered user concerned, and lodge at the Office, a notice of intervention.

(3) Such notice shall be on Form TM 38, and shall contain a statement of the grounds upon which the person intends to intervene. Thereupon the provisions of regulation 77 shall *mutatis mutandis* apply to such application.

(4) The Registrar after giving the parties an opportunity of being heard may accept or refuse the application or accept it subject to any conditions or restrictions he may think proper to impose.

(5) The registration fee for any registered user of a trade mark or the variation or cancellation thereof shall be paid on lodgment of Form TM 39.

#### AMENDMENT OF REGISTER OR APPLICATION

[Sections 20 (9) or 32 or 56 (1)]

63. (1) Applications under sections 20 (9) or 56 (1) or 32 of the Act, as the case may be, to the Registrar may be made by the applicant, or the registered proprietor or

58. Die datum van 'n inskrywing van 'n geregistreerde gebruiker in die register moet die datum wees waarop die aansoek om registrasie as geregistreerde gebruiker gedoen is. Benewens die handels- of besigheidsadres van die geregistreerde gebruiker moet die aansoek die geregistreerde gebruiker se adres vir bestelling insluit. 'n Skriftelike bekendmaking van die registrasie van 'n geregistreerde gebruiker moet aan die geregistreerde eienaar van die handelsmerk gestuur en in die *Patent-journal* bekendgemaak word.

59. Aansoek deur die geregistreerde eienaar van 'n handelsmerk om die wysiging van 'n registrasie van 'n geregistreerde gebruiker van daardie handelsmerk ingevolge artikel 48 (8) (a) van die Wet moet op Vorm TM 35 gedoen word en moet van 'n uiteensetting van die gronde waarop dit gedoen word en, wanneer die betrokke geregistreerde gebruiker toestem, van die skriftelike toestemming van daardie geregistreerde gebruiker vergesel gaan.

60. 'n Aansoek deur die geregistreerde eienaar of enige geregistreerde gebruiker van 'n handelsmerk om die registrasie van 'n geregistreerde gebruiker van daardie handelsmerk in te trek ingevolge artikel 48 (8) (b) van die Wet, moet op Vorm TM 36 gedoen word en moet vergesel gaan van 'n uiteensetting van die gronde waarop dit gedoen word.

61. 'n Aansoek deur iemand om die intrekking van die registrasie van 'n geregistreerde gebruiker ingevolge artikel 48 (8) (c) van die Wet moet op Vorm TM 37 gedoen word en vergesel gaan van 'n uiteensetting van die gronde waarop dit gedoen word.

62. (1) Die applikant vir 'n wysiging of intrekking kragtens die bepalings van regulasies 59, 60 en 61 gedoen, moet die Registrateur oortuig dat hy elke geregistreerde gebruiker van die handelsmerk asook aan die geregistreerde eienaar van die handelsmerk, indien die geregistreerde eienaar nie die applikant is nie, van die aansoek kennis gegee het en dat hy alle belanghebbende persone behoorlik in kennis gestel het van hul reg om tot die verrigtinge toe te tree soos in subregulasie (2) van hierdie regulasie bepaal.

(2) Iemand wat aldus kennis gegee is en tot die verrigtinge wil toetree, moet binne een maand na ontvangs van die kennisgewing of binne sodanige verdere tydperk as wat die Registrateur toelaat, 'n kennisgewing van toetrede aan die geregistreerde eienaar van die handelsmerk en aan die betrokke geregistreerde gebruiker bestel en by die Kantoor indien.

(3) Sodanige kennisgewing moet op Vorm TM 38 gegee word en moet 'n uiteensetting bevat van die gronde waarop hy van voorneme is om toe te tree. Daarna geld die bepalings van regulasie 77 *mutatis mutandis* ten opsigte van sodanige applikasie.

(4) Nadat die Registrateur die partye 'n geleenthed gebied het om aangehoor te word, kan hy die aansoek aanneem of weier of kan hy dit aanneem onderworpe aan voorwaardes of beperkings na goedvinde deur hom gestel.

(5) Die registrasiegelde ten opsigte van enige geregistreerde gebruiker van 'n handelsmerk of die wysiging of intrekking daarvan word betaal by indiening van Vorm TM 39.

#### WYSIGING VAN REGISTER OF AANSOEK

[Artikel 20 (9) of 32 of 56 (1)]

63. (1) Aansoek by die Registrateur, ingevolge artikel 20 (9) of 56 (1) of 32 van die Wet, na gelang van die geval, kan gedoen word deur die applikant of die geregistreerde eienaar of geregistreerde gebruiker of, waar

registered user or where the registered proprietor or registered 'user' 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 or registered user.

(2) The application shall be made on Form TM 19, TM 20, TM 21, TM 22 or TM 23, as the case may be.

64. Where such application is made, the Registrar may require such evidence by affidavit or otherwise as he may think fit as to the circumstances in which the application is made.

65. An application to the Registrar under section 32 (3) of the Act, for the correcting of any entry in the register shall, if so required by the Registrar, be accompanied by a statement setting out fully the nature of the applicant's interests, the facts upon which he bases his case and the relief which he seeks. The applicant shall send a copy of the statement to every registered user of the trade mark, and if the applicant is not the proprietor of the trade mark, to the proprietor.

66. Upon such application being made and copies thereof transmitted to the registered proprietor, if necessary, the provisions of regulations 24 to 35, both inclusive, shall apply *mutatis mutandis*, in so far as they can be applied, to the further proceedings thereon; but the Registrar shall not correct the error in 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.

67. Where application is made on Form TM 23 to enter a disclaimer or memorandum relating to a trade mark, the Registrar, before deciding upon such application, may direct that the application be advertised once in the *Patent Journal* in order to enable any person desiring so to do to state within two months from the date of the advertisement any reasons, in writing, against the applicant being allowed to make such disclaimer or enter such memorandum. Should any such objection be lodged, the Registrar shall give notice to the parties of a date when he will hear arguments in the matter. Such appointment shall be for a date at least 14 days after the date of the notice unless the parties consent to a shorter notice.

## ALTERATION OF MARK

(Section 34)

68. Where a person desires to apply under section 34 of the Act to alter or add to a trade mark, he shall make his application, in writing, on Form TM 24 and shall furnish the Registrar with four copies of the mark as it will appear when altered.

69. Before proceeding with such application, the Registrar shall direct that the application be advertised once in the *Patent Journal* in order to enable any person desiring so to do to state within two months of the advertisement on the Form TM 44 reasons, in writing, against the application being granted. Should any such objection be lodged, the provisions of regulations 24 to 35, both inclusive, shall *mutatis mutandis* apply, in so far as they can be applied.

die geregistreerde eienaar of geregistreerde gebruiker 'n maatskappy in likwidasie is, deur die likwidateur, en in ander gevalle deur sodanige persoon as wat volgens besluit van die Registrateur geregtig is om in die naam van die geregistreerde eienaar of geregistreerde verbruiker op te tree.

(2) Die aansoek moet gedoen word op Vorm TM 19, TM 20, TM 21, TM 22 of TM 23, na gelang van die geval.

64. Wanneer so 'n aansoek gedoen word, kan die Registrateur, sodanige getuenis by wyse van 'n beëdigde verklaring of andersins betreffende die omstandighede waaronder die aansoek gedoen word, eis as wat hy goedvind.

65. 'n Aansoek by die Registrateur ingevolge artikel 32 (3) van die Wet om die regstelling van 'n inskrywing in die register, moet, indien so vereis deur die Registrateur, vergesel gaan van 'n verklaring waarin die aard van die applikant se belang, die feite waarop sy saak berus en die inligting wat hy verlang, volledig uitengesit word. Die applikant moet 'n afskrif van die verklaring aan elke geregistreerde gebruiker van die handelsmerk, en as die applikant nie die geregistreerde eienaar van die handelsmerk is nie, aan die eienaar stuur.

66. Indien sodanige aansoek gedoen word en die afskrifte daarvan, indien nodig, aan die geregistreerde eienaar gestuur word, geld die bepalings van regulasies 24 tot en met 35 *mutatis mutandis*, in so ver hulle toegepas kan word, ten opsigte van die verdere verrigtinge in verband daarmee, maar die Registrateur mag nie die fout in die register verbeter of die merk uit die register verwijder bloot omdat die geregistreerde eienaar nie 'n teenverklaring ingedien het nie. Waar twyfel bestaan kan enige party by die Registrateur aansoek doen om voorligting.

67. Indien aansoek op Vorm TM 23 gedoen word om die inskrywing van 'n prysgewing of memorandum betreffende 'n handelsmerk, kan die Registrateur, alvorens hy oor die aansoek beslis, gelas dat die aansoek eenmaal in die *Patentjoernaal* bekendgemaak word om enige persoon wat dit verlang, in staat te stel om binne twee maande na die datum van die bekendmaking skriftelik beswaar in te dien teen die toelating van die applikant om sodanige prysgewing te doen of sodanige memorandum te laat inskryf. Indien so 'n beswaar ingedien word moet die Registrateur die partye kennis gee van 'n datum waarop hy beredenering in die saak sal aanhoor, welke datum minstens 14 dae na die datum van die kennismaking moet wees, tensy die partye tot 'n korter kennismaking toestem.

## WYSIGING VAN MERK

(Artikel 34)

68. Indien 'n persoon verlang om ingevolge artikel 34 van die Wet aan 'n handelsmerk te verander of by te voeg, moet hy skriftelik op vorm TM 24 aansoek doen en die Registrateur voorsien van vier eksemplare van die merk soos dit na wysiging sal voorkom.

69. Alvorens met 'n sodanige aansoek voort te gaan, moet die Registrateur gelas dat die aansoek eenmaal in die *Patentjoernaal* bekendgemaak word ten einde enig wat teen die aansoek beswaar wil maak, in staat te stel om binne twee maande na die bekendmaking skriftelik redes op Vorm TM 44 teen die toestaan van die aansoek aan te voer. Indien so 'n beswaar ingedien word, geld die bepalings van regulasies 24 tot en met 35, *mutatis mutandis* vir sover hulle toegepas kan word.

## SEARCH

70. The Registrar, if requested so to do in writing upon a form TM 25, 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 to him by the person requesting such search and may cause that person to be informed of the result of such search.

## CAVEAT

71. (1) Any person may apply to the Registrar by lodging Form TM 28, for notice to be given by the Registrar of any proceedings taking place within six months of the date of lodgement of Form TM 28 of any proceedings relating to the publication of the acceptance of an application for a trade mark registration or of any application for the making of an entry in the register of trade marks.

(2) As soon as may be after any such proceedings are taken and in the case of an application for making an entry, before such entry is made, the Registrar shall give notice of any such proceedings to such person.

## OFFICE HOURS

### [Section 31 (5)]

72. (1) From Mondays to Fridays the Office will be open to the public from 8 a.m. to 12 noon and from 1.30 p.m. to 3.30 p.m. except on the following days:

(a) All days which are public holidays in terms of section 1 of the Public Holidays Act, 1952 (Act 5 of 1952), or which have been proclaimed public holidays in terms of section 2 of that Act; and

(b) days which may from time to time be notified by a placard posted in a conspicuous place at the Office.

(2) Whenever the last day fixed by the Act or by these regulations for doing any thing, shall fall on a day when the Office is not open to the public it shall be lawful to do any such thing on the day next following such excluded day or days if two or more of them occur consecutively.

## DISCRETIONARY POWERS

### (Section 57)

73. (1) Where under these regulations any person is required to do any act or thing or to sign any document or to make any affidavit 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 affidavit 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, affidavit or evidence.

(2) Any person may apply to the Registrar for a hearing within three months of any decision of the Registrar or such further time as the Registrar may allow, and if he fails to do so the decision of the Registrar shall be final.

## NASOEK

70. Indien hy skriftelik op Vorm TM 25 daartoe versoek word, kan die Registrateur in enige klas 'n nasoek laat doen om vas te stel of daar ten tye van sodanige nasoek enige merke opgeteken is wat ooreenkoms met die merk aan hom gestuur deur die persoon wat die nasoek aanvra, en kan hy daardie persoon van die uitslag van die nasoek in kennis stel.

## CAVEAT

71. (1) Enige persoon kan by die Registrateur, deur die indiening van Vorm TM 28, aansoek doen dat deur die Registrateur aan hom kennis gegee word van verrigtinge wat binne ses maande na die datum van indiening van die Vorm TM 28, plaasvind ten opsigte van enige verrigtinge met betrekking tot die bekendmaking van die aanneming van 'n aansoek om die registrasie van 'n handelsmerk of van 'n aansoek om inskrywing in die register van handelsmerke.

(2) So gou doenlik na enige sodanige verrigtinge plaasgevind het en, in die geval van 'n aansoek om 'n inskrywing, alvorens die inskrywing gedoen is, moet die Registrateur sodanige persoon kennis gee van enige sodanige verrigtinge.

## KANTOORURE

### [Artikel 31 (5)]

72. (1) Die Kantoor sal op Maandae tot en met Vrydae vir die publiek oop wees vanaf 8 vm. tot 12 middag en van 1.30 nm. tot 3.30 nm. behalwe op die volgende dae:

(a) Alle dae wat kragtens artikel 1 van die Wet op Openbare Feesdae, 1952 (Wet 5 van 1952), openbare feesdae is, of wat kragtens artikel 2 van daardie Wet as openbare feesdae geproklameer is; en

(b) dae waarvan daar van tyd tot tyd kennis gegee word deur middel van 'n plakkaat op 'n opvallende plek by die Kantoor.

(2) Indien die laaste dag wat deur die Wet of hierdie regulasies vir 'n handeling bepaal is, op 'n dag val waarop die Kantoor nie vir die publiek oop is nie, is dit wettig om sodanige handeling te verrig op die eerste dag wat volg op sodanige uitgesonderde dag of, indien daar twee of meer opeenvolgende uitgesonderde dae is, wat volg op sodanige opeenvolgende uitgesonderde dae.

## DISKRESIONERE BEVOEGDHEID

### (Artikel 57)

73. (1) Indien daar kragtens hierdie regulasies van 'n persoon vereis word om 'n handeling te verrig of 'n dokument te teken of om 'n beëdigde verklaring namens homself of 'n regspersoon af te lê of indien enige dokument of getuienis aan of by die Registrateur gelewer of gelaat moet word en tot tevredenheid van die Registrateur bewys word dat sodanige persoon weens 'n redelike oorsaak nie in staat is om daardie handeling te verrig of daardie dokument te teken of sodanige beëdigde verklaring af te lê nie, of dat daardie dokument of getuienis nie soos voormeld gelewer of gelaat kan word nie, is dit wettig vir die Registrateur om by die lewering van sodanige ander getuienis en onderworpe aan sodanige voorwaardes as wat hy goedvind, af te sien van enige sodanige handeling, dokument, beëdigde verklaring of getuienis.

(2) Enige persoon kan binne drie maande na 'n beslissing van die Registrateur, of binne sodanige verdere tydperk as wat die Registrateur toelaat, by die Registrateur aansoek doen om 'n verhoor, en indien die persoon nalaat om dit te doen is die beslissing van die Registrateur finaal.

## APPEALS OR APPLICATION TO COURT

[Section 20 (6), 63 and 65]

74. (1) (a) When any person objects to any order or decision of the Registrar he may apply, within three months of the date of the Registrar's order or decision, or such further time as the Registrar may allow, on Form TM 3, requiring the Registrar to state in writing the grounds of his decision and the data used by him, in arriving thereat. The date of such statement shall be deemed to be the date of the Registrar's order or decision for the purpose of appeal.

(b) The consents by the parties to any appeal to have the appeal heard by the Appellate Division of the Supreme Court in terms of section 63 (5) of the Act, shall be on Form TM 49 (in duplicate) and shall be lodged with the Registrar before an appeal is noted in such division.

(2) In any case in which an application is made under section 65 of the Act, the applicant shall give notice of such application to the Registrar on Form TM 27.

## WITHDRAWAL OF APPEALS

[Section 20 (8)]

75. Where under any provision of section 20 (8) of the Act an appellant is entitled to withdraw his appeal, such withdrawal shall be effected by notice given to the Registrar and to the other parties, if any, to such appeal within one month after the leave to include further grounds of objection referred to in such section has been obtained.

## APPLICATIONS TO AND ORDERS OF THE COURT

76. (1) Where an order has been made by the Court in any case under the 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 TM 26. The register may, if necessary, thereupon be rectified or altered by the Registrar.

(2) Whenever an order is made by the Court under the Act, the Registrar may, if he thinks that such order should be made public, publish it in the *Patent Journal* at the expense of the person in whose favour such order has been made.

(3) Any addition to, alteration or correction of the register, shall be advertised by the Registrar (save where otherwise expressly provided) once in the *Patent Journal*.

## RECTIFICATION OF REGISTER

## OPTION TO APPLY TO COURT OR TO THE REGISTRAR

[Section 69 read with sections 10 (3), 33 (1), 35, 36 (1) and 53 (4)]

77. (1) Where under any provision of the Act an applicant has an option to apply either to the Court or to the Registrar and he elects to apply to the Registrar, the application shall be made on Form TM 45 or TM 46 as the case may be. The application shall set out fully the nature of the applicant's interest, the facts upon which he bases his case and the relief he seeks.

(2) The applicant shall serve copies of the application upon the registered proprietor or registered user of the trade mark concerning which the application is made and

## APPÉLLE NA OF AANSOEKE BY HOF

[Artikels 20 (6), 63 en 65]

74. (1) (a) Indien 'n persoon beswaar maak teen 'n bevel of beslissing van die Registrateur, kan hy binne drie maande na die datum van die Registrateur se bevel of beslissing, of binne sodanige verdere tydperk as wat die Registrateur toelaat, op Vorm TM 3 versoek dat die Registrateur die gronde vir sy beslissing asook die gegevens wat hy oorweeg het om daardie beslissing te bereik, skriftelik verstrek. Die datum van sodanige verklaring word vir die doeleindes van appèl as die datum van die Registrateur se bevel of beslissing beskou.

(b) Die toestemming van die partye by 'n appèl om die appèl deur die Appelafdeling van die Hooggeregshof kragtens artikel 63 (5) van die Wet te laat verhoor, moet verleen word op Vorm TM 49 (in tweevoud) en moet voor die aantekening van 'n appèl in daardie afdeling by die Registrateur ingelewer word.

(2) In enige geval waar ingevalle artikel 65 van die Wet aansoek gedoen word, moet die applikant die Registrateur op Vorm TM 27 van sodanige aansoek kennis gee.

## TERUGTREKKING VAN APPÈLLE

[Artikel 20 (8)]

75. Indien 'n appellant ingevalle 'n bepaling van artikel 20 (8) van die Wet geregtig is om sy appèl terug te trek, moet sodanige terugtrekking gedoen word deur binne een maand na die verlening van verlof vir die insluiting van verdere gronde van beswaar, soos by daardie artikel bepaal, aan die Registrateur en die eventuele ander partye by die appèl, kennis daarvan te gee.

## AANSOEKE BY EN BEVELE VAN DIE HOF

76. (1) Indien 'n hofbevel ingevalle 'n bepaling van die Wet uitgereik is, moet die persoon ten gunste van wie die bevel uitgereik is of, as daar meer as een persoon is, daardie een van hulle wat die Registrateur mag bepaal, onverwyld by die Kantoer 'n kantoorafskrif van daardie bevel tesame met Vorm TM 26 laat. Die register kan, indien nodig, daarna deur die Registrateur verbeter of verander word.

(2) Telkens wanneer 'n hofbevel ingevalle die Wet uitgereik word, kan die Registrateur, indien hy van mening is dat daardie bevel aan die publiek bekendgemaak moet word, dit op koste van die persoon ten gunste van wie die bevel uitgereik is, in die *Patentjoernaal* bekendmaak.

(3) Behalwe waar uitdruklik anders bepaal, moet 'n toevoeging aan of verandering of verbetering van die register deur die Registrateur een maal in die *Patentjoernaal* bekend gemaak word.

## VERBETERING VAN REGISTER

## KEUSE OM BY DIE HOF OF BY DIE REGISTRATEUR AANSOEK TE DOEN

[Artikel 69 gelees met artikels 10 (3), 33 (1), 35, 36 (1) en 53 (4)]

77. (1) Wanneer 'n applikant ingevalle 'n bepaling van die Wet 'n keuse het om of by die Hof of by die Registrateur aansoek te doen en kies om by die Registrateur aansoek te doen, moet die aansoek gedoen word op Vorm TM 45 of TM 46, na gelang van die geval. Die aard van die applikant se belang, die feite waarop hy sy saak baseer en die verligting wat hy verlang, moet volledig in die aansoek uiteengesit word.

(2) Die applikant moet afskrifte van die aansoek bestel aan die geregistreerde eienaar of geregistreerde gebruiker van die handelsmerk ten opsigte waarvan die

upon any other person appearing from the register to be interested in the trade mark, and proof of service thereof shall be furnished to the satisfaction of the Registrar.

(3) At any time within two months from the date of service as aforesaid the registered proprietor or registered user of the trade mark or any other interested person who wishes to oppose the application shall deliver to the Registrar a counter-statement setting out fully the grounds upon which the application is opposed, and at the same time shall serve upon the applicant a copy of the counter-statement, furnishing proof of service to the satisfaction of the Registrar.

(4) Within two months after the service of the counter-statement the applicant shall leave at the Office the evidence he adduces in support of his application, and deliver to the party or parties who have filed the counter-statement copies thereof. If he fails to do so, or to state that he intends to rely on the facts stated in the application, the application shall be deemed to have been abandoned.

(5) Within two months after the delivery of the applicant's evidence, the party who has filed a counter-statement shall leave at the Office his evidence, and deliver to the applicant copies thereof. If he should fail to do so, or to state that he intends to rely on the facts stated in the counter-statement, the opposition to the application shall be deemed to have been abandoned.

(6) Within one month after the delivery of the evidence by the party who has filed a counter-statement, the applicant shall leave at the Office his evidence, which shall be confined to matters strictly in reply, and deliver to the party filing the counter-statement copies thereof.

(7) In respect of matters relating to extensions of time, and further proceedings in regard to the application, the provisions of regulations 31 to 35, both inclusive, shall *mutatis mutandis* apply.

## CERTIFICATION MARKS

### (Section 52)

78. (1) An application for the registration of a certification mark under the provisions of section 52 of the Act shall be made on Form TM 5.

(2) The application shall be dated and signed by the applicant or duly authorised agent. The provisions of regulations 11 (4) and (5), shall apply to the signature of the applicant.

79. The application shall be in duplicate and where the mark applied for is a mark, other than a word mark simpliciter, the provisions of regulation 13 shall apply.

80. (1) In the further proceedings relating to an application for a certification mark the provisions of regulations 15 (1) to (4), both inclusive, shall *mutatis mutandis* apply.

(2) A statement of case accompanied by rules as required by section 52 (4) of the Act shall be lodged at the request of the Registrar.

81. (1) Where the Registrar calls to his assistance a person or persons under the provisions of section 52 (6) of the Act, such person or persons shall, as requested by the Registrar, advise and report to him, in writing, on one or both of the following matters:

(a) The competency of the applicant to certify the goods or service in respect of which the mark is to be registered; and

(b) The adequacy of the rules.

aansoek gedoen word, en aan enige ander persoon wat volgens die register belang by die handelsmerk het, en bewys van sodanige bestelling moet tot bevrediging van die Registrateur gelewer word.

(3) Te eniger tyd binne twee maande na die datum van voormalde bestelling moet die geregistreerde eienaar of geregistreerde gebruiker van die handelsmerk of 'n ander belanghebbende persoon wat belang het en wat van voorname is om verset teen die aansoek by die Registrateur aan te teken, 'n teenverklaring indien waarin die gronde waarop die aansoek betwiss word, volledig uiteengesit word; terselfdertyd moet hy 'n afskrif van die teenverklaring aan die applikant bestel en bewys van bestelling moet tot tevredenheid van die Registrateur gelewer word.

(4) Binne twee maande na die bestelling van die teenverklaring moet die applikant die getuienis wat hy ter ondersteuning van sy aansoek aanvoer, by die Kantoor laat en afskrifte daarvan lewer aan die party of partye lewer wat 'n teenverklaring ingedien het. Indien hy nalaat om dit te doen, of om te meld dat hy van voorname is om hom op die feite vermeld in die aansoek te verlaat, word beskou dat daar van die aansoek afgesien is.

(5) Binne twee maande na die aflewering van die applikant se getuienis moet die party wat 'n teenverklaring ingedien het, sy getuienis by die Kantoor laat en afskrifte daarvan aan die applikant lewer. Indien hy nalaat om dit te doen of om te meld dat hy van voorname is om hom op die feite vermeld in die teenverklaring te verlaat, word beskou dat van die verset teen die aansoek afgesien is.

(6) Binne een maand na die aflewering van die getuienis deur die party wat in teenverklaring ingedien het, moet die applikant sy getuienis wat streng tot sake in repliek beperk word, by die Kantoor laat en afskrifte daarvan lewer aan die party wat die teenverklaring ingedien het.

(7) Ten opsigte van sake met betrekking tot die verlenging van tydperke en verdere verrigtinge betreffende die aansoek geld die bepalings van regulasies 31 tot en met 35 *mutatis mutandis*.

## WAARMERKINGSMERKE

### (Artikel 52)

78. (1) Aansoek om die registrasie van 'n waarmerkmersmerk ingevolge die bepalings van artikel 52 van die Wet moet op Vorm TM 5 gedoen word.

(2) Die aansoek moet gedateer en deur die applikant of behoorlik gemagtigde agent geteken word. Die bepalings van regulasies 11 (4) en (5) geld ten opsigte van die handtekening van die applikant.

79. Die aansoek moet in tweevoud gedoen word en waar die aangevraagde merk nie 'n woordmerk sonder meer is nie, geld die bepalings van regulasie 13.

80. (1) In die verdere verrigtinge ten opsigte van 'n aansoek om 'n waarmerkmersmerk geld die bepalings van regulasies 15 (1) tot en met (4) *mutatis mutandis*.

(2) 'n Uiteensetting van saak, vergesel van reëls soos vereis by artikel 52 (4) van die Wet, moet op versoek van die Registrateur ingedien word.

81. (1) Indien die Registrateur kragtens artikel 52 (6) van die Wet een of meer persone oproep om hom by te staan, moet sodanige persoon of persone, soos versoek deur die Registrateur, laasgenoemde skriftelik adviseer en aan hom verslag doen oor een of beide van die volgende aangeleenthede:

(a) Die bevoegdheid van die applikant om die goedere of dienste ten opsigte waarvan die merk geregistreer moet word, te waarmerk; en

(b) die toereikendheid van die betrokke reëls.

(2) When in the opinion of the Registrar a person or persons should be called to his assistance in terms of the foregoing subregulation, the Registrar shall require the applicant to pay the prescribed fee on Form TM 8.

82. The Registrar shall after consideration of the report (if any) decide whether the application for the mark is acceptable under the provisions of section 52 (6) of the Act. If after such consideration, the Registrar accepts the application for the mark he shall notify the applicant accordingly, in writing, and thereafter the application shall, *mutatis mutandis* proceed as an ordinary application.

83. Where the Registrar accepts an application for a certification mark subject to conditions, modifications or amendments, the provisions of regulation 15 (5) shall *mutatis mutandis* apply.

84. (1) If the report states that the rules are inadequate or that the applicant is not competent to certify the goods or services for which the mark is applied, the person or persons who reported to the Registrar shall furnish particulars, in full, in relation to all matters which such person or persons consider as not being adequate or that for which the applicant is not considered to be competent.

(2) The Registrar shall furnish a copy of the aforementioned report to the applicant, in writing, and thereafter the provisions of regulation 15 (4) shall *mutatis mutandis* apply.

85. If the applicant submits arguments, in writing, the Registrar may call upon the person or persons as aforesaid, to consider such arguments and to furnish a further report thereon.

86. (1) If the applicant applies for a hearing, the Registrar may call to his assistance the person or persons aforesaid who may question the applicant on his competency to certify the goods or services specified in his application or in relation to the adequacy of the rules.

(2) At least seven days before the hearing before the Registrar under the provisions of the foregoing subregulation, the applicant shall furnish the Registrar with the full names and qualifications of any person who will be required to give *viva voce* evidence on behalf of the applicant.

87. The remuneration of the person or persons called to the assistance of the Registrar shall, under the provisions of section 52 (16) of the Act, be the remuneration specified in Schedule 5 to these regulations.

88. (1) At any stage of the proceedings the applicant may apply on Form TM 19 to amend his statement of case, and if such an application is made during a hearing, as aforesaid, the Registrar may adjourn the hearing to such time and date as he may find convenient.

(2) If an application is made to amend the rules, the amendment sought shall be indicated by showing in square brackets all words that are to be omitted; and by underlining all words that are to be added.

(3) The Registrar may, before advising the applicant of the form and wording for the purpose of an advertisement under the provisions of regulation 23 (1), require that the applicant shall file two new copies of the rules as amended.

89. In any opposition proceedings relating to a certification mark the provisions of regulations 24 to 35, inclusive, and 86 shall *mutatis mutandis* apply.

(2) Indien die Registrateur dit nodig ag om een of meer persone op te roep om hom by te staan, soos bedoel in die voorafgaande subregulasie, moet die Registrateur eis dat die applikant die voorgeskrewe geldte op Vorm TM 8 betaal.

82. Nadat hy die verslag (indien daar een is) oorweeg het, moet die Registrateur besluit of die aansoek om die merk ingevolge die bepalings van artikel 52 (6) van die Wet aanvaarbaar is. Indien die Registrateur, na sodanige oorweging, die aansoek om die merk aanvaar, moet hy die applikant skriftelik dienooreenkomsdig verwittig, en daarna moet die aansoek *mutatis mutandis* soos 'n gewone aansoek behandel word.

83. Indien die Registrateur 'n aansoek om 'n waarmarkingsmerk behoudens voorwaardes, veranderings of wysigings aanvaar, geld die bepalings van regulasie 15 (5) *mutatis mutandis*.

84. (1) Indien in die verslag verklaar word dat die reëls ontoereikend is of dat die applikant nie bevoeg is om die goedere of dienste te waarmerk waarvoor die merk aangevra word nie, moet die persoon of persone wat aan die Registrateur verslag gedoen het, volledige besonderhede verstrek van alles wat sodanige persoon of persone as onteoreikend ag of waarvoor die applikant as onbevoeg beskou word.

(2) Die Registrateur moet skriftelik 'n afskrif van die voormalde verslag aan die applikant verskaf en daarna geld die bepalings van regulasie 15 (4) *mutatis mutandis*.

85. Indien die applikant skriftelike betoe indien, kan die Registrateur voormalde persoon of persone versoek om sodanige betoe te oorweeg en 'n verdere verslag daaroor voor te lê.

86. (1) Indien die applikant aansoek doen om 'n verhoor, kan die Registrateur voormalde persoon of persone oproep om hom by te staan, en daardie persoon of persone kan die applikant ondervra oor sy bevoegdheid om die goedere of dienste genoem in sy aansoek te waarmerk of oor die toereikendheid van die reëls.

(2) Die applikant moet minstens sewe dae voor die verhoor voor die Registrateur ingevolge die voorafgaande subregulasie, die volle name en kwalifikasies verstrek van enige wat nodig sal wees vir die aflê van *viva voce* getuenis ten behoeve van die applikant.

87. Die vergoeding van die persoon of persone wat opgeroep word om die Registrateur by te staan, is ingevolge die bepalings van artikel 52 (16) van die Wet soos uiteengesit in Bylae 5 van hierdie regulasies.

88. (1) Die applikant kan op enige stadium van die verrigtinge op Vorm TM 19 aansoek doen om sy uit-eenseetting van saak te wysig, en as sodanige aansoek gedurende voormalde verhoor gedoen word, kan die Registrateur die verhoor verdaag tot 'n tyd en datum wat hy gerieslik vind.

(2) Indien aansoek gedoen word om die reëls te wysig, moet die wysiging aangedui word deur alle woorde wat wegelaat moet word, tussen vierkantige hakkies te toon; en deur alle woorde wat toegevoeg moet word, te onderstreep.

(3) Voordat hy die applikant in kennis stel van die vorm en bewoording van 'n bekendmaking ingevolge regulasie 23 (1), kan die Registrateur vereis dat die applikant twee nuwe afskrifte van die reëls in hul gewysigde vorm indien.

89. In enige versetverrigtinge betreffende 'n waarmarkingsmerk geld die bepalings van regulasies 24 tot en met 35, en 86 *mutatis mutandis*.

90. An application for the amendment of the rules of a registered certification mark shall be made on Form TM 19. The Registrar may require the applicant to file a statement of case and thereafter the provisions of these regulations relating to an application for a certification mark shall, *mutatis mutandis* apply, in so far as they can be applied.

91. In an application for an assignment or transmission of a certification mark the provisions of regulations 48 to 55, both inclusive, shall *mutatis mutandis* apply. In addition the applicant who becomes entitled by the assignment or transmission to the certification mark shall file a statement of case, relating to his competency to certify the goods or services in respect of which the mark is registered. The Registrar may require the applicant aforesaid to furnish such additional information as the Registrar may require. The Registrar may also require the applicant to pay the prescribed fee on Form TM 42 if the Registrar considers that the provision of regulation 81 (1) should apply. The Registrar shall then consider the application under the provisions of these regulations relating to an application for a certification mark, which regulations shall *mutatis mutandis* apply, in so far as they can be applied.

## CERTIFICATES

[Section 31 (6)]

92. (1) The Registrar, when required otherwise than under section 37 of the Act, to give a certificate as to any entry, matter or thing which he is authorised by the Act or any of these regulations to make or do, may on receipt of a request, in writing, on Form TM 48 give such a certificate.

(2) The following certificates shall be issued in respect of the matters set out in the title to the forms enumerated:

Certificate of Assignment: Form 0.4;

Certificate of Registration of Registered User: Form 0.5;

Certificate of Change of Name: Form 0.6;

Certificate of Extract from Register: Form 0.7;

Certificate of Renewal: Form 0.8;

and the certificates may be amended as directed by the Registrar to meet any contingency.

## REPEAL

93. The regulations published under Government Notice R. 1997 of 1963, as amended by Government Notices R. 1596 of 1964, R. 847 of 1965, R. 2121 of 1967 and R. 2756 of 1969, are hereby repealed; provided that all applications made and proceedings commenced prior to the commencement of the Trade Mark Regulations, 1971, in relation to a trade mark or a certification mark shall be dealt with in accordance with the regulations in force prior to the commencement of the Trade Mark Regulations, 1971.

94. These regulations shall be called the Trade Mark Regulations, 1971, and shall come into operation on 1 January 1972.

90. Aansoek om die wysiging van die reëls van 'n geregistreerde waarmerkingsmerk moet gedoen word op Vorm TM 19. Die Registrateur kan vereis dat die applikant 'n uiteensetting van saak indien, en daarna geld die bepalings van hierdie regulasies betreffende 'n aansoek om registrasie van 'n waarmerkingsmerk *mutatis mutandis* in sover hulle toegepas kan word.

91. By 'n aansoek om sessie of oordrag van 'n waarmerkingsmerk geld die bepalings van regulasies 48 tot en met 55 *mutatis mutandis*. Daarbenewens moet 'n applikant wat as gevolg van 'n sessie of oordrag geregtig word op die waarmerkingsmerk, 'n uiteensetting van saak indien betreffende sy bevoegdheid om die goedere of dienste te waarmerk waarvoor die merk geregistreer is. Die Registrateur kan van die voornoemde applikant vereis dat hy sodanige addisionele inligting verstrek as wat die Registrateur mag vereis. As die Registrateur van oordeel is dat die bepalings van regulasie 81 (1) moet geld, kan hy ook vereis dat die applikant die voorgeskreve gelde op Vorm TM 42 betaal. Daarna moet die Registrateur die aansoek oorweeg ingevolge die bepalings van daardie regulasie wat betrekking het op 'n aansoek om 'n waarmerkingsmerk, en daardie regulasies geld *mutatis mutandis* in sover hulle toegepas kan word.

## SERTIFIKATE

[Artikel 31 (6)]

92. (1) Wanneer anders as ingevolge artikel 37 van die Wet van die Registrateur vereis word om 'n sertifikaat te verstrek oor 'n inskrywing, saak of handeling wat hy deur die Wet of enige van hierdie regulasies gemagtig is om te doen of te verrig, kan hy sodanige sertifikaat verstrek na ontvangs van 'n skriftelike versoek op Vorm TM 48.

(2) Die volgende sertifikate word uitgereik ten opsigte van die aangeleenthede vermeld in die opskrifte van die betrokke vorms, naamlik:

Sertifikaat van Sessie: Vorm 0.4;

Sertifikaat van Registrasie van Geregistreerde Gebruiker: Vorm 0.5;

Sertifikaat van Naamsverandering: Vorm 0.6;

Sertifikaat van Uittreksel uit Register: Vorm 0.7;

Sertifikaat van Hernuwing: Vorm 0.8;

en die sertifikate kan gewysig word soos die Registrateur bepaal om aan 'n gebeurlikheid die hoof te bied.

## HERROEPING

93. Die regulasies gepubliseer by Goewermentskennisgewing R. 1997 van 1963, soos gewysig, by Goewermentskennisgewings R. 1596 van 1964, R. 847 van 1965, R. 2121 van 1967 en R. 2756 van 1969, word hierby herroep; met dien verstande dat alle aansoeke en verrigtinge wat voor die inwerkingtreding van die Handelsmerkregulasies, 1971, in verband met 'n handelsmerk of 'n waarmerkingsmerk gedoen of begin is, ooreenkomsdig die regulasies van toepassing voor die inwerkingtreding van die Handelsmerkregulasies, 1971, behandel moet word.

94. Hierdie regulasies word genoem die Handelsmerkregulasies, 1971, en tree in werking op 1 Januarie 1972.

**SCHEDULE I**  
**FEES**

The following fees shall be paid in connection with applications, registrations and other matters under the Act.

Such fees must in all cases be paid before or at the time of doing the matter in respect of which they are to be paid.

Item No.	Description	Fees	Corresponding forms	Item No.	Beskrywing	Gelde	Verbandhoudende vorms
1	On application to register a trade mark for a specification of goods/services included in one class. (Sections 10, 12, 20 and 73 and Regulation 11)	R16	TM 1	1	By aansoek om 'n handelsmerk te regstreer vir 'n spesifikasie van goedere/dienste ingesluit in een klas. (Artikels 10, 12, 20 en 73 en Regulasie 11)	R16	TM 1
2	Additional representation of trade mark to accompany application for registration. [Regulation 13 (3)]	—	TM 2	2	Bykomende voorstelling van handelsmerk wat aansoek om registrasie moet vergesel. [Regulasie 13 (3)]	—	TM 2
3	Request for statement of grounds of decision. [Regulation 74 (1) (a)]	R10	TM 3	3	Versoek om uiteensetting van gronde vir beslissing. [Regulasie 74 (1) (a)]	R10	TM 3
4	Request for advertisement. (Sections 8 and 21, Regulations 9 and 23)	R5	TM 4	4	Versoek om bekendmaking. (Artikel 8 en 21, Regulasies 9 en 23)	R5	TM 4
5	Application for registration of a certification mark for a specification of goods/services included in one class. [Section 52 and Regulation 78 (1)]	R20	TM 5	5	Aansoek om registrasie van 'n waarmerkingsmerk ten opsigte van 'n spesifikasie van goedere/dienste in een klas ingesluit. [Artikel 52 en Regulasie 78 (1)]	R20	TM 5
6	Notice of opposition to application for registration. [Section 26 and Regulation 24 (2)]	R5	TM 6	6	Kennisgewing van verset teen aansoek om registrasie. [Artikel 26 en Regulasie 24 (2)]	R5	TM 6
7	Form of counterstatement. (Section 27 and Regulation 25)	R3	TM 7	7	Vorm van teenverklaring.....	R3	TM 7
8	Additional fee for certification mark: [Section 52 and Regulation 81 (2)]..... (Section 52 and Regulation 90)	R50 R25	TM 8 TM 8	8	Bykomende gelde vir waarmerkingsmerk: [Artikel 52 en Regulasie 81 (2)]... (Artikel 52 en Regulasie 90)...	R50 R25	TM 8 TM 8
9	Renewal of registration before notice given. (Sections 13 and 47 and Regulation 42.) For each mark: (a) For an ordinary registration... (b) For a certification mark.... (c) For a defensive registration mark	R10 R10 R20	TM 9	9	Hernuwing van registrasie voordat kennis gegee word. (Artikels 13 en 47 en Regulasie 42.) Vir elke merk: (a) Vir 'n gewone registrasie.... (b) Vir 'n waarmerkingsmerk... (c) Vir 'n defensiewe registrasie-merk.	R10 R10 R20	TM 9
10	Renewal of registration of mark after notice. (Regulation 43)	Fees as under item 9 (a), (b) and (c) R3	TM 10	10	Vir hernuwing van registrasie van merk na kennisgewing. (Regulasie 43)	Gelde soos onder items 9 (a), (b) en (c) R3	TM 10
11	Additional fee to accompany renewal fee (Form TM 10) within one month after advertisement. (Regulation 43)	TM 11		11	Bykomende gelde wat hernuwingsgeld (Vorm TM 10) binne een maand na bekendmaking moet vergesel. (Regulasie 43)	TM 11	
12	Penalties for restoration of trade mark removed for non-payment of renewal fees. (Regulation 44)	R10	TM 12	12	Boete vir herstel van handelsmerk wat geskrap is weens versuum om hernuwingsgelde te betaal. (Regulasie 44)	R10	TM 12
13	Joint application by registered proprietor and assignee to register the assignee as subsequent proprietor of trade mark upon same devolution of title. (Section 51 and Regulation 48): For first mark..... For each additional mark.....	R5 R1	TM 13	13	Gesamentlike aansoek deur geregistreerde eienaar en sessioneeris om die registrasie van sessioneeris as latere eienaar van die handelsmerk op dieselfde oordragakte. (Artikel 51 en Regulasie 48): Vir eerste merk..... Vir elke bykomende merk.....	R5 R1	TM 13
14	Application to register a subsequent proprietor of a trade mark upon the same devolution of title. (Section 51 and Regulation 49): For first mark..... For each additional mark.....	R5 R1	TM 14	14	Aansoek om registrasie van 'n opvolgende eienaar van 'n handelsmerk op dieselfde oordragakte. (Artikel 51 en Regulasie 49): Vir eerste merk..... Vir elke bykomende merk.....	R5 R1	TM 14
15	Sworn declaration in support of statement of case accompanying form TM 13 or 14. (Regulation 51)	—	TM 15	15	Beëdigde verklaring ter ondersteuning van uiteensetting van saak wat vorm TM 13 of 14 vergesel. (Regulasie 51)	—	TM 15

**BYLAE I**  
**GELDE**

Die volgende gelde is betaalbaar in verband met aansoeke, registrasies en ander aangeleenthede ingevolge die Wet.

Sodanige gelde moet in alle gevalle betaal word voor of ten tyde van die verrigting van die saak ten opsigte waarvan hulle betaalbaar is.

Item No.	Description	Fees	Corresponding forms	Item No.	Beskrywing	Gelde	Verbandhoudende vorms
16	Application to dissolve association between a registered trade mark and another registered trade mark. [Section 36 (6) and Regulation 38 (2).] For each mark	R5	TM 16	16	Aansoek om ontbinding van assosiasi tussen een geregistreerde handelsmerk en 'n ander geregistreerde handelsmerk. [Artikel 36 (6) en Regulasie 38 (2).] Vir elke merk	R5	TM 16
17	Application for alteration of address or address for service. [Section 32 or 77 (2) and Regulation 8 (2).] For each entry	50c	TM 17	17	Aansoek om verandering van adres of adres vir bestelling. [Artikel 32 of 77 (2) en Regulasie 8 (2).] Vir elke inskrywing.	50c	TM 17
18	Application for substitution of applicant. [Section 49 (7) or 56 (2) and Regulation 56]. For first mark..... For each additional mark.....	R5 R1	TM 18	18	Aansoek om vervanging van applikant. [Artikel 49 (7) of 56 (2) en Regulasie 56]: Vir eerste merk..... Vir elke bykomende merk.....	R5 R1	TM 18
19	Application for correction of clerical error or for permission to amend application or document [Sections 20 (9), 32 or 56 (1), Regulations 63 and 90]	50c	TM 19	19	Aansoek om verbetering van 'n klerklike fout of om magtiging om 'n aansoek of dokument te wysig. [Artikels 20 (9); 32 of 56 (1) en Regulasies 63 en 90]	50c	TM 19
20	Application to enter change of name or description of registered proprietor (or registered user) of trade mark upon the register. (Section 32 and Regulation 63.) For each mark	50c	TM 20	20	Aansoek om 'n verandering van die naam of beschrywing van 'n geregistreerde eienaar (of geregistreerde gebruiker) van 'n handelsmerk in die register aan te teken. (Artikel 32 en Regulasie 63.) Vir elke merk	50c	TM 20
21	Application by registered proprietor to cancel entry on register. (Section 32 and Regulation 63.) For each mark	50c	TM 21	21	Aansoek deur geregistreerde eienaar om die intrekking van 'n inskrywing in die register. (Artikel 32 en Regulasie 63.) Vir elke merk	50c	TM 21
22	Request to strike out goods/services from those for which a trade mark is registered. (Section 32 and Regulation 63)	50c	TM 22	22	Versoek om die skrapping van goedere/dienste uit dié waarvoor handelsmerk geregistreer is. (Artikel 32 en Regulasie 63)	50c	TM 22
23	Request to enter disclaimer or memorandum relating to a trade mark. (Section 32 and Regulation 63)	R1	TM 23	23	Versoek om inskrywing in register van 'n prysgiving of 'n memorandum ten opsigte van 'n handelsmerk. (Artikel 32 en Regulasie 63)	R1	TM 23
24	Application to add to or alter a trade mark. [Section 34 (1) and Regulation 68.] For each mark	R5	TM 24	24	Aansoek om byvoeging tot of wysiging aan 'n handelsmerk. [Artikel 34 (1) en Regulasie 68.] Vir elke merk	R5	TM 24
25	Request for search. (Regulation 70)	R5	TM 25	25	Versoek om nasoeking (Regulasie 70)	R5	TM 25
26	Notice of Order of Court for alteration or rectification of register of trade marks. [Section 33 (4), Section 36 and Regulation 76 (1).] For each mark	R1	TM 26	26	Kennis van hofbevel vir wysiging of regstelling van register van handelsmerke. [Artikels 33 (4), 36 en Regulasie 76 (1).] Vir elke merk	R1	TM 26
27	Notification of application to Court. [Section 65 and Regulation 74 (2)]	R6	TM 27	27	Kennisgiving van aansoek by Hof. [Artikel 65 en Regulasie 74 (2)]	R6	TM 27
28	Request for information ( <i>Caveat</i> ) as to future proceedings. (Regulation 71)	R4	TM 28	28	Versoek om inligting ( <i>Caveat</i> ) oor toekomstige verrigting. (Regulasie 71)	R4	TM 28
29	Application for the certificate of the Registrar with reference to the proposed assignment of a registered trade mark. [Section 49 (5) and Regulation 55]	R5	TM 29	29	Aansoek om die Registrateur se sertifikaat met betrekking tot voorgenome sedering van 'n geregistreerde handelsmerk. [Artikel 49 (5) en Regulasie 55]	R5	TM 29
30	Application for approval by the Registrar of a proposed assignment or of a transmission of a trade mark resulting in exclusive rights for different persons in different parts of the Republic. [Section 49 (6) and Regulation 55]	R5	TM 30	30	Aansoek om goedkeuring deur die Registrateur van 'n voorgenome aansoek om sessie of oordrag van 'n handelsmerk wat lei tot eksklusiewe regte vir verskillende persone in verskillende dele van die Republiek. [Artikel 49 (6) en Regulasie 55]	R5	TM 30
31	Application to register a trade mark as a defensive registration. [Section 53 (1) and Regulation 18]. For each application	R22	TM 31	31	Aansoek om registrasie van handelsmerk as defensieve registrasie [Artikel 53 (1) en Regulasie 18.] Vir elke aansoek	R22	TM 31
32	Application for registration of defensive trade mark as ordinary registration. [Section 53 (2) and Regulation 19 (2)]	R5	TM 32	32	Aansoek om registrasie van defensieve handelsmerk as gewone registrasie. [Artikel 53 (2) en Regulasie 19 (2)]	R5	TM 32

Item No.	Description	Fees	Corre-sponding forms	Item No.	Beskrywing	Gelde	Verband-houdende vorms
33	Application for registration of ordinary trade mark as defensive registration. [Section 53 (2) and Regulation 19 (1)]	R15	TM 33	33	Aansoek om registrasie van gewone handelsmerk as defensiewe registrasie. [Artikel 53 (2) en Regulasie 19 (1)]	R15	TM 33
34	Application for registration of registered user. (Section 48 and Regulation 57)— For the first mark..... For each additional mark.....	R5 R5 R1	TM 34 TM 34	34	Aansoek om registrasie van geregistreerde gebruiker. (Artikel 48 en Regulasie 57): Vir die eerste merk..... Vir elke bykomende merk....	R5 R1 R5	TM 34 TM 35
35	Application by registered proprietor of trade mark for variation of the registration of a registered user thereof with regard to the goods/services or the conditions or restrictions. [Section 48 (8) (a) and Regulation 59]	R5	TM 35	35	Aansoek deur geregistreerde eienaar van handelsmerk om wysiging van die registrasie van 'n geregistreerde gebruiker daarvan ten opsigte van goedere/dienste of die voorwaardes of beperkings. [Artikel 48 (8) (a) en Regulasie 59]	R2	TM 36
36	Application by registered proprietor of trade mark or by any of the registered users of the trade mark for the cancellation of entry of a registered user thereof. [Section 48 (8) (b) and Regulation 60]	R2	TM 36	36	Aansoek deur geregistreerde eienaar van handelsmerk of deur enige van die geregistreerde gebruikers van die handelsmerk om die intrekking van 'n inskrywing van 'n geregistreerde gebruiker daarvan. [Artikel 48 (8) (b) en Regulasie 60]	R5	TM 37
37	Application for cancellation of entry of a registered user of a trade mark. [Section 48 (8) (c) and Regulation 61]	R5	TM 37	37	Aansoek om intrekking van inskrywing van geregistreerde gebruiker van 'n handelsmerk. [Artikel 48 (8) (c) en Regulasie 61]	R1	TM 38
38	Notice to the Registrar to intervene in proceedings for the variation or cancellation of an entry of a user of a trade mark. [Section 48 (9) and Regulation 62]	R1	TM 38	38	Kennisgewing aan Registrateur om toe te tree tot verrigtinge vir die wysiging of intrekking van 'n inskrywing van 'n geregistreerde gebruiker van 'n handelsmerk. [Artikel 48 (9) en Regulasie 62]	R1	TM 39
39	Fees for Registration— (a) Dissolution of association between marks. [Section 38 and Regulation 38 (2)] (b) Assignment or transmissions. [Section 49 and Regulation 53] (c) Registered user or variations or cancellation thereof. [Section 48 and Regulations 62 (5)]	R1 R1 R1	TM 39 TM 39 TM 39	39	Gelde vir registrasie van: (a) Ontbinding van assosiasie tussen merke. [Artikel 38 en Regulasie 38 (2)] (b) Sessie of oordrag (Artikel 49 en Regulasie 53) (c) Geregistreerde gebruiker of wysigings of intrekking daarvan. [Artikel 48 en Regulasie 62 (5)]	R12	TM 40
40	Application for honest concurrent user. [Section 17 (2) and Regulation 21]	R12	TM 40	40	Aansoek om eerlike gelyktydige gebruik. [Artikel 17 (2) en Regulasie 21]	R10	TM 41
41	Application for determination of rights of parties. [Section 17 (3) and Regulation 22]	R10	TM 41	41	Aansoek om die bepaling van regte van partye. [Artikel 17 (3) en Regulasie 22]	R25	TM 42
42	Statement of case for assignment or transmission of certification mark. (Section 52 and Regulation 91)	R25	TM 42	42	Uiteensetting van saak vir sessie of oordrag van waarmerkingsmerk (Artikel 52 en Regulasie 91)	R1	TM 43
43	Consent to informal opposition proceedings. (Section 28 and Regulation 26)	R1	TM 43	43	Toestemming tot informele verset verrigtinge. (Artikel 28 en Regulasie 26)	R3	TM 44
44	Notice of intention to oppose amendment of trade mark. (Section 34 and Regulation 69)	R3	TM 44	44	Kennisgewing van voorgenome verset teen wysiging van handelsmerk. (Artikel 34 en Regulasie 69)	R10	TM 45
45	Application to Registrar to rectify register. [Section 69 and Regulation 77 (1) read with Section 10 (3), 33 (1), 35, and 53 (4)]	R10	TM 45	45	Aansoek by Registrateur vir regstelling uit register. [Artikel 69 en Regulasie 77 (1) gelees met Artikels 10 (3), 33 (1), 35 en 53 (4)]	R10	TM 46
46	Application to Registrar to remove mark from register on ground of non-use. (Section 69 read with Section 36 and Regulation 77)	R10	TM 46	46	Aansoek aan Registrateur om skraping van register op grond van nie-gebruik (Artikel 69 gelees met Artikel 36 en Regulasie 77)	R10	TM 46
47	Notice of payment of hearing fee. (Regulation 33)	R5	TM 47	47	Kennisgewing van betaling van verhoorgelde (Regulasie 33)	R5	TM 47
48	Application for certificate. [Section 31 (6) and Regulation 92 (1)]	R1	TM 48	48	Aansoek om sertifikaat. [Artikel 31 (6) en Regulasie 92 (1)]	R1	TM 48
49	Consent to appeal to Appellate Division. [Section 63 (5) and Regulation 74 (1) (b)]	R1	TM 49	49	Toestemming tot appèl na Appellafdeling. [Artikel 63 (5) en Regulasie 74 (1) (b)]	R1	TM 49
50	For leave to make copies of documents in respect of each application or registered trade mark	50c	—	50	Verlof om afskrifte van dokumente te maak. Vir elke aansoek of geregistreerde handelsmerk.	50c	—

Item No.	Description	Fees	Corresponding forms	Item No.	Beskrywing	Gelde	Verbandhoudende vorms
51	For inspecting register—for every quarter of an hour	10c	—	51	Nagaan van register—vir elke kwartier	10c	—
52	For collating documents for certification—for every 100 words or part thereof	25c	—	52	Kollasjonerig van dokumente vir sertifisering—vir elke 100 woorde of deel daarvan	25c	—
53	For photocopy of any document, per page	10c	—	53	Fotokopiëring van enige dokument, per bladsy	10c	—
54	Upon each entry in the register of a mark or a note that the mark is associated with a newly registered mark	25c	—	54	Elike inskrywing in die register van 'n merk of nota dat die merk geassosieer is met 'n nuutgeregistreerde merk	25c	—

## SCHEDULE 2

## TRADE MARK FORMS

Office forms 0.1 to 0.8 and General Forms TM 1 to TM 49 as follows:

## Trade Marks Form 0.1

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT 1963

NOTICE OF NON-COMPLETION OF REGISTRATION  
(Section 25, Regulation 36)Trade Marks Office  
Pretoria

No.

I have to invite your attention to section 25 of the Trade Marks Act 1963, and to regulation 36 of the Trade Mark Regulations made thereunder.

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 30 days from the date hereof, the application will be treated as abandoned.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Registrar of Trade Marks

To \_\_\_\_\_

## Trade Marks Form 0.2

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT 1963

## CERTIFICATE OF REGISTRATION

[Section 37 (2)]

I hereby certify, in terms of section 37 (2) of the Act, that subject to the terms and conditions specified therein the undermentioned trade mark has been registered in the Trade Marks Office with effect from the \_\_\_\_\_ of \_\_\_\_\_ 19\_\_\_\_\_.

The registration is for a period of 10 years from \_\_\_\_\_ 19\_\_\_\_\_, in the name of \_\_\_\_\_

## PARTICULARS OF ENTRY IN THE REGISTER OF TRADE MARKS

Signed and sealed at Pretoria, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Registrar of Trade Marks

Trade Marks Office  
Pretoria.

## BYLAE 2

## HANDELSMERK VORMS

Kantoorvorms 0.1 tot 0.8 en Algemene Vorms TM 1 tot TM 49 is soos volg:

## Handelsmerkvorm 0.1

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

KENNISGEWING VAN NIE-VOLTOOING VAN REGISTRASIE  
(Artikel 25, Regulasie 36)Die Kantoor van Handelsmerke  
Pretoria

No. \_\_\_\_\_

Ek moet u aandag vestig op artikel 25 van die Wet op Handelsmerke, 1963, en op regulasie 36 van die Handelsmerkregulasies ingevolge daarvan uitgevaardigd.

U aansoek met bovenmelde nommer is op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_. Weens u versuim is registrasie nog nie voltooi nie. Tensy dit voltooi word binne 30 dae na die datum hiervan sal dit geag word dat van die aansoek afgesien is.

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Registrateur van Handelsmerke

Aan \_\_\_\_\_

## Handelsmerkvorm 0.2

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

## SERTIFIKAAT VAN REGISTRASIE

[Artikel 37 (2)]

Ingevolge die bepalings van artikels 37 (2) van die Wet sertifiseer ek hierby dat, behoudens die bepalings en voorwaardes daarin uitengesit, die ondergemelde handelsmerk in die Kantoor van Handelsmerke geregistreer is met ingang van die \_\_\_\_\_ van \_\_\_\_\_ 19\_\_\_\_\_.

Die registrasie geld vir 10 jaar vanaf \_\_\_\_\_ 19\_\_\_\_\_, in die naam van \_\_\_\_\_

BESONDERHEDE VAN INSKRYWING  
IN DIE REGISTER VAN HANDELSMERKE

Geteken en geseël te Pretoria op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Registrateur van Handelsmerke

Kantoor van Handelsmerke  
Pretoria.

## Trade Marks Form 0.3

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT 1963NOTICE BEFORE REMOVAL OF TRADE MARK FROM THE  
REGISTER UNDER SECTION 47 (3)

You are hereby notified that, under the provisions of section 47 (3) of the Act and regulation 41, your Trade Mark No. \_\_\_\_\_, registered in Class \_\_\_\_\_ will be removed from the trade marks register unless the prescribed fee of R. \_\_\_\_\_ (payable on Form TM 10) is received at this office on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_, on which date this existing registration will expire.

As a result of the substituted classification your mark or marks are renewable in accordance with the classification set out in Schedule 4 to the Trade Mark Regulations, 1971.

Additional representations of the trade mark and the fee must accompany each Form TM 10, if as a result of the reclassification the trade mark is to be renewed in more than one class.

Dated this \_\_\_\_\_ day of 19\_\_\_\_\_

Trade Marks Office  
Pretoria.  
To \_\_\_\_\_

Registrar of Trade Marks

*Note.*—The renewal fees are as follows:

- (a) For an ordinary registration (per trade mark)..... R10
- (b) For a certification mark (per mark)..... R10
- (c) For a defensive trade mark (per trade mark)..... R20

N.B.—The full renewal fee is payable in respect of each separate class.

## Trade Marks Form 0.4

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
CERTIFICATE OF ASSIGNMENT

(Pursuant to Section 51 and Regulation 53)

This is to certify that the name of the subsequent proprietor of Trade Mark No. \_\_\_\_\_ has been entered in my register to read as follows:

Signed and sealed at Pretoria this \_\_\_\_\_ day of 19\_\_\_\_\_

Trade Marks Office  
Pretoria.

Registrar of Trade Marks

## Trade Marks Form 0.5

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
CERTIFICATE OF REGISTRATION OF A REGISTERED USER  
[Pursuant to Section 48 (5) and Regulation 58]

I hereby certify that the following entry appears in my register in relation to the undermentioned trade mark:

No. \_\_\_\_\_  
of \_\_\_\_\_  
address for service \_\_\_\_\_  
was on the \_\_\_\_\_ day of 19\_\_\_\_\_  
registered as a registered user subject, *inter alia*, to the following conditions:

- (1) The registered user will/will not be the sole registered user.
- (2) The permitted use is \_\_\_\_\_
- (3) The trade mark may be used in respect of \_\_\_\_\_
- (4) The appointment covers the following territory:

Signed and sealed at Pretoria this \_\_\_\_\_ day of 19\_\_\_\_\_

Registrar of Trade Marks

Trade Marks Office  
Pretoria.

## Handelsmerkform 0.3

## REPUBLIEK VAN SUID-AFRIKA

## DIE WET OP HANDELSMERKE, 1963

KENNISGEWING VOORDAT HANDELSMERK UIT DIE  
REGISTER GESKRAP WORD INGEVOLGE ARTIKEL 47 (3)

U word hierby in kennis gestel dat, ingevolge die bepalings van artikel 47(3) van die Wet en regulasie 41, u Handelsmerk No. \_\_\_\_\_ geregistreer in Klas \_\_\_\_\_ uit die Register van Handelsmerke geskrap sal word tensy die voorgeskrewe geld van R. \_\_\_\_\_ (wat op Vorm TM 10 betaalbaar is) in hierdie kantoor ontvang word voor of op die \_\_\_\_\_ dag van 19\_\_\_\_\_, op welke datum die bestaande registrasie verstryk.

As gevolg van die vervangende klassifikasie is u merk of merke nou hernieubaar in ooreenstemming met die klassifikasie uiteengesit in Bylae 4 van die Handelsmerkregulasies, 1971.

Bykomende voorstelling van die handelsmerk en die gelede moet elke Vorm TM 10 vergeesel, indien die handelsmerk as gevolg van die herklassifikasie in meer as een klas hernieu moet word.

Gedateer op die \_\_\_\_\_ dag van 19\_\_\_\_\_

Registrateur van Handelsmerke

Kantoor van Handelsmerke

Pretoria.

*Let Wel.*—Die hervuwingsgeld is soos volg:

- (a) Vir 'n gewone registrasie (per handelsmerk)..... R10
- (b) Vir 'n waarmerkingsmerk (per merk)..... R10
- (c) Vir 'n defensiewe handelsmerk (per merk)..... R20

L.W.—Die volle hervuwingsgeld is ten opsigte van elke afsonderlike klas betaalbaar.

## Handelsmerkform 0.4

## REPUBLIEK VAN SUID-AFRIKA

## WET OP HANDELSMERKE, 1963

## SERTIFIKAAT VAN SESSIE

(Ingevolge Artikel 51 en Regulasie 53)

Hierby word gesertifiseer dat die naam van die latere eienaar van Handelsmerk No. \_\_\_\_\_ in my register aangeteken is en soos volg lui:

Geteken en geseël te Pretoria op die \_\_\_\_\_ dag van 19\_\_\_\_\_

Registrateur van Handelsmerke

Kantoor van Handelsmerke

Pretoria.

## Handelsmerkform 0.5

## REPUBLIEK VAN SUID-AFRIKA

## WET OP HANDELSMERKE, 1963

SERTIFIKAAT VAN REGISTRASIE VAN GEREGISTREERDE  
GEBRUIKER

[Ingevolge Artikel 48 (5) en Regulasie 58]

Hierby sertifiseer ek dat onderstaande inskrywing ten opsigte van ondergenoemde handelsmerk in my register voorkom:

No. \_\_\_\_\_

van \_\_\_\_\_

adres vir bestelling \_\_\_\_\_

is op die \_\_\_\_\_ dag van 19\_\_\_\_\_  
geregistreer as 'n geregistreerde gebruiker onderhewig, *inter alia*, aan die volgende voorwaardes:

- (1) Die geregistreerde gebruiker sal nie die enigste geregistreerde gebruiker wees nie.
- (2) Die veroorloofde gebruik is \_\_\_\_\_
- (3) Die handelsmerk mag gebruik word ten opsigte van \_\_\_\_\_
- (4) Die aanstelling dek die volgende gebied:

Geteken en geseël te Pretoria op die \_\_\_\_\_ dag van 19\_\_\_\_\_

Registrateur van Handelsmerke

Kantoor van Handelsmerke  
Pretoria.

## Trade Marks Form 0.6

**REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
CERTIFICATE OF REGISTRATION OF CHANGE OF NAME  
(Pursuant to Section 32)**

This is to certify that the name of the proprietor/registered user of Trade Mark No. \_\_\_\_\_ has been altered in my register to read:

Signed and sealed at Pretoria this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Trade Marks Office  
Pretoria.

Registrar of Trade Marks

**REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
CERTIFICATE  
[Pursuant to Regulation 92 (1)]**

I hereby certify that the following extract from my register in relation to Trade Mark No. \_\_\_\_\_ is correct:

- (1) Name and address of proprietor.
- (2) Class \_\_\_\_\_ (Schedule \_\_\_\_\_).
- (3) Goods/services \_\_\_\_\_
- (4) Date of registration \_\_\_\_\_
- (5) The above registration remains in force up to the \_\_\_\_\_
- (6) The trade mark is registered in Part \_\_\_\_\_ of the Trade Marks Register.
- (7) Representation of mark.
- (8) Admissions, disclaimers, memoranda, limitations or conditions (if any):  
\_\_\_\_\_  
\_\_\_\_\_

Signed and sealed at Pretoria this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Trade Marks Office  
Pretoria.

Registrar of Trade Marks

**REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
Trade Marks Office  
Pretoria**

19

**RENEWAL CERTIFICATE  
(Section 47)**

Sir(s),

I have to inform you that the registration of Trade Mark No. \_\_\_\_\_ in Class \_\_\_\_\_ (Schedule \_\_\_\_\_) has been renewed for a period of 10 years from the \_\_\_\_\_

day of \_\_\_\_\_ 19\_\_\_\_\_

Yours faithfully,

Registrar of Trade Marks

## Handelsmerkform 0.6

**REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
SERTIFIKAAT VAN REGISTRASIE VAN  
NAAMSVERANDERING  
(Ingevolge Artikel 32)**

Hierby word gesertifiseer dat die naam van die eienaar/geregistreerde gebruiker van Handelsmerk No. \_\_\_\_\_ in my register gewysig is om as volg te lui:

Geteken en geseël te Pretoria op die \_\_\_\_\_ dag van  
19\_\_\_\_\_

Kantoor van Handelsmerke  
Pretoria.

Registrateur van Handelsmerke

## Handelsmerkform 0.7

**REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
SERTIFIKAAT  
[Ingevolge Regulasie 92 (1)]**

Hierby sertificeer ek dat onderstaande uittreksel uit my register ten opsigte van Handelsmerk No. \_\_\_\_\_ juis is:

- (1) Naam en adres van eienaar  
\_\_\_\_\_  
\_\_\_\_\_
- (2) Klas \_\_\_\_\_ (Bylae \_\_\_\_\_).
- (3) Goedere/Dienste \_\_\_\_\_
- (4) Datum van registrasie \_\_\_\_\_
- (5) Bogemelde registrasie bly van krag tot die \_\_\_\_\_
- (6) Die handelsmerk is geregistreer in Deel \_\_\_\_\_ van die Register van Handelsmerke.
- (7) Voorstelling van die merk.
- (8) Erkennings, prysgewings, memoranda, beperkings of voorwaardes (indien daar is):  
\_\_\_\_\_  
\_\_\_\_\_

Geteken en geseël te Pretoria op die \_\_\_\_\_ dag van  
19\_\_\_\_\_

Die Kantoor van Handelsmerke  
Pretoria.

Registrateur van Handelsmerke

## Handelsmerkform 0.8

**REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963**

**Kantoor van Handelsmerke  
Pretoria**

19

**SERTIFIKAAT VAN HERNUWING  
(Artikel 47)**

Meneer/Menere,

Ek moet u meegeel dat die registrasie van handelsmerk No. \_\_\_\_\_ in klas \_\_\_\_\_ (Bylae \_\_\_\_\_) hernieu is vir 'n tydperk van 10 jaar vanaf die \_\_\_\_\_ dag van  
19\_\_\_\_\_

Die uwe,

Registrateur van Handelsmerke

## Trade Marks Form TM 1

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT, 1963

APPLICATION FOR THE REGISTRATION OF  
A TRADE MARK

Official number

Particulars of trade mark

Franking  
machine  
impressionRevenue  
stamp,  
R16Official  
datestamp

(Sections 10, 12, 20 and 73 and Regulation 11)

Part \_\_\_\_\_ (insert A or B); Class \_\_\_\_\_

Specification of goods/services \_\_\_\_\_

I/We,

(full name or names of applicant)

of \_\_\_\_\_

(street or other physical address of applicant)

hereby claim to be the proprietor(s) of the above trade mark which I/we have used or propose to use in respect of the aforementioned specification of goods/services.

\* I/We claim convention priority in respect of any application in \_\_\_\_\_ under No. \_\_\_\_\_ dated \_\_\_\_\_

(convention country)

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Signature of applicant(s) or  
authorised agent

Address for service \_\_\_\_\_

\* Delete which is not applicable.

(Perforated)

ACKNOWLEDGEMENT OF  
APPLICATION  
(To be completed by applicant)

For office use only

Official filing date and  
No. \_\_\_\_\_

Name of applicant(s) \_\_\_\_\_

Registrar of Trade Marks

Particulars of trade mark \_\_\_\_\_

Official datestamp of  
receipt \_\_\_\_\_

Name and address for service \_\_\_\_\_

Printing specifications: Size 210 mm by 297 mm, perforated 90 mm from bottom of form, leave 65 mm column for office use, tear off portion to fit in the Trade Marks Office window envelope.

## Handelsmerkform TM 1

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

## AANSOEK OM REGISTRASIE VAN 'N HANDELSMERK

Amptelike nommer

Besonderhede van handelsmerk

Inkomsteseël,  
R16Amptelike  
datumstempel

(Artikels 10, 12, 20 en 73 en Regulasie 11)

Deel \_\_\_\_\_ (voeg in A of B); Klas \_\_\_\_\_  
Uiteensetting van goedere/dienste \_\_\_\_\_

Ek/Ons \_\_\_\_\_

(volle naam of name van applikant)

van \_\_\_\_\_

(straat of ander fisiese adres van applikant)

beweer hierby dat ek/ons die eienaar(s) is van bogemelde handelsmerk wat ek/ons gebruik het of van voorname is om te gebruik ten opsigte van voornoemde uiteensetting van goedere/dienste.

(\*) Ek/Ons maak aanspraak op konvensievoorkleur ten opsigte van 'n aansoek gedoen in \_\_\_\_\_ onder No. \_\_\_\_\_  
(konvensieland)

gedateer \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Handtekening van applikante of  
gemagtigde agent

Adres vir bestelling \_\_\_\_\_

\* Skrap wat nie van toepassing is nie.  
(Geperforeer)ERKENNING VAN ONTVANGS  
VAN AANSOEK  
(Moet deur applikant voltooi word)  
Naam van applikant(e) \_\_\_\_\_Vir kantoorgebruik  
Amptelike indienningsda-  
tum en nommer \_\_\_\_\_

Besonderhede van handelsmerk \_\_\_\_\_

Registrateur van Handels-  
merke \_\_\_\_\_

Naam en adres vir bestelling \_\_\_\_\_

Amptelike ontyvingsda-  
tumstempel \_\_\_\_\_

Drukspesifikasie: Groote 210 mm by 297 mm, perforasie 90 mm van onderkant van vorm kantlyn, laat 65 mm ruimte aan regterkant vir kantoorgebruik erkenningstrokie Afskeurstrokie moet in Kantoor se vensterkoerste pas

Trade Marks Form TM 2  
**REPUBLIC OF SOUTH AFRICA**  
**TRADE MARKS ACT, 1963**  
**ADDITIONAL REPRESENTATION OF TRADE MARK TO ACCOMPANY APPLICATION FOR REGISTRATION**  
[Regulation 13 (3)]

Official number	Official datestamp
Representation of trade mark	

Name of applicant \_\_\_\_\_  
Class \_\_\_\_\_ (Schedule \_\_\_\_\_).

Signature of applicant or authorised agent

Trade Marks Form TM 3  
**REPUBLIC OF SOUTH AFRICA**  
**TRADE MARKS ACT, 1963**  
**REQUEST FOR STATEMENT OF GROUNDS OF DECISION**  
[Regulation 74 (1) (a)]

Franking machine impression	Revenue stamp, R10 Official datestamp
-----------------------------	--

You are hereby requested under regulation 74 (1) (a) to state in writing the grounds of your decision, dated the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_, in respect of Trade Mark No. \_\_\_\_\_ and the data used by you in arriving thereat.

Address for service \_\_\_\_\_ Signature of applicant or authorised agent \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

To: The Registrar  
Trade Marks Office  
Pretoria.

Trade Marks Form TM 4  
**REPUBLIC OF SOUTH AFRICA**  
**TRADE MARKS ACT, 1963**  
**REQUEST FOR ADVERTISEMENT**  
(Sections 8 and 21, Regulation 9 and 23)

Franking machine impression	Revenue stamp, R5 Official datestamp
-----------------------------	---

I/We hereby require to be furnished with the form and wording of an advertisement for publication in the *Patent Journal* in respect of \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Address for Service: \_\_\_\_\_ Signature of applicant(s) or authorised agent \_\_\_\_\_

To: The Registrar  
Trade Marks Office  
Pretoria.

Handelsmerkform TM 2

**REPUBLIEK VAN SUID-AFRIKA**  
**WET OP HANDELSMERKE, 1963**  
**BYKOMENDE VOORSTELLING VAN HANDELSMERK, WAT AANSOEK OM REGISTRASIE MOET VERGESEL**  
[Regulasie 13 (3)]

Amptelike datumstempel	Amptelike nommer
Voorstelling van handelsmerk	

Naam van Applikant  
Kias \_\_\_\_\_ (Bylae \_\_\_\_\_).

Handtekening van applikant of gemagtigde agent

Handelsmerkform TM 3  
**REPUBLIEK VAN SUID-AFRIKA**  
**WET OP HANDELSMERKE, 1963**  
**VERSOEK OM UITEENSETTING VAN GRONDE VIR BESLISSING**  
[Regulasie 74 (1) (a)]

Frankeerma-sjienafdruk	Inkomsteseël, R10 Amptelike datumstempel
------------------------	---

U word hierby ingevolge regulasie 74 (1) (a) versoek om skriftelik die gronde vir u beslissing, gedateer die dag van \_\_\_\_\_ 19\_\_\_\_\_, ten opsigte van Handelsmerk No. \_\_\_\_\_ asook die gegewens wat u oorweeg het om daardie beslissing te bereik skriftelik te vermeld.

Adres vir bestelling \_\_\_\_\_ Handtekening van applikant of gemagtigde agent \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Aan: Die Registrateur  
Kantoer van Handelsmerke  
Pretoria.

Handelsmerkform TM 4

**REPUBLIEK VAN SUID-AFRIKA**  
**WET OP HANDELSMERKE, 1963**  
**VERSOEK OM BEKENDMAKING**  
(Artikels 8 en 21 en Regulasie 9 en 23)

Frankeer-masjien-afdruk	Inkomsteseël, R5 Amptelike datumstempel
-------------------------	--

Ek/Ons versoek hierby dat ek/ons voorsien word van die vorm en bewoording van 'n bekendmaking vir publikasie in die *Patentjoernaal*, ten opsigte van \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Adres vir bestelling \_\_\_\_\_

Aan: Die Registrateur  
Kantoer van Handelsmerke \_\_\_\_\_ Handtekening van applikant of gemagtigde agent \_\_\_\_\_  
Pretoria.

## Trade Marks Form TM-5

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
APPLICATION FOR REGISTRATION OF A  
CERTIFICATION MARK

[Section 52 and Regulation 78 (1)]

Franking machine impression	Revenue stamp, R20
Official number	Official datestamp
Particulars of mark	

## Class

## Specification of goods/services

I/We,

[full names of applicant(s)]

of

[street or other physical address of applicant(s)]  
hereby claim to be the proprietor(s) of the above mark and apply for registration thereof as a certification mark.

I/We claim convention priority in respect of an application in [convention country] under No. \_\_\_\_\_ dated \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Signature of applicant(s) or authorised agent

Address for service  
(Perforation)

**ACKNOWLEDGEMENT OF APPLICATION**  
(To be completed by applicant)

Name of applicant(s)

For office use only  
Official filing date and number

Registrar of Trade Marks  
Official datestamp of receipt

Printing specifications: Size, 210 mm by 297 mm; perforated, 90 mm from bottom of form; leave 65 mm column for office use; tear off portion to fit in Trade Marks Office window envelope.

## Trade Marks Form TM-6

## REPUBLIC OF SOUTH AFRICA

## TRADE MARKS ACT, 1963

NOTICE OF OPPOSITION TO APPLICATION FOR  
REGISTRATION

[Section 26 and Regulation 24 (2)]

Franking machine impression	Revenue stamp, R5
	Official datestamp

In the matter of application No. \_\_\_\_\_ by \_\_\_\_\_  
of \_\_\_\_\_

I/We, \_\_\_\_\_ hereby give notice of intention to oppose the registration of the trade mark advertised under the above number for Class \_\_\_\_\_ in the Patent Journal of the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

## Handelsmerkform TM 5

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANSOEK OM REGISTRASIE VAN 'N WAARMERKINGS-MERK

[Artikel 52 en Regulasie 78 (1)]

Frankeer-masjién-afdruk	Inkomsteseël, R20 Ampelike datumstempel
Amptelike nommer	Besonderhede van merk

## Klas

## Spesifikasie van goedere/dienste

Ek/Ons

[volle name van applikant(e)]

van

(straat of ander fisiese adres)

beweer hierby dat ek/ons die eienaar(s) is van bogemelde merk en doen aansoek om registrasie daarvan as 'n waarmerkmersmerk.

Ek/Ons maak aanspraak op konvensievoorkleur ten opsigte van 'n aansoek in \_\_\_\_\_ onder nommer \_\_\_\_\_

(konvensieland)

gedateer

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Handtekening van applikant of  
gemagtigde agentAdres vir bestelling  
(Perforasie)

ERKENNING VAN ONTVANGS  
VAN AANSOEK  
(Moet deur applikant voltooi word)  
Naam van applikant(e)

Net vir kantoorgebruik  
Ampelike datum van  
indiening en nommer

Besonderhede van merk

Registrateur van Han-  
delsmerke  
Ampelike ontvangsda-  
tumstempel

Druk spesifikasie: Grootte, 210 mm by 297 mm; perforasie, 90 mm van onderkant van vorm; kantruimte, laat 65 mm ruimte aan regterkant van afskeurstrekke; erkenningstrokie, afskeurstrokies moet in Kantoor se vensterkoerete pas.

## Handelsmerkform TM 6

## REPUBLIEK VAN SUID-AFRIKA

## WET OP HANDELSMERKE, 1963

KENNISGEWING VAN VERSET TEEN AANSOEK OM  
REGISTRASIE

[Artikel 26 en Regulasie 24 (2)]

Frankeer-masjién-afdruk	Inkomsteseël, R5 Ampelike datumstempel
-------------------------	---

In verband met aansoek No. \_\_\_\_\_ deur \_\_\_\_\_  
van \_\_\_\_\_

Ek/Ons gee hierby kennis van voorneme om verset aan te teken teen die registrasie van die handelsmerk bekendgemaak onder die bogemelde nommer in Klas \_\_\_\_\_ in die Patentjoernaal van die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_ teen te staan.

The grounds of opposition are as follows:

Address for service

Dated the day of 19

Signature of applicant(s) or authorised agent

To: The Registrar  
Trade Marks Office  
Pretoria.

And to: Name and address of applicant

Note.—Proof of service to the satisfaction of the Registrar, must be furnished.

Trade Marks Form TM 7

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
FORM OF COUNTER-STATEMENT  
(Section 27, Regulation 25)

Franking machine impression

Revenue stamp, R3  
Official datestamp

In the matter of the opposition to application No. , I/We, the applicant(s) for the above trade mark, hereby give notice that the following are the grounds on which the application is supported:

I/We admit the following allegations in the notice of opposition

Address for service

Dated this day of 19

Signature of applicant(s) or authorised agent

To: The Registrar  
Trade Marks Office  
Pretoria.

And to: Name and address of opponent

Note.—Proof of service to the satisfaction of the Registrar must be furnished.

Trade Marks Form TM 8

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

ADDITIONAL FEE FOR CERTIFICATION MARK  
[Section 52 and Regulations 81 (2) and 90]

Franking machine impression

Revenue stamp (see note below)  
Official datestamp

In accordance with your request, I/we

hereby transmit the prescribed fee of R under regulation No. for the consideration of application No. for a certification mark.

Dated this day of 19

Signature of applicant(s) or authorised agent

Address for service

To: The Registrar  
Trade Marks Office  
Pretoria.

Note.—For consideration of an application under regulation 81 (2)..... R50  
For consideration of an application under regulation 90..... R25

Die gronde vir verset is soos volg:

Adres vir bestelling

Gedateer op die dag van 19

Handtekening van applikant(e) of gemagtigde agent

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

En aan: Naam en adres vir bestelling van applikant

L.W.—Bewys van bestelling moet tot tevredenheid van die Registrateur gelewer word.

Handelsmerkvorm TM 7

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
VORM VAN TEENVERKLARING  
(Artikel 27 en Regulasie 25)

Inkomsteseël, R3  
Ampelike datumstempel

Frankeermasjien afdruk

In verband met die verset teen aansoek nommer Ek/Ons

die applikant(e) vir bogemelde handelsmerk, gee hierby kennis dat die volgende die gronde is waarop ek/ons my/ons ter ondersteuning van my/ons aansoek verlaat:

Ek/Ons erken die volgende bewerings in die kennisgewing van verset:

Adres vir bestelling

Gedateer op die dag van 19

Handtekening van applikant(e) of gemagtigde agent

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

En aan: (Naam en adres van opponent)

L.W.—Bewys van bestelling moet tot tevredenheid van die Registrateur gelewer word.

Handelsmerkvorm TM 8

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE  
BYKOMENDE GELDE VIR WAARMERKINGSMERK  
[Artikel 52 en Regulasies 81 (2) en 90]

Inkomsteseël (sien nota hieronder)  
Ampelike datumstempel

Frankeermasjien afdruk

Soos deur u versoek, stuur ek/ons

hiermee die voorgeskrewe geldie van R ingevolge regulasie vir oorweging van aansoek No. vir 'n waarmerkingsmerk.

Gedateer op die dag van 19

Handtekening van applikant(e) of gemagtigde agent

Adres vir bestelling

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

Nota.—Vir oorweging van aansoek ingevolge regulasie 81 (2)..... R50  
Vir oorweging van aansoek ingevolge regulasie 90 R25

Trade Marks Form TM 9  
REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
RENEWAL OF REGISTRATION BEFORE NOTICE GIVEN  
(Section 13 and 47, Regulation 42)

Franking  
machine  
impression

Revenue  
stamp (see  
note below)

Official  
datestamp

I/We hereby tender the prescribed renewal fees in respect of Trade Mark(s) No.(s) \_\_\_\_\_ at present registered in class(es) \_\_\_\_\_ and request that it (they) be renewed in the following class(es):

Class _____	description of *goods/services
Class _____	description of *goods/services
Class _____	description of *goods/services

\* Delete if not applicable.

Full name and address of proprietor(s) \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

To: The Registrar  
Trade Marks Office \_\_\_\_\_ Signature of proprietor(s) or  
Pretoria. \_\_\_\_\_ authorised agent

Note.—The renewal fees are as follows for each mark:

(a) For an ordinary registration.....	R10
(b) For a certification mark.....	R10
(c) For a defensive registration mark.....	R20

N.B.—The full renewal fee is payable in respect of each separate class.

Trade Marks Form TM 10

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

RENEWAL OF REGISTRATION OF MARK AFTER NOTICE  
(Regulation 43)

Franking  
machine  
impression

Revenue  
stamp (see  
note below)

Official  
datestamp

In pursuance of the notice received from you, I/we hereby transmit the prescribed renewal fees for the renewal of Trade Mark(s) No.(s) \_\_\_\_\_ at present registered in class(es) \_\_\_\_\_ and request that it (they) be renewed in the following class(es):

Class _____	description of *goods/services
Class _____	description of *goods/services
Class _____	description of *goods/services

\* Delete if not applicable.

Full name and address of proprietor(s) \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

To: The Registrar  
Trade Marks Office \_\_\_\_\_ Signature of proprietor(s) or  
Pretoria. \_\_\_\_\_ authorised agent

Note.—The renewal fees are as follows for each mark:

(a) For an ordinary registration.....	R10
(b) For a certification mark.....	R10
(c) For a defensive registration mark.....	R20

N.B.—The full renewal fee is payable in respect of each separate class.

Trade Marks Form TM 11

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

ADDITIONAL FEE TO ACCOMPANY RENEWAL FEE (FORM  
TM 10) WITHIN ONE MONTH AFTER ADVERTISEMENT  
(Regulation 43)

Franking  
machine  
impression

Revenue  
stamp, R3

Official  
datestamp

I/We hereby transmit the additional fee of R3 for the renewal of the registration of the Trade Mark No. \_\_\_\_\_ in Class \_\_\_\_\_

Handelsmerkform TM 9

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
HERNUWING VAN REGISTRASIE VOORDAT KENNIS  
GEGEE IS

(Artikel 13 en 47, Regulasie 42)

Frankeer-  
masjien-  
afdruk

Inkomsteseel  
(sien nota  
hieronder)

Ampelike  
datumstempel

Hierby bied ek die voorgeskrewe hernuwingsgelde aan ten opsigte van Handelsmerk(e) No(s) \_\_\_\_\_ tans in klas(se) \_\_\_\_\_ geregistreer en versoek dat dit (hulle) in die volgende klas(se) hernieu word:

Klas _____	beskrywing van *goedere/dienste _____
Klas _____	beskrywing van *goedere/dienste _____
Klas _____	beskrywing van *goedere/dienste _____

\* Skrap indien nie van toepassing nie.

Volle naam/name en adres(se) van eienaars(s) \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Aan: Die Registratur  
Kantoer van Handelsmerke \_\_\_\_\_ Handtekening van eienaars(s)  
Pretoria. \_\_\_\_\_ of gemagtigde agent

Nota.—Die hernuwingsgelde is soos volg vir elke merk:

(a) Vir 'n gewone registrasie.....	R10
(b) Vir 'n gewone waarmerkingsmerk.....	R10
(c) Vir 'n defensiewe registrasiemerke.....	R20

L.W.—Die volle hernuwingsgeld is betaalbaar ten opsigte van elke afsonderlike klas.

Handelsmerkform TM 10

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
HERNUWING VAN REGISTRASIE VAN MERK NA  
KENNISGEWING

(Regulasie 43)

Frankeer-  
masjien-  
afdruk

Inkomsteseel  
(sien nota  
hieronder)

Ampelike  
datumstempel

Ingevolge die kennisgewing van u ontvang, stuur ek/ons hiermee die voorgeskrewe hernuwingsgelde vir die hernuwing van Handelsmerk(e) No(s) \_\_\_\_\_ tans in klas(se) \_\_\_\_\_ geregistreer en versoek dat dit/hulle in die volgende klasse hernieu word:

Klas _____	beskrywing van *goedere/dienste _____
Klas _____	beskrywing van *goedere/dienste _____
Klas _____	beskrywing van *goedere/dienste _____

\* Skrap indien nie van toepassing nie.

Volle naam/name en adres(se) van eienaar(s) \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Aan: Die Registratur  
Kantoer van Handelsmerke \_\_\_\_\_ Handtekening van eienaar(s)  
Pretoria. \_\_\_\_\_ of gemagtigde agent

Nota.—Hernuwingsgelde is soos volg vir elke merk:

(a) Vir 'n gewone registrasie.....	R10
(b) Vir 'n waarmerkingsmerk.....	R10
(c) Vir 'n defensiewe registrasiemerke.....	R20

L.W.—Die volle hernuwingsgeld is betaalbaar ten opsigte van elke afsonderlike klas.

Handelsmerkform TM 11

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
BYKOMENDE GELDE WAT HERNUWINGSGELDE (VORM  
TM 10) BINNE EEN MAAND NA BEKENDMAKING MOET  
VERGESEL

(Regulasie 43)

Frankeer-  
masjien-  
afdruk

Inkomsteseel,  
R3

Ampelike  
datumstempel

Ek/Ons stuur hiermee die bykomende gelde van R3 vir die hernuwing van die registrasie van Handelsmerk No. \_\_\_\_\_ in Klas \_\_\_\_\_

Name and address of person transmitting the fee.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

To: The Registrar  
Trade Marks Office  
Pretoria.Signature of proprietor(s) or  
authorised agent

Trade Marks Form TM 12

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT, 1963

PENALTIES FOR RESTORATION OF TRADE MARK  
REMOVED FOR NON-PAYMENT OF RENEWAL FEES

(To accompany Form TM 10)

(Regulation 44)

Franking  
machine  
impressionRevenue  
stamp, R10Official  
datestamp

Naam en adres van die persoon wat die geld aanstuur.

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_

Aan: Die Registrateur  
Kantoor van Handelsmerke Handtekening van eienaar(s) of  
Pretoria. gemagtigde agent

Handelsmerkform TM 12

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

BOETE VIR HERSTEL VAN HANDELSMERK WAT GESKRAP  
IS WEENS NIE-BETALING VAN HERNUWINGSGELDE

(Moet Vorm TM 10 vergesel)

(Regulasie 44)

Inkomsteseël,  
R10Ampelike  
datumstempel

I/We hereby transmit the additional fees of R10 together with the prescribed renewal fees on the accompanying Form TM 10, in respect of Trade Mark.

Name and address of proprietor

Name and address of person transmitting the fees

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

To: The Registrar  
Trade Marks Office  
Pretoria.Signature of proprietor(s) or  
authorised agent

Trade Marks Form TM 13

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT, 1963

JOINT APPLICATION BY REGISTERED PROPRIETOR AND  
ASSIGNEE TO REGISTER THE ASSIGNEE AS SUBSEQUENT  
PROPRIETOR OF TRADE MARK(S) UPON THE SAME  
DEVOLUTION OF TITLE

(Section 51, Regulation 48)

Franking  
machine  
impressionRevenue  
stamp (see  
note below)Official  
datestampFrankeer-  
masjien-  
afdrukInkomsteseël,  
R10Ampelike  
datumstempelEk/Ons stuur hiermee die bykomende geldie van R10 tesame met  
die voorgeskrewe hernuwingsgelde op die bygaande Vorm TM 10,  
ten opsigte van Handelsmerk No.

Naam en adres van eienaar

Naam en adres van persoon wat geld aanstuur

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_

Aan: Die Registrateur  
Kantoor van Handelsmerke Handtekening van eienaar(s) of  
Pretoria. gemagtigde agent

Handelsmerkform TM 13

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

GESAMENTLIKE AANSOEK DEUR GEREGSTREERDE EIE-  
NAAR EN SESSIONARIS OM DIE REGISTRASIE VAN  
SESSIONARIS AS LATERE EIEENAAR VAN HANDELSMERK(E)  
OP DIESELFDE OORDRAGAKTE

(Artikel 51 en Regulasie 48)

Frankeer-  
masjien-  
afdrukInkomsteseël  
(sien nota  
heronder)Ampelike  
datumstempel

Full name(s) of applicant(s) being:

- (a) Registered proprietor or assignor and business address; and  
(b) Assignee(s) and business address

We hereby apply that the name(s) of the assignee(s) be entered in the Register of Trade Marks as proprietor(s) of Trade Mark(s) No.(s) \_\_\_\_\_ in Class(es) \_\_\_\_\_ which was/were acquired by the assignee(s) with/without goodwill of the business concerned in the goods/services with effect from the \_\_\_\_\_ 19\_\_\_\_ by virtue of the following facts:

*Note.*—The instrument under which the assignee(s) claim(s) should preferably accompany this form.

Address for service of assignee(s).

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Signature of proprietor/assignor  
or authorised agentSignature of assignee(s) or  
authorised agent

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_

dag van \_\_\_\_\_ 19\_\_\_\_

Handtekening van eienaar(s),  
oordragewer(s) of gemagtigde  
agentHandtekening van sessionaris(se)  
of gemagtigde agentTo: The Registrar  
Trade Marks Office  
Pretoria.Note.—For first mark..... R5  
For each additional mark..... R1Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.*Note.*—Vir eerste merk..... R5  
Vir elke bykomende merk..... R1

## Trade Marks Form TM 14

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

APPLICATION TO REGISTER A SUBSEQUENT PROPRIETOR  
OF A TRADE MARK OR TRADE MARKS UPON THE  
SAME DEVOLUTION OF TITLE

(Section 51, Regulation 49)

Franking  
machine  
impression

Revenue  
stamp (see  
note below)  
Official  
datestamp

Full name(s) of applicant(s) and business address

I/We hereby apply that my/our name(s) be entered in the Register of Trade Marks as proprietor(s) of Trade Mark(s) No.(s) in Class(es) which I/we acquired with effect from 19 with/without the goodwill of the business concerned in the goods/services.

I/We am/are entitled to the trade mark(s) by virtue of the following facts

Note.—The instrument, if any, under which the assignee claims should accompany this form.

Address for service

Dated this day of 19

Signature of applicant(s) or  
authorised agent

To: The Registrar  
Trade Marks Office  
Pretoria.

Note.—For first mark..... R5  
For each additional mark..... R1

## Trade Marks Form TM 15

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

SWORN DECLARATION IN SUPPORT OF STATEMENT OF  
CASE ACCOMPANYING FORM TM 13 OR TM 14  
(Regulation 51)

I,

do hereby make oath and say 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 present proprietorship of the trade mark.

Date Signature of deponent  
Signed and sworn to before me at day of 19

The deponent has acknowledged that he knows and understands the contents of this affidavit.

Justice of Peace/  
Commissioner of Oaths

Note.—This affidavit is not required to be stamped.

## Trade Marks Form TM 16

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

APPLICATION TO DISSOLVE THE ASSOCIATION BETWEEN  
A REGISTERED TRADE MARK AND AN OTHER REGIS-  
TERED TRADE MARK

[Section 38 (6) and Regulation 38 (2)]

Franking  
machine  
impression

Revenue  
stamp, R5  
Official  
datestamp

Registered Trade Mark No. Class  
Name(s) of registered proprietor

## Handelsmerkform TM 14

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963

AANSOEK OM 'N LATERE EIENAAR VAN 'N HANDELS-  
MERK OF HANDELSMERKE AS GEVOLG VAN DIESELFDE  
ORDRAGAKTE TE REGISTREER

(Artikel 51, Regulasie 49)

Frankeer-  
masjiën-  
afdruk

Inkomsteseël  
(sien nota  
hiervoor)

Amptelike  
datumstempel

Volle naam/name van applicant(e) en besigheidsadres

Ek/Ons doen hierby aansoek dat my/ons naam/name ingeskryf word in die Register van Handelsmerke as eienaar van Handelsmerk(e) No(s). in Klas(se)

wat ek/ons verkry het met ingang van 19 met/sonder klandisiëwaarde van die besigheid betrokke by die goedere/dienste.

Ek/Ons is geregtig op die handelsmerk(e) uit hoofde van die volgende feite:

Note.—Die eventuele dokument waarop die sessionaris se eis berus moet hierdie vorm vergesel.

24bis

Adres vir bestelling:  
Gedateer op die dag van

Aan: Die Registrateur  
Kantoor van Handelsmerke Handtekening van applikant(e) of  
Pretoria. gemagtigde agent

Note.—Vir eerste merk..... R5  
Vir elke bykomende merk..... R1

## Handelsmerkform TM 15

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

BEËDIGDE VERKLARING TER ONDERSTEUNING VAN  
UITEENSETTING VAN SAAK WAT VORM TM 13 OF TM 14  
VERGESEL

(Regulasie 51)

Ek,  
van  
verklaar hierby onder eed dat die besonderhede vermeld in my uiteensetting van saak, bewyssuk gemerkt en deur my ingediend in verband met my versoek om geregistreer te word as latere eienaar van Handelsmerk No. in Klas. Juis is en elke ter sake dienende feit en dokument rakende die huidige eiendomsreg op die handelsmerk insluit.

Datum Handtekening van deponent  
Geteken en beëdig voor my te  
op hede die dag van

Die deponent erken dat hy die inhoud van hierdie beëdigde verklaring verstaan en is daar mee vertrouyd.

Vrederegter/Kommissaris van Ede

Note.—Hierdie verklaring hoef geen seël op te kry nie.

## Handelsmerkform TM 16

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

AANSOEK OM ONTBINDING VAN ASSOSIASIE TUSSEN  
'N GEREGISTREERDE HANDELSMERK EN 'N ANDER  
GEREGISTREERDE HANDELSMERK

(Artikel 38 (6) en Regulasie 38 (2))

Frankeer-  
masjiën-  
afdruk

Inkomsteseël,  
R5

Amptelike  
datumstempel

Geregistreerde Handelsmerk No.

Naam/Name van geregistreerde eienaar

Klas

Application is hereby made that the association of the above-numbered trade mark with the following trade mark(s) registered in my/our name(s):

Registered No. \_\_\_\_\_ Class \_\_\_\_\_  
be dissolved and the register amended accordingly.

The grounds for this application are set forth in the accompanying statement of case.

Address for service \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Signature of applicant(s) or  
authorised agent

To: The Registrar  
Trade Marks Office  
Pretoria.

Trade Marks Form TM 17  
REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

APPLICATION FOR ALTERATION OF ADDRESS OR  
ADDRESS FOR SERVICE ON REGISTER OF TRADE MARKS

[Section 32 or 77 (2), Regulation 8 (2)]

Franking  
machine  
impression

Revenue  
stamp 50c  
(see note be  
below)  
  
Official  
datestamp

Registered Trade Mark No.(s) \_\_\_\_\_ Class(es) \_\_\_\_\_

Name of registered \*proprietor(s)/user(s) \_\_\_\_\_

Application is hereby made that my/our \*address/address for service on the Register of Trade Marks be altered to \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Signature of proprietor/  
registered user or authorised  
agent

\* Delete words not applicable.

Note.—50c for each entry.

To: The Registrar  
Trade Marks Office  
Pretoria  
(perforated)

ACKNOWLEDGEMENT OF  
ALTERATION  
(To be completed by applicant)

Name of proprietor/registered user \_\_\_\_\_

For office use only

Registrar or Trade Marks

Official datestamp of  
receipt

I have to inform you that the address/address for service in respect of Trade Mark No. \_\_\_\_\_, has been duly altered in my register to read \_\_\_\_\_

Messrs. \_\_\_\_\_

Printing specifications: Size, 210 mm by 297 mm; perforated, 90 mm from bottom of form; leave 65 mm column for office use; tear-off portion to fit in Trade Mark Office window envelope.

Aansoek word hierby gedoen dat die assosiasie tussen die handelsmerk met bovenmelde nommer en die volgende handelsmerk(e) in my/ons naam/name geregistreer, te ontbind en die register dienoorenkomsing gewysig word:

Geregistreerde No. \_\_\_\_\_ Klas. \_\_\_\_\_

Die gronde vir hierdie aansoek word uiteengesit in die bygaande uiteensetting van saak.

Adres vir bestelling \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Handtekening van applikant(e) of  
gemagtigde agent

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

Handelsmerkvorm TM 17

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANSOEK OM ADRES/ADRES VIR BESTELLING IN  
REGISTER VAN HANDELSMERKE TE WYSIG  
[Artikel 32 of 77 (2) en Regulasie 8 (2)]

Frankeer-  
masjien-  
afdruk

Inkomstesel  
50c (sien nota  
hieronder)  
  
Ampelike  
datumstempel

Geregistreerde Handelsmerk(e) No.(s) \_\_\_\_\_ Klas(se) \_\_\_\_\_

Naam van geregistreerde \*eienaar(s)/gebruiker(s) \_\_\_\_\_

Aansoek word hierby gedoen dat my/ons \*adres/vir bestelling in die Register van Handelsmerke gewysig word tot \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Handtekening van eienaar/  
geregistreerde gebruiker of  
gemagtigde agent

\*Skrap woorde wat nie van toepassing is nie.

Nota.—50c vir elke inskrywing.

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

(perforasie)

ERKENNING VAN ONTVANGS  
VAN WYSIGING

(Moet deur applikant voltooi word)

Net vir kantoor gebruik

Naam van eienaar/geregistreerde gebruiker \_\_\_\_\_

Registrateur van Handels-  
merke

Ampelike ontvangs  
datumstempel

Ek moet u meegele dat die adres(se) vir bestelling t.o.v. Handelsmerk No. \_\_\_\_\_ behoorlik in my register gewysig is om as volg te lui:

Aan: Mnre. \_\_\_\_\_

Druk spesifikasies: Grootte, 210 mm by 297 mm; perforasie, 90 mm vanaf onderkant van vorm; afskeurstrokie, moet in vensterkoerf van Kantoor van Handelsmerke pas; kantruimte, laat 65 mm ruimte vir kantoorgebruik.

Trade Marks Form TM 18  
REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
APPLICATION FOR SUBSTITUTION OF APPLICANT  
[Section 49 (7) or 56 (2) and Regulation 56]

Franking machine impression
-----------------------------

Revenue stamp (see note below)
Official datestamp

1. Trade Mark Application No.
2. Name of existing applicant
3. Name of proposed applicant

REASONS FOR APPLICATION

*Note.*—Any document in support of the application should be annexed hereto.  
Address for service

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Signature of applicant or  
authorised agent

*Note.*—For first mark..... R5  
For each additional mark..... R1

To: The Registrar  
Trade Marks Office  
Pretoria.

Trade Marks Form TM 19  
REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

APPLICATION FOR CORRECTION OF CLERICAL ERROR  
OR FOR PERMISSION TO AMEND APPLICATION OR  
DOCUMENT

[Section 20 (9), 32 or 56 of the Act, Regulations 63 and 90]

Franking machine impression
-----------------------------

Revenue stamp, 50c for each mark
Official datestamp

Trade Mark Application } No.

I hereby request the following correction of clerical error or amendment of document be allowed:

(Reasons, if any, for the application must be stated)

Address for service

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

To: The Registrar  
Trade Marks Office  
Pretoria.

Signature of applicant or  
authorised agent

Trade Marks Form TM 20  
REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

APPLICATION TO ENTER CHANGE OF NAME OR  
DESCRIPTION OF REGISTERED PROPRIETOR (OR  
REGISTERED USER) OF TRADE MARK UPON THE  
REGISTER

(Section 32, Regulation 63)

Franking machine impression
-----------------------------

Revenue stamp, 50c for each mark
Official datestamp

I/We, \_\_\_\_\_  
business address  
hereby request that my/our name(s) and description(s) may be entered  
in the Register of Trade Marks as proprietor(s)/registered user(s) of  
the Trade Mark No. \_\_\_\_\_ registered in Class \_\_\_\_\_

Handelsmerkvorm TM 18  
REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANSOEK OM VERVANGING VAN APPLIKANT  
[Artikel 49 (7) of 56 (2) en Regulasie 56]

Frankeer-masjien-afdruk
-------------------------

Inkomsteseël (sien nota hieronder)
Ampelike datumstempel

1. Handelsmerkaansoeknommer
2. Naam van huidige applikant
3. Naam van voorgestelde applikant

REDES VIR AANSOEK

*Note.*—Enige dokument ter ondersteuning van die aansoek moet hieraan geheg word.

Adres vir bestelling

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Handtekening van applikant of  
gemagtigde agent

*Note.*—Vir eerste merk..... R5  
Vir elke bykomende merk..... R1

Aan: Die Registratur  
Kantoer van Handelsmerke  
Pretoria.

Handelsmerkvorm TM 19

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANSOEK OM VERBETERING VAN KLERKLIKE FOUT  
OF OM MAGTIGING OM AANSOEK OF DOKUMENT TE  
WYSIG

[Artikel 20 (9), 32 of 56 en Regulasies 63 en 90]

Frankeer-masjien-afdruk
-------------------------

Inkomsteseël, 50c
Ampelike datumstempel

Handelsmerknommer }  
Handelsmerkaansoeknommer }

Ek versoek hierby dat die volgende verbetering van 'n klerklike fout of wysiging van 'n dokument toegelaat word:

(Eventuele redes vir die aansoek moet verstrek word)  
Adres vir bestelling

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Aan: Die Registratur  
Kantoer van Handelsmerke Handtekening van applikant of  
Pretoria. gemagtigde agent

Handelsmerkvorm TM 20

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANSOEK OM VERANDERING VAN DIE NAAM OF  
BESKRYWING VAN 'N GEREGISTREERDE EIENAAR  
(OF GEREGISTREERDE GEbruiker) VAN 'N HANDELS-  
MERK IN DIE REGISTER AAN TE BRING

(Artikel 32, Regulasie 63)

Frankeer-masjien-afdruk
-------------------------

Inkomsteseël, 50c vir elke merk
Ampelike datumstempel

Ek/Ons

besigheidsadres

versoek hierby dat my/ons naam/name en beskrywing(s) in die register van Handelsmerke ingeskrywe word as die eienaars(geregisterde gebruiker(s)) van Handelsmerk No. \_\_\_\_\_ \*  
geeregistreer in Klas \_\_\_\_\_

There has been no change in the actual proprietorship/identity of the registered user(s) of the said trade mark, but proprietor(s)/registered user(s) has/have changed its/their name(s)/identity.

The entry at present standing in the register gives my/our name(s) and description(s) all as follows:

Address for service \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_  
**To:** The Registrar  
Trade Marks Office  
Pretoria. **Signature of applicant(s) or  
authorised agent**

\* Additional numbers may be given on a signed schedule.

*Note.*—Proof of change of name or identity must accompany this form.

Trade Marks Form TM 21

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT, 1963

APPLICATION BY PROPRIETOR OF REGISTERED TRADE  
MARK TO CANCEL ENTRY ON REGISTER  
(Section 32, Regulation 63)

Franking  
machine  
impression

Revenue  
stamp, R1  
Official  
datestamp

Trade Mark No. \_\_\_\_\_ Class \_\_\_\_\_  
Name of registered proprietor and business address \_\_\_\_\_

I/We, \_\_\_\_\_  
of \_\_\_\_\_  
apply that the entry upon the Register of Trade Marks of the Trade  
Mark No. \_\_\_\_\_ in Class \_\_\_\_\_ be cancelled.

Address for service \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_  
**Signature of applicant(s) or  
authorised agent**

**To:** The Registrar  
Trade Marks Office  
Pretoria.

Trade Mark Form TM 22

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT, 1963

REQUEST TO STRIKE OUT GOODS/SERVICES FROM  
THOSE FOR WHICH A TRADE MARK IS REGISTERED  
(Section 32, Regulation 63)

Franking  
machine  
impression

Revenue  
stamp, 50c  
Official  
datestamp

I/We, \_\_\_\_\_  
of \_\_\_\_\_  
hereby request that you will strike out \_\_\_\_\_  
from the goods/services for which the Trade Mark No. \_\_\_\_\_  
is registered in Class \_\_\_\_\_

Address for service \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_  
**Signature of applicant(s) or  
authorised agent**

**To:** The Registrar  
Trade Marks Office  
Pretoria.

Daar was geen verandering in die werklike eienaarskap/identiteit van die geregistreerde gebruiker(s) van genoemde handelsmerk nie, maar die eienaar(s)/geregistreerde gebruiker(s) het sy/hulle naam/name/identiteit veranderd.

Die inskrywing tans in die register gee my/ons naam/name en beskrywing(s) soos volg aan:

Adres vir bestelling \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_  
**Aan:** Die Registrateur  
Kantoor van Handelsmerke **Handtekening van applikant of  
gemagtigde agent**

\*Bykomende nommers kan in 'n getekende bylae verstrek word.

*Nota*— Bewys van verandering van naam of identiteit moet hierdie vorm vergesel.

Handelsmerkform TM 21

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

AANSOEK DEUR EIENAAR VAN GEREGISTREERDE  
HANDELSMERK OM DIE INSKRYWING IN DIE REGIS-  
TER IN TE TREK

(Artikel 32, Regulasie 63)

Inkomsteseël  
R1

Amptelike  
datumstempel

Handelsmerk No. \_\_\_\_\_ Klas \_\_\_\_\_  
Naam van geregistreerde eienaar en besigheidsadres \_\_\_\_\_

Ek/Ons \_\_\_\_\_  
van \_\_\_\_\_  
doen aansoek dat die inskrywing van Handelsmerk No. \_\_\_\_\_  
in Klas \_\_\_\_\_ in die Register van Handelsmerke  
ingetrek word.

Adres vir bestelling \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_  
**Handtekening van applikant(e)  
of gemagtigde agent**

**Aan:** Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

Handelsmerkform TM 22

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

VERSOEK OM GOEDERE/DIENSTE TE SKRAP UIT DIÉ  
WAARVOOR 'N HANDELSMERK GEREGISTREER IS  
(Artikel 32, Regulasie 63)

Inkomsteseël,  
50c

Amptelike  
datumstempel

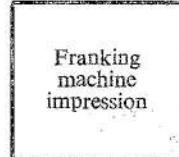
Ek/Ons \_\_\_\_\_  
van \_\_\_\_\_  
versoek hierby dat u \_\_\_\_\_  
skrap uit die goedere/dienste waarvoor Handelsmerk No. \_\_\_\_\_  
in Klas \_\_\_\_\_ geregistreer is.

Adres vir bestelling \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_  
**Handtekening van applikant(e)  
of gemagtigde agent**

**Aan:** Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

Trade Marks Form TM 23  
REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
REQUEST TO ENTER DISCLAIMER OR MEMORANDUM  
RELATING TO A TRADE MARK  
(Section 32, Regulation 63)



I/We,  
of hereby request that you will enter in the register in connection with Trade Mark No. in Class the following:

Address for service

Dated this day of 19

Signature of proprietor(s) or authorised agent

To: The Registrar  
Trade Marks Office  
Pretoria.

Trade Marks Form TM 24  
REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
APPLICATION TO ADD TO OR ALTER A TRADE MARK  
(Section 34 (1) and Regulation 68)



Trade Mark No. Class

Application is hereby made to alter trade mark numbered as above in the following particulars.  
Name and address of proprietor

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

Address for service

Dated this day of 19

Signature of applicant or authorised agent

To: The Registrar  
Trade Marks Office  
Pretoria.

Trade Marks Form TM 25  
REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
REQUEST FOR SEARCH  
(Regulation 70)



You are hereby requested to search in Class in respect of (state goods/services) 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.

Proprietor of mark if registered will be

Name and address of person requesting search

Dated this day of 19

To: The Registrar  
Trade Marks Office  
Pretoria.

Signature of applicant or authorised agent

Handelsmerkform TM 23  
REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
VERSOEK OM 'N PRYSGEWING OP MEMORANDUM TEN OPSIGTE VAN 'N HANDELSMERK IN TE SKRYF  
(Artikel 32, Regulasie 63)



Ek/Ons van versoek hierby dat u in die register ten opsigte van Handelsmerk No. in Klas die volgende inskrywing doen:

Adres vir bestelling

Gedateer op die dag van 19

Handtekening van applikant(e) of gemagtigde agent

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

Handelsmerkform TM 24

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANSOEK OM 'N BYVOEGING TOT 'N HANDELSMERK TE DOEN OF OM DIE HANDELSMERK TE VERANDER  
(Artikel 34 (1) en Regulasie 68)



Handelsmerk No. Klas.  
Aansoek word hierby gedoen om die handelsmerk met bovenmelde nommer in die volgende besonderhede te wysig.  
Naam en adres van eienaar.

Vier eksemplare van die merk soos hy na wysiging daar sal uitsien, word hiermee ingedien.

Adres vir bestelling

Gedateer op die dag van 19

Handtekening van applikant of gemagtigde agent

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

Handelsmerkform TM 25

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANVRAGING VAN NASOEK  
(Regulasie 70)



U word hierby gevra om 'n nasoek uit te voer in Klas ten opsigte van (gee uiteensetting van goedere/dienste).  
om vas te stel of daar alreeds in die register handelsmerke opgeteken is wat lyk soos die een waarvan hiermee twee eksemplare, elkeen gemonteer op 'n halwe foliovel, ingestuur word.

Die eienaar van die merk, indien dit geregistreer word, sal wees

Naam en adres van persoon wat die nasoek aanvra

Gedateer op die dag van 19

Handtekening van applikant of gemagtigde agent

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

Trade Marks Form TM 26  
**REPUBLIC OF SOUTH AFRICA**  
**TRADE MARKS ACT, 1963**  
**NOTICE OF ORDER OF COURT FOR ALTERATION OR  
 RECTIFICATION OF REGISTER OF TRADE MARKS**  
 [Sections 33 (4) and 36 and Regulation 76 (1)]

Franking  
machine  
impression

Revenue  
stamp, R1

Official  
datestamp

In the matter of the Trade Mark No.  
 registered in Class \_\_\_\_\_  
 in the name of \_\_\_\_\_

Notice is hereby given that by an Order of Court made on  
 the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ it was  
 ordered that \_\_\_\_\_

An office copy of the Order of Court is enclosed herewith.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

To: The Registrar  
 Trade Marks Office \_\_\_\_\_ Signature of applicant or  
 Pretoria. \_\_\_\_\_ authorised agent

Trade Marks Form TM 27  
**REPUBLIC OF SOUTH AFRICA**  
**TRADE MARKS ACT, 1963**  
**NOTIFICATION OF APPLICATION TO THE COURT**  
 [Section 65, Regulation 74 (2)]

Trade Mark No. \_\_\_\_\_

Franking  
machine  
impression

Revenue  
stamp, R6

Official  
datestamp

Full name and address of applicant

I hereby give notice, in terms of section 65 of the Act, of my intention  
 to make application to the Court on the \_\_\_\_\_ 19\_\_\_\_.

Accompanying this notice is a copy of my application to the Court.

Address for service \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

To: The Registrar  
 Trade Marks Office \_\_\_\_\_ Signature of applicant or  
 Pretoria. \_\_\_\_\_ authorised agent

And to: (Name and address of opponent, if any)

Trade Marks Form TM 28  
**REPUBLIC OF SOUTH AFRICA**  
**TRADE MARKS ACT, 1963**  
**REQUEST FOR INFORMATION (CAVEAT) AS TO FUTURE  
 PROCEEDINGS**  
 (Regulation 71)

Franking  
machine  
impression

Revenue  
stamp, R4

Official  
datestamp

Trade Mark/Trade Mark Application No. \_\_\_\_\_ (or full  
 particulars if number is not known or available).

I/We, \_\_\_\_\_  
 of \_\_\_\_\_  
 hereby request that information be sent to me/us with reference to any  
 of the proceedings below which take place within six months from date  
 hereof:

- (a) The publication of the acceptance of the application.
- (b) The registration of the trade mark.
- (c) Any application for the making of any entry with reference to  
 this trade mark.

Handelsmerkform TM 26

**REPUBLIEK VAN SUID-AFRIKA**  
**WET OP HANDELSMERKE, 1963**

**KENNISGEWING VAN HOFBEVEL OM DIE REGISTER  
 VAN HANDELSMERKE TE WYSIG OF TE VERBETER**  
 [Artikels 33 (4) en 36, Regulasie 76 (1)]

Franker-  
masjien-  
afdruk

Inkomsteseel,  
R1

Amptelike  
datumstem-  
pel

In verband met Handelsmerk No. \_\_\_\_\_ op die naam van \_\_\_\_\_  
 in Klas \_\_\_\_\_

Kennis word hierby gegee dat by 'n hofbevel uitgereik op die  
 dag van \_\_\_\_\_ 19\_\_\_\_ beveel is dat \_\_\_\_\_

'n Kantoorafskrif van die hofbevel word hiermee ingesluit.  
 Gedateer hierdie \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_

Aan: Die Registrateur  
 Kantoor van Handelsmerke \_\_\_\_\_ Handtekening van applikant of  
 Pretoria. \_\_\_\_\_ gemagtigde agent

Handelsmerkform TM 27

**REPUBLIEK VAN SUID-AFRIKA**  
**WET OP HANDELSMERKE, 1963**

**KENNISGEWING VAN AANSOEK BY DIE HOF**

[Artikel 65, Regulasie 74 (2)]

Handelsmerk No. \_\_\_\_\_

Inkomsteseel,  
R6

Amptelike  
datumstem-  
pel

Franker-  
masjien-  
afdruk

Volle naam en adres van applikant

Ek gee hierby ingevolge artikel 65 van die Wet kennis van my  
 voorname om by die hof aansoek te doen op die  
 dag van \_\_\_\_\_ 19\_\_\_\_.

Saam met hierdie kennisgewing gaan 'n afskrif van my aansoek  
 by die hof.

Adres vir bestelling \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_

Aan: Die Registrateur  
 Kantoor van Handelsmerke \_\_\_\_\_ Handtekening van applikant of  
 Pretoria. \_\_\_\_\_ gemagtigde agent

En aan: (Naam en adres van teenparty, as daar is)

Handelsmerkform TM 28

**REPUBLIEK VAN SUID-AFRIKA**

**WET OP HANDELSMERKE, 1963**

**VERSOEK OM INLIGTING („CAVEAT”) OOR TOEKOMSTIGE  
 VERRIGTINGE**

(Regulasie 71)

Inkomsteseel,  
R4

Amptelike  
datumstem-  
pel

Handelsmerk/Handelsmerkaansoek No. \_\_\_\_\_ (of  
 volledige besonderhede as die nommer nie bekend of beskikbaar  
 is nie).

Ek/Ons \_\_\_\_\_ van \_\_\_\_\_

versoek hierby dat inligting aan my/ons gestuur word met betrekking  
 tot enige van ondervermelde verrigtinge wat binne ses maande na die  
 datum hiervan plaasvind:

- (a) Die bekendmaking van die aanneming van die aansoek.
- (b) Die registrasie van die handelsmerk.
- (c) Enige aansoek om 'n inskrywing met betrekking tot hierdie  
 handelsmerk.

## Address for service

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Signature of applicant(s) or  
authorised agentTo: The Registrar  
Trade Marks Office  
Pretoria.

Trade Marks Form TM 29

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT, 1963

APPLICATION FOR THE CERTIFICATE OF THE REGISTRAR  
WITH REFERENCE TO A PROPOSED ASSIGNMENT OF A  
REGISTRAR TRADE MARK

[Section 49 (5) and Regulation 55]

Franking  
machine  
impressionRevenue  
stamp, R5  
Official  
datestamp(To be accompanied by a statement of case in duplicate and copy of  
the proposed assignment).In the matter of Trade Mark(s) No(s).  
registered in the name of \_\_\_\_\_  
in Class(es) \_\_\_\_\_Application is hereby made by \_\_\_\_\_  
business address \_\_\_\_\_  
being the registered proprietor(s) of the registered trade mark(s)  
numbered as above for the Registrar's certificate under section 49 (5)  
of the Act with reference to a proposed assignment of the registered  
Trade Mark(s) No(s) \_\_\_\_\_ to \_\_\_\_\_  
business address \_\_\_\_\_  
in circumstances that are stated fully in the accompanying statement  
of case.  
Address for service

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Signature of applicant or  
authorised agentTo: The Registrar  
Trade Marks Office  
Pretoria.

Trade Marks Form TM 30

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT, 1963

APPLICATION FOR THE APPROVAL BY THE REGISTRAR  
OF A PROPOSED ASSIGNMENT, OR OF A TRANSMISSION  
OF A TRADE MARK RESULTING IN EXCLUSIVE RIGHTS  
FOR DIFFERENT PERSONS IN DIFFERENT PARTS OF THE  
REPUBLIC

[Section 49 (6) and Regulation 55]

Franking  
machine  
impressionRevenue  
stamp, R5  
Official  
datestamp(To be accompanied by a statement of case in duplicate and a copy  
of the instrument proposed for the assignment or effecting the trans-  
mission.)In the matter of a Trade Mark(s)\* registered under Nos.  
in Class(es) \_\_\_\_\_ the property  
of \_\_\_\_\_

application is hereby made by:

(1) (a)

of \_\_\_\_\_

the proprietor of the trade mark(s) shown in the accompanying  
statement of case (b) (registered in his name) and (b) (used by him)  
in respect of the following goods/services \_\_\_\_\_for approval by the Registrar of a proposed assignment of the trade  
mark(s) to (c) \_\_\_\_\_

of \_\_\_\_\_

in respect of the following goods/services \_\_\_\_\_

to be sold or otherwise traded in in (d) \_\_\_\_\_

[and to (c)] \_\_\_\_\_

of \_\_\_\_\_

## Adres vir bestelling

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Handtekening van applikant(e) of  
gemagtigde agentAan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

Handelsmerkform TM 29

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

AANSOEK OM 'N SERTIFIKAAT VAN DIE REGISTRATEUR  
MET BETREKKING TOT 'N VOORGESTELDE SESSIE VAN 'N  
GEREGISTREERDE HANDELSMERK

[Artikel 49 (5) en Regulasie 55]

Inkomsteseël,  
R5Ampelike  
datumstempel(Moet vergesel gaan van 'n uiteensetting van saak, in tweevoud,  
en 'n afskrif van die voorgestelde sessieakte.)In verband met Handelsmerk(e) No(s).  
geregistreer in die naam van  
in Klas/KlasseAansoek word hierby gedoen deur  
van besigheidsadreswat die geregistreerde eienaar(s) van die geregistreerde handelsmerk(e)  
met bovemelde nommer(s), om 'n sertificaat van die Registrateur  
ingevoige artikel 49 (5) van die Wet met betrekking tot 'n voorge-  
stelde sessie van die geregistreerde Handelsmerk(e) No(s).  
aan.

besigheidsadres.

in die omstandighede wat ten velle uiteengesit word in bygaande  
uiteensetting van saak.

Adres vir bestelling

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Handtekening van applikant of  
gemagtigde agentAan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

Handelsmerkform TM 30

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

AANSOEK OM GOEDKEURING DEUR DIE REGISTRATEUR  
VAN 'N VOORGESTELDE SESSIE OF OORDRAG VAN 'N  
HANDELSMERK WAT LEI TOT UITSLUITLIKE REGTE VIR  
VERSKILLENDÉ PERSONE IN VERSKILLENDÉ DELE VAN  
DIE REPUBLIEK

[Artikel 49 (6) en Regulasie 55]

Inkomsteseël,  
R5Ampelike  
datumstempel(Moet vergesel gaan van 'n uiteensetting van saak, in tweevoud,  
en 'n afskrif van die voorgestelde akte om te sedeer of om die oordrag  
te bewerkstellig.)In verband met handelsmerk(e) \*geregistreer met No(s).  
in klas(se) \_\_\_\_\_ die eiendom van \_\_\_\_\_,  
word hierby aansoek gedoen deur \_\_\_\_\_

(1) (a)

van \_\_\_\_\_

die eienaar van die handelsmerk(e), aangedui in bygaande uiteen-  
setting van saak (b) (geregistreer op sy naam), en (b) (deur hom  
gebruik) ten opsigte van die volgende goedere/dienste \_\_\_\_\_om goedkeuring deur die Registrateur van 'n voorgestelde sessie van  
die handelsmerk(e) aan (c).  
van \_\_\_\_\_ten opsigte van die volgende goedere/dienste \_\_\_\_\_ wat verkoop of waarin andersins handel  
gedryf sal word in (d).  
van \_\_\_\_\_†[en aan (c)].  
van \_\_\_\_\_

in respect of the following goods/services  
to be sold or otherwise traded in in (d)  
in circumstances that are stated fully in the accompanying statement  
of case (2) (e)  
of  
who claims that the trade mark(s) shown in the accompanying state-  
ment of case was (were), in respect of the following goods/services,  
i.e.

and on the (f) day of 19  
transmitted to (g) him to (h)

of  
(who was his predecessor in title), by or from (i)

of  
by whom the trade mark was then used in respect to the following  
goods/services, i.e.  
all in circumstances that are stated fully in the accompanying statement  
of case, for the approval of the Registrar of the aforesaid trans-  
mission.

Address for service  
Dated the day of 19

To: The Registrar  
Trade Marks Office  
Pretoria. Signature of applicant or  
authorised agent

\* To be struck out in the case of unregistered trade marks.  
† Strike out the bracketed passage if not required. Strike out either  
paragraph (1) or paragraph (2).

(a) Insert here the name and trade or business address of the pro-  
prietor.

(b) Strike out either if not applicable.

(c) Insert here the names and trade or business addresses of the pro-  
posed assignees or assignees.

(d) Insert the name of the place or places in the Republic.

(e) Insert here the name and trade or business address of the person  
who claims a transmission to him.

(f) Insert here the date of the transmission.

(g) Strike out the words that are not applicable.

(h) Insert here the name and trade or business address of the pro-  
prietor in title, if any.

(i) Insert here the name and trade or business address of the person  
who transmitted.

### Trade Marks Form TM 31

#### REPUBLIC OF SOUTH AFRICA

#### TRADE MARKS ACT, 1963

#### APPLICATION TO REGISTER A TRADE MARK AS A DEFENSIVE REGISTRATION

[Section 53 (1) and Regulation 18]

Franking machine impression	Revenue stamp, R22
Official number	Official datestamp
Particulars of mark	

Part A Class  
Specification of goods or services  
I/We, [full name of applicant(s)]

of [street or other physical address of applicant(s)]  
hereby state that I/we am/are the proprietor(s) of the above trade  
mark and claim to be entitled to register the trade mark as a defensive  
mark in terms of section 53 of the Act.

Dated this day of 19

Signature of applicant(s) or  
authorised agent

Address of service

ten opsigte van die volgende goedere/dienste  
wat verkoop of waarin andersins handel gedryf sal word in (d).  
in omstandigheide wat ten volle uiteengesit word in die meegaande  
uiteensetting van saak. (2) (e)  
van

wat beweer dat die handelsmerk(e) aangetoon in bygaande uiteen-  
setting van saak ten opsigte van die volgende goedere/dienste,  
naamlik op die (f). dag  
van 19 oorgedra is aan (g) aan hom  
(h) van

(wat sy voorganger in titel was), deur of van (i)  
van

wat die handelsmerk toe gebruik het ten opsigte van die volgende  
goedere/dienste, naamlik alles in omstandigheide ten volle uiteengesit in bygaande uiteensetting  
van saak, om die Registrateur se goedkeuring van die voormalde  
oordrag.

Adres vir bestelling  
Gedateer op die dag van 19

Aan: Die Registrateur  
Kantoor van Handelsmerke Hantekening van applikant  
Pretoria. of gemagtigde agent

\*Moet geskrap word in die geval van ongeregistreerde handels-  
merk(e).

† Skrap die gedeelte tussen hakies indien nie van toepassing nie.

Skrap of paragraaf (1) of paragraaf (2).

(a) Vul hier in die naam en handels- of besigheidsadres van die  
eienaar.

(b) Skrap wat nie van toepassing is nie.

(c) Vul hier in die name en handels- of besigheidsadres van die  
voorgestelde sessioneeris of sessioneeris.

(d) Vul hier in die naam van die plek of plekke binne die Republiek.

(e) Vul hier in die naam en handels- of besigheidsadres in van die  
persoon wat beweer dat 'n oordrag aan hom gedoen is.

(f) Vul hier in die datum van die oordrag.

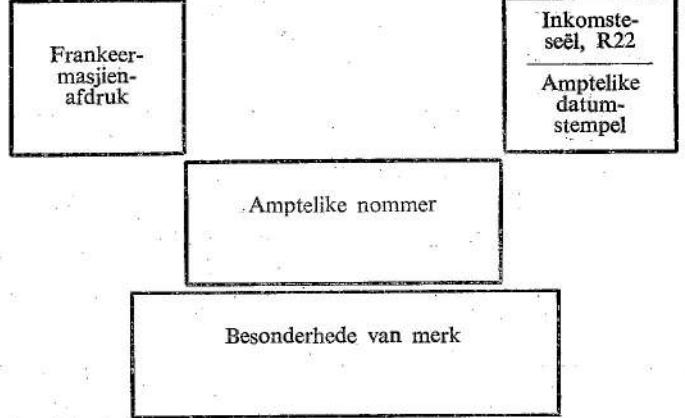
(g) Skrap die woorde wat nie van toepassing is nie.

(h) Vul hier in die naam en handels- of besigheidsadres van die  
voorganger in titel, as daar is.

(i) Vul hier in die naam en handels- of besigheidsadres van die  
persoon wat oorgedra het.

Handelsmerkvorm TM 31

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANSOEK OM REGISTRASIE VAN HANDELSMERK AS  
DEFENSIEWE REGISTRASIE  
[Artikel 53 (1) en Regulasie 18]



Deel A Klas  
Spesifikasie van goedere of dienste  
Ek/Ons, [volle naam van applikant(e)]

van [straat of ander fisiese adres van applikant(e)]

verklaar hierby dat ek/ons die eienaar(s) van bogemelde handelsmerk  
is en maak daarop aanspraak dat ek/ons geregtig is om die handels-  
merk as 'n defensiewe merk ingevolge artikel 53 van die Wet te  
registreer.

Gedateer op die dag van 19

Handtekening van applikant(e)  
of gemagtigde agent

Adres vir bestelling

(perforated)

<b>ACKNOWLEDGEMENT OF APPLICATION</b> (To be completed by applicant)		For office use only Official filing date and number.
Name of applicant		Registrar of Trade Marks
Particulars of trade mark		Official datestamp of receipt
Name and address for service		

Printing specifications: Size, 210 mm by 297 mm; perforated 90 mm from bottom of form; leave 65 mm column for office use; tear off portion to fit in Trade Mark Office window envelope.

## Trade Marks Form TM 32

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963APPLICATION FOR REGISTRATION OF DEFENSIVE TRADE MARK AS ORDINARY REGISTRATION  
[Section 53 (2), Regulation 19 (2)]

Franking machine impression	Revenue stamp, R5 Official datestamp
Particulars of trade mark	

Name and address of applicant

Registered Trade Mark No. \_\_\_\_\_ and date  
in respect of the following \*goods/services

As registered proprietor of the above-mentioned trade mark, I hereby apply for its registration as an ordinary trade mark in lieu of its registration as a defensive trade mark, in respect of the following \*goods/services.

The grounds for my application are set out in the accompanying statement of case.

Address for service

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_  
To: The Registrar  
Trade Marks Office \_\_\_\_\_  
Pretoria. \_\_\_\_\_ Signature of applicant or  
authorised agent

\* Delete which is not applicable.

## Trade Marks Form TM 33

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963APPLICATION FOR REGISTRATION OF ORDINARY TRADE MARK AS DEFENSIVE REGISTRATION  
[Section 53 (2), Regulation 19 (1)]

Franking machine impression	Revenue stamp, R15 Official datestamp
Particulars of trade mark	

Name and address of applicant

Registered Trade Mark No. \_\_\_\_\_ Date  
in respect of the following \*goods/services

(geperforeer)

<b>ERKENNING VAN ONTVANGS VAN AANSOEK</b> (Moet deur applikant ingevul word.)	
Naam van applikant(e).	Besonderhede van handelsmerk
Naam en adres vir bestelling	

Drukspesifikasies: Grootte, 210 mm × 297 mm; perforasie, 90 mm vanaf onderkant van vorm; kantruimte, laat 65 mm ruimte aan regterkant van afskeurstrokkie vir kantoorgebruik; afskeurstrokkie moet in Handelsmerkkantoor se vensterkoerf pas.

## Handelsmerkvorm TM 32

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963AANSOEK OM REGISTRASIE VAN DEFENSIEWE HANDELSMERK AS GEWONE REGISTRASIE  
[Artikel 53 (2), Regulasie 19 (2)]

Frankeer-masjien-afdruk	Inkomsteseel, R5 Amptelike datumstempel
Besonderhede van handelsmerk	

Naam en adres van applikant

Geregistreerde Handelsmerknommer \_\_\_\_\_ en datum  
ten opsigte van die volgende \*goedere/dienste

As die geregistreerde eienaar van bogemelde handelsmerk, doen ek hierby aansoek om die registrasie daarvan as 'n gewone handelsmerk in plaas van die registrasie daarvan as 'n defensiewe handelsmerk, ten opsigte van die volgende \*goedere/dienste.

Die gronde waarop my aansoek berus, word uiteengesit in die aangehegte uiteensetting van saak.

Adres vir bestelling:

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_  
Aan: Die Registrateur  
Kantoor van Handelsmerke \_\_\_\_\_ Handtekening van applikant of  
Pretoria. \_\_\_\_\_ gemagtigde agent

\* Skrap wat nie van toepassing is nie.

## Handelsmerkvorm TM 33

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963AANSOEK OM REGISTRASIE VAN GEWONE HANDELSMERK AS DEFENSIEWE REGISTRASIE  
[Artikel 53 (2), Regulasie 19 (1)]

Frankeer-masjien-afdruk	Inkomsteseel, R15 Amptelike datumstempel
Besonderhede van handelsmerk	

Naam en adres van applikant

Geregistreerde Handelsmerknommer \_\_\_\_\_ datum  
ten opsigte van die volgende \*goedere/dienste

The grounds for my application are set out in the accompanying statement of case.

Address for service

Dated this day of 19

Signature of applicant or authorised agent

To: The Registrar  
Trade Marks Office  
Pretoria.

(N.B.—If registration as a defensive trade mark is not sought in respect of all \*goods/services for which the trade mark is registered, this application must be accompanied by an application to exclude from the existing registration those \*goods/services for which a defensive registration is sought.)

\* Delete which is not applicable.

Trade Marks Form TM 34

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
APPLICATION FOR REGISTRATION OF  
REGISTERED USER  
(Section 48, Regulation 57)

Franking  
machine  
impression

Revenue  
stamp, R5  
and R1 for  
each  
additional  
mark

Official  
datestamp

[To be accompanied by a statement of case giving particulars as required by section 48 (4) of the Act verified by a sworn declaration made by the proprietor, or by some person authorised to act on his behalf and approved by the Registrar.]

Application is hereby made by(a)  
who is/are the registered proprietor(s) of Trade Mark(s) No.(s)  
registered in class(es) (Schedule) in  
respect of (b)  
that (c)  
of (d)  
who hereby joins in the application, may be registered as a registered user of the above-numbered registered trade mark(s)\* in respect of (e)  
subject to the following conditions or restrictions:

(f)  
(g)  
The proposed permitted use is to end on the day  
of 19, the proposed permitted use is  
without limited of period(h)

(h)  
The proposed registered user will/will not be the sole user.  
Address for service of registered user

Dated this day of 19

Signature of registered owner  
and/or proposed registered user  
or authorised agent

To: The Registrar  
Trade Marks Office  
Pretoria.

\* Additional numbers may be given in a signed schedule on the back of the form.

(a) Here insert full name, trade or business address and description of the registered proprietor(s).

(b) Here insert the specification in the register.

(c) 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 case of a body corporate brief particulars of its nature and country of incorporation should be stated.

(d) Here insert the full trade or business address of the proposed registered user.

(e) Here insert designation of goods/services which must be comprised within the specification.

(f) Write "None" if there are no conditions or restrictions.

(g) Strike out the words that are not applicable.

(h) Strike out the words that are not applicable.

Die gronde waarop my aansoek berus, is uiteengesit in die aangehegte uiteensetting van saak.

Adres vir bestelling

Gedateer op die dag van 19

Handtekening van applikant of  
gemagtigde agent

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

(L.W.—Indien registrasie as 'n defensiewe handelsmerk nie verlang word ten opsigte van alle \*goedere/dienste waarvoor die handelsmerk geregistreer is nie, moet hierdie aansoek vergesel wees van 'n aansoek om daardie \*goedere/dienste waarvoor 'n defensiewe registrasie verlang word, uit te sluit van die bestaande registrasie.)

\*Skrap wat nie van toepassing is nie.

Handelsmerkform TM 34

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANSOEK OM AS GERECHTIGDE GEBRUIKER  
GEREGISTREER TE WORD  
(Artikel 48, Regulasie 57)

Inkomstesel  
R5 en R1  
vir elke  
bykomende  
merk

Amptelike  
datumstempel

Frankeer-  
masjiens-  
afdruk

[Moet vergesel gaan van 'n uiteensetting van saak waarin besonderde gegee word soos vereis by artikel 48 (4) van die Wet bevestig by wyse van beëdigde verklaring deur die eienaar of deur 'n persoon gemagtig om namens hom op te tree en deur die Registrateur goedgekeur.]

Aansoek word hierby gedoen deur (a)  
wat die geregistreerde eienaars is van Handelsmerk(e) No.(s)  
\*geregistreer in klas (Bylae), ten opsigte  
van (b)

dat (c)  
van (d)  
wat hom hierby hierdie aansoek aansluit, geregistreer word as 'n geregistreerde gebruiker van geregistreerde handelsmerk(e) \*met bovenmelde nommers ten opsigte van (e)  
onderworpe aan die volgende voorwaarde van beperkings (f)

(g) Die voorgestelde veroorloofde gebruik moet eindig op die dag van 19.

Die voorgestelde veroorloofde gebruik is sonder beperking van tydperk. (h) Die voorgestelde geregistreerde gebruiker sal die enigste gebruiker wees/sal nie die enigste gebruiker wees nie.

Adres vir bestelling van geregistreerde gebruiker  
Gedateer op die dag van 19

Handtekening van geregistreerde  
eienaar en/of voorgestelde  
gerechtfertigde gebruiker of  
gemagtigde agent

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

\*Bykomende nommers kan in 'n getekende bylae op die keersy van hierdie vorm verstrek word.

(a) Vul hier in die volle naam, handels- of besigheidsadres en beskrywing van die geregistreerde eienaars.

(b) Vul hier in die spesifikasie soos uiteengesit in die register.

(c) Vul hier in die volle naam, beschrywing en nasionaliteit van die individu, firma of regspersoon wat as geregistreerde gebruiker voorgestel word. Die name van al die vennote in 'n firma moet volledig verstrek word. In die geval van 'n regspersoon moet beknopte besonderhede van sy aard en van die land van inkorporasie verstrek word.

(d) Vul hier in die volle handels- of besigheidsadres van die voorgestelde geregistreerde gebruiker.

(e) Vul hier in 'n beschrywing van die goedere/dienste (wat binne die perke van die spesifikasie gestel moet word.)

(f) Skryf „geen“ as daar nie voorwaarde van beperkings is nie.

(g) Skrap die woorde wat nie van toepassing is nie.

(h) Skrap die woorde wat nie van toepassing is nie.

## Trade Marks Form TM 35

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT, 1963

APPLICATION BY THE REGISTERED PROPRIETOR OF A TRADE MARK FOR VARIATION OF THE REGISTRATION OF A REGISTERED USER THEREOF WITH REGARD TO THE GOODS/SERVICES OR THE CONDITIONS OR RESTRICTIONS

[Section 48 (8) (a), Regulations 59]

Franking machine impression
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Revenue stamp, R5
Official datestamp

[To be accompanied by a statement of the grounds for the application and the written consent (if any) of the registered user].

Application is hereby made by (a) \_\_\_\_\_ the proprietor of Trade Mark(s) No. \_\_\_\_\_ registered in Class \_\_\_\_\_ (Schedule \_\_\_\_\_) in respect of (b) \_\_\_\_\_ that the registration of (c) \_\_\_\_\_ as registered user of the above-numbered trade mark(s) in respect of (d) \_\_\_\_\_ may be varied in the following manner (e) \_\_\_\_\_.

Address for service \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

To: The Registrar  
Trade Marks Office  
Pretoria.Signature of applicant or  
authorised agent

- \* Additional numbers may be given in a signed schedule.
- (a) Insert the full name, description and trade or business address of the registered proprietor.
- (b) Insert the specifications in the register.
- (c) Insert the full name, description and trade or business address of the registered user.
- (d) Insert the goods/services in respect of which the user is registered.
- (e) State the manner in which it is requested that the entry should be varied.

Trade Marks Form TM 36

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT, 1963

APPLICATION BY THE REGISTERED PROPRIETOR OF A TRADE MARK OR BY ANY OF THE REGISTERED USERS OF THE TRADE MARK FOR THE CANCELLATION OF ENTRY OF A REGISTERED USER THEREOF

[Section 48 (8) (b), Regulation 60]

Franking machine impression
-----------------------------

Revenue stamp, R2
Official datestamp

Application is hereby made by (a) \_\_\_\_\_ being (b) the registered proprietor (a registered user) of Trade Mark(s) No. (s) \_\_\_\_\_ \* registered in Class \_\_\_\_\_ (Schedule \_\_\_\_\_) in respect of (c) \_\_\_\_\_ for the cancellation of the entry under the above-mentioned registration(s) of (d) \_\_\_\_\_ as a registered user of the trade mark(s) in respect of (e) \_\_\_\_\_.

The grounds for the application are set forth in the accompanying statement of case.

Address for service \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

To: The Registrar  
Trade Marks Office  
Pretoria.Signature of applicant(s) or  
Authorised agent

- \* Additional numbers may be given in a signed schedule.
- (a) Insert the full name, description and trade or business address of the applicant(s).
- (b) Strike out the words that are not applicable.
- (c) Insert the specification in the register.
- (d) Insert the full name, description and trade or business address of the registered user whose entry is sought to be cancelled.
- (e) Insert goods/services in respect of which the registered user is entered.

## Handelsmerkform TM 35

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

AANSOEK DEUR GERECHTIGDE EIENAAR VAN HANDELSMERK OM WYSIGING VAN DIE REGISTRASIE VAN 'N GERECHTIGDE GEBRUIKER DAARVAN TEN OPSIGTE VAN GOEDERE/DIENSTE OF DIE VOORWAARDES OF BEPERKINGS

[Artikel 48 (8) (a), Regulasie 59]

Franker- masjien- afdruk
--------------------------------

Inkomsteseel, RS
Amptelike datum- stempel

[Moet vergeleek word van 'n uiteensetting van die gronde vir die aansoek en die skriflike toestemming (indien verstrekk) van die geregistreerde gebruiker.]

Aansoek word hierby gedoen deur (a) \_\_\_\_\_ die eienaar van Handelsmerk(e) \_\_\_\_\_ \*geregistreer in Klas \_\_\_\_\_ (Bylae \_\_\_\_\_) ten opsigte van (b) \_\_\_\_\_ dat die registrasie van (c) \_\_\_\_\_ as geregistreerde gebruiker van die bogenoemde handelsmerk(e) ten opsigte van (d) \_\_\_\_\_ as volg gewysig word (e) \_\_\_\_\_.

Adres vir bestelling  
Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Aan: Die Registratur  
Kantoor van Handelsmerke \_\_\_\_\_ Handtekening van applikant of  
Pretoria. \_\_\_\_\_ gemagtigde agent

\* Bykomende nommers mag in 'n getekende bylae verstrekk word.

(a) Vul in die volle naam, beskrywing en handels- of besigheidsadres van die geregistreerde eienaar.

(b) Vul in die spesifikasie soos opgeteken in die register.

(c) Vul in die volle naam, beskrywing en handels- of besigheidsadres van die geregistreerde gebruiker.

(d) Vul in die goedere ten opsigte waarvan die gebruiker geregistreer is.

(e) Dui aan hoe verlang word dat die inskrywing gewysig moet word.

## Handelsmerkform TM 36

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

AANSOEK DEUR GERECHTIGDE EIENAAR VAN HANDELSMERK OF DEUR ENIGE VAN DIE GERECHTIGDE GEBRUIKERS VAN DIE HANDELSMERK OM DIE INTREKKING VAN 'N INSKRYWING VAN 'N GERECHTIGDE GEBRUIKER DAARVAN

[Artikel 48 (8) (b), Regulasie 60]

Franker- masjien- afdruk
--------------------------------

Inkomsteseel, R2
Amptelike datum- stempel

Aansoek word hierby gedoen deur (a) \_\_\_\_\_ die (b) geregistreerde eienaar ('n geregistreerde gebruiker, van Handelsmerk(e) \_\_\_\_\_ \*geregistreer in Klas \_\_\_\_\_ (Bylae \_\_\_\_\_) ten opsigte van (c) \_\_\_\_\_ om die intrekking van die inskrywing opgeteken onder bogenoemde registrasie(s) van (d) \_\_\_\_\_ as 'n geregistreerde gebruiker van die handelsmerk(e) ten opsigte van (e) \_\_\_\_\_.

Die gronde vir die aansoek word uiteengesit in bygaande uiteensetting van saak.

Adres vir bestelling  
Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Aan: Die Registratur  
Kantoor van Handelsmerke \_\_\_\_\_ Handtekening van applikant(e) \_\_\_\_\_ of gemagtigde agent

\* Bykomende nommers kan in 'n getekende bylae verstrekk word.

(a) Vul in die volle naam, beskrywing en handels- of besigheidsadres van die applikant(e).

(b) Skrap die woorde wat nie van toepassing is nie.

(c) Vul in die spesifikasie soos dit in die register opgeteken is.

(d) Vul in die volle naam, beskrywing en handels- of besigheidsadres van die geregistreerde gebruiker om die intrekking van wie se inskrywing aangesoek gedoen word.

(e) Vul in die goedere/dienste ten opsigte waarvan die geregistreerde gebruiker ingeskryf is.

Trade Marks Form TM 37  
REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
APPLICATION FOR CANCELLATION OF ENTRY OF A REGISTERED USER OF A TRADE MARK  
[Section 48 (8) (c), Regulation 61]

Franking machine impression



In the matter of Trade Mark(s) No.(s) \_\_\_\_\_ \*registered in Class \_\_\_\_\_ (Schedule \_\_\_\_\_) in the name of (a)

Application is hereby made by (b) \_\_\_\_\_ for the cancellation of the entry under the above-mentioned registration(s) of (c) \_\_\_\_\_ as the registered user thereof in respect of (d) \_\_\_\_\_

The grounds of this application, particulars of which are given in detail in the accompanying statement of case, are (e) \_\_\_\_\_

Address for service \_\_\_\_\_  
Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Signature of applicant or authorised agent

To: The Registrar  
Trade Marks Office  
Pretoria.

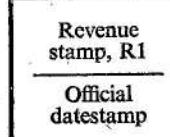
- \* Additional numbers may be given in a signed schedule.
- (a) Insert the name, trade or business address and description of registered proprietor as entered in the register.
- (b) Name and address of the applicant for cancellation.
- (c) Insert name, trade or business address and description of registered user as entered in the register.
- (d) Insert the goods/services in respect of which the registered user is entered.
- (e) Insert one or more of the subparagraphs (i), (ii) and (iii) of section 48 (8) (c).

Trade Marks Form TM 38

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

NOTICE TO THE REGISTRAR OF INTENTION TO INTERVENE IN PROCEEDINGS FOR THE VARIATION OR CANCELLATION OF AN ENTRY OF A REGISTERED USER OF A TRADE MARK  
[Section 48 (9), Regulation 62]

Franking machine impression



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

In the matter of a Trade Mark No. \_\_\_\_\_ registered in Class \_\_\_\_\_ (Schedule \_\_\_\_\_) in the name of (registered proprietor) and in the matter of a registration of (name and trade or business address of the registered user) \_\_\_\_\_

thereunder as a registered user of the mark.

I/We, \_\_\_\_\_ of \_\_\_\_\_ hereby give notice of intention to intervene in the proceedings in the above matter.

Address for service \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Signature of applicant(s) or authorised agent

To: The Registrar  
Trade Marks Office  
Pretoria.

Handelsmerkform TM 37

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANSOEK OM DIE INTREKKING VAN 'N INSKRYWING VAN 'N GEREIGSTREERDE GEBRUIKER VAN 'N HANDELSMERK  
[Artikel 48 (8) (c), Regulasie 61]

Frankeer-masjiën-afdruk



In verband met Handelsmerk(e) \_\_\_\_\_ \*geregistreer in Klas \_\_\_\_\_ (Bylae \_\_\_\_\_) op die naam van (a)

Aansoek word hierby gedoen deur (b) \_\_\_\_\_ om die intrekking van die inskrywing onder bogenoemde registrasie(s) van (c) \_\_\_\_\_ as die geregistreerde gebruiker daarvan ten opsigte van (d) \_\_\_\_\_

Die gronde vir hierdie aansoek, waarvan besonderhede breedvoerig verstrekk word in bygaande uiteensetting van saak, is (e) \_\_\_\_\_

Adres vir bestelling \_\_\_\_\_  
Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Handtekening van applikant of gemagtigde agent

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

- \* Bykomende nommers kan in 'n getekende bylae verstrekk word.
- (a) Vul in die naam, handels- of besigheidsadres en beskrywing van die geregistreerde eienaar soos dit in die register opgeteken is.
- (b) Naam en adres van die applikant om intrekking.
- (c) Vul in naam, handels- of besigheidsadres en beskrywing van die geregistreerde gebruiker soos dit in die register opgeteken is.
- (d) Vul in die goedere/dienste ten opsigte waarvan die geregistreerde gebruiker opgeteken is.
- (e) Vul in een of meer van die subparagraphs (i), (ii) en (iii) van artikel 48 (8) (c).

Handelsmerkform TM 38

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963

KENNISGEWING AAN REGISTRATEUR VAN VOORNEME OM TOE TE TREE TOT VERRIGTINGE VIR DIE WYSIGING OF INTREKKING VAN 'N INSKRYWING VAN 'N GEREIGSTREERDE GEBRUIKER VAN 'N HANDELSMERK  
[Artikel 48 (9), Regulasie 62]

Frankeer-masjiën-afdruk



(Moet vergesel gaan van 'n uiteensetting van die gronde vir toetredie.)

In verband met Handelsmerk No. \_\_\_\_\_ geregistreer in Klas \_\_\_\_\_ (Bylae \_\_\_\_\_) op die naam van (gereigstreeerde gebruiker) en in verband met 'n registrasie van (naam en handels- of besigheidsadres van die geregistreerde gebruiker)

daaronder as 'n geregistreerde gebruiker van die merk.

Ek/Ons, \_\_\_\_\_ van \_\_\_\_\_ gee hiermee kennis dat ek/ons van voorneme is om tot die verrigtinge in bogemelde saak toe te tree.

Adres vir bestelling \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Handtekening van applikant(e) of gemagtigde agent

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

## Trade Marks Form TM 39

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
FEE FOR REGISTRATION OF

Franking machine impression

Revenue stamp, R1  
Official datestamp

- \*(1) Dissolution of association between marks [section 38, regulation 38 (2)].
- \*(2) Assignment or transmission (section 49, regulation 53).
- \*(3) Registered user or variations or cancellation thereof [section 48, regulation 62 (5)].

The prescribed fee in respect of registration of the application affecting Trade Mark(s) No.(s) \_\_\_\_\_  
is transmitted herewith.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

To: The Registrar  
Trade Marks Office  
Pretoria.

Signature of proprietor or  
registered user or authorised  
agent

\* Delete items which do not apply.

## Trade Marks Form TM 40

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
APPLICATION ON GROUNDS OF HONEST CONCURRENT USER  
[Section 17 (2), Regulation 21]

Franking machine impression

Revenue stamp, R12  
Official datestamp

I hereby apply for my application for registration of my Trade Mark application No. \_\_\_\_\_, dated \_\_\_\_\_, to be dealt with by the Registrar in terms of section 17 (2) of the Act and I annex hereto my statement of case or evidence in support of my application.

Address for service

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

To: The Registrar  
Trade Marks Office  
Pretoria.

Signature of applicant or  
authorised agent

Trade Marks Form TM 41  
REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
APPLICATION FOR DETERMINATION OF RIGHTS OF PARTIES  
[Section 17 (3) and Regulation 22]

Franking machine impression

Revenue stamp, R10  
Official datestamp

I hereby invite attention to the fact that I have a pending application No. \_\_\_\_\_, dated \_\_\_\_\_, which has been preliminary refused on the ground that there is another pending application No. \_\_\_\_\_, dated \_\_\_\_\_, in the same class for a similar mark and I hereby apply for the matter to be determined by the Registrar in terms of section 17 (3) of the Act read with regulation 22.

Address for service

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

To: The Registrar  
Trade Marks Office  
Pretoria.

Signature of applicant or  
authorised agent

And to (name of proprietor of the similar mark)

Note.—Proof of service to the satisfaction of the Registrar must be furnished.

## Handelsmerkvorm TM 39

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
GELDE VIR REGISTRASIE VAN

Frankeermasjien-afdruk

Inkomsteseel, R1  
Amptelike datumstempel

- \*(1) Ontbinding van assosiasie tussen merke [artikel 38, regulasie 38 (2)].
- \*(2) Sessie of oordrag (artikel 49, regulasie 53).
- \*(3) Geregistreerde gebruiker of wysigings of intrekking daarvan [artikel 48, regulasie 62 (5)].

Hierneé stuur ek die voorgeskrewe gelde ten opsigte van die registrasie van die aansoek rakende Handelsmerk(e) No.(s).

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

Handtekening van eienaar of  
geregistreerde gebruiker of  
gemagtigde agent

\* Skrap items wat nie van toepassing is nie.

## Handelsmerkvorm TM 40

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANSOEK OP GROND VAN EERLIKE GELYKTYDIGE  
GEBRUIK  
[Artikel 17 (2), Regulasie 21]

Frankeermasjien-afdruk

Inkomsteseel,  
R12  
Amptelike-  
datumstempel

Hierby doen ek aansoek dat my aansoek vir die registrasie vir my Handelsmerkaansoek No. \_\_\_\_\_ gedateer \_\_\_\_\_ behandel word deur die Registrateur ingevolge artikel 17 (2) van die Wet en ek heg my uiteensetting van saak of getuienis ter ondersteuning van my aansoek hierby aan.

Adres vir bestelling

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

## Handelsmerkvorm TM 41

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANSOEK OM DIE BEPALING VAN DIE REGTE VAN  
PARTYE  
[Artikel 17 (3), Regulasie 22]

Frankeermasjien-afdruk

Inkomsteseel,  
R10  
Amptelike-  
datumstempel

Hierby vestig ek die aandag op die feit dat ek 'n hangende aansoek No. \_\_\_\_\_ gedateer \_\_\_\_\_ het wat voorlopig geweier is op grond daarvan dat daar in dieselfde klas 'n ander hangende aansoek No. \_\_\_\_\_ gedateer \_\_\_\_\_ om 'n eenderse merk is, en ek doen hierby aansoek dat die saak deur die Registrateur ingevolge artikel 17 (3) van die Wet gelees met regulasie 22, uitgemaak word.

Adres vir bestelling

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

Handtekening van applikant, of  
gemagtigde agent

En aan (naam van die eienaar van die eenderse merk)

Nota.—Bewys van bestelling tot die tevredenheid van die Registrateur moet gelewer word.

## Trade Marks Form TM 42

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

ADDITIONAL FEE FOR ASSIGNMENT OR TRANSMISSION  
OF CERTIFICATION MARK

(Section 52, Regulation 91)

Franking  
machine  
impressionRevenue  
stamp, R25Official  
datestamp

I/We, hereby transmit the prescribed fee in respect of the assignment of Certification Mark No.

Dated this day of 19

Address for service

To: The Registrar  
Trade Marks Office  
Pretoria. Signature of applicant(s) or  
authorised agent

## Trade Marks Form TM 43

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

CONSENT TO INFORMAL OPPOSITION PROCEEDINGS  
(Section 28 and Regulation 26)Franking  
machine  
impressionRevenue  
stamp, R1Official  
datestamp

I/We, the undermentioned, being a party/parties to the opposition proceedings relating to Trade Mark Application No. , dated , hereby consent to the procedure laid down in section 28 of the Act.

A hearing is/is not required.

Name and address for service of applicant/opponent

Dated at this day  
of 19To: The Registrar  
Trade Marks Office  
Pretoria. Signature of applicant(s)/  
opponent(s) or authorised agent

And to

(Proof of service to the satisfaction of the Registrar must be furnished.)

## Trade Marks Form TM 44

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

NOTICE OF INTENTION TO OPPOSE AMENDMENT  
OF TRADE MARK

(Section 34, Regulation 69)

Franking  
machine  
impressionRevenue  
stamp, R3Official  
datestamp

I/We, hereby give notice of my/our intention to oppose the application for the amendment of Trade Mark No. advertised in the Patent Journal of .

My/Our reasons for the opposition are as follows:

Address for service:

Dated this day of 19

To: The Registrar  
Trade Marks Office  
Pretoria. Signature of opponent(s) or  
authorised agent

And to (name of proprietor of trade mark)

Note.—Proof of service to the satisfaction of the Registrar must be furnished.

## Handelsmerkvorm TM 42

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

BYKOMENDE GELDE VIR SESSIE OF OORDRAG VAN  
WAARMERKINGSMERK

(Artikel 52, Regulasie 91)

Inkomsteseel,  
R25Amptelike  
datumstempelFrankeer-  
masjiem-  
afdruk

Ek/Ons

stuur hierby die voorgeskrewe gelde ten opsigte van die sessie van waarmerkingsmerk No.

Gedateer op die

dag van

19

Adres vir bestelling

Aan: Die Registrateur

Kantoor van Handelsmerke Handtekening van applikant(e) of  
Pretoria. gemagtigde agent

## Handelsmerkvorm TM 43

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

TOESTEMMING TOT INFORMELE VERSETVERRIGTING  
(Artikel 28, Regulasie 26)Inkomsteseel,  
R1Amptelike  
datumstempelFrankeer-  
masjiem-  
afdruk

Ek/Ons, die ondergemelde persoon/persone, wat 'n party/partye is by die verset verrigtinge ten opsigte van Handelsmerkaansoek No. , gedateer , gee hierby toestemming tot die volging van die prosedure uiteengesit in artikel 28 van die Wet.

'n Verhoor word verlang/word nie verlang nie.

Naam en adres vir bestelling aan applikant/teenparty.

Gedateer op die dag van 19

Aan: Die Registrateur  
Kantoor van Handelsmerke Handtekening van applikant(e)/  
teenparty(e) of gemagtigde agent  
Pretoria.

En aan

(Bewys van bestelling, tot tevredenheid van die Registrateur, moet gelewer word.)

## Handelsmerkvorm TM 44

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

KENNISGEWING VAN VOORGENOME VERSET TEEN DIE  
WYSIGING VAN 'N HANDELSMERK

(Artikel 34, Regulasie 69)

Inkomsteseel,  
R3Amptelike  
datumstempelFrankeer-  
masjiem-  
afdruk

Hierby gee ek/ons kennis dat ek/ons van voorneme is om my/ons te verset teen die aansoek om wysiging van Handelsmerk No. bekendgemaak in die Patentjoernaal van .

My/Ons redes vir die verset is soos volg:

Adres vir bestelling

Gedateer op die dag van 19

Aan: Die Registrateur  
Kantoor van Handelsmerke Handtekening van teenparty(e)  
Pretoria. of gemagtigde agent

En aan (naam van eienaar van handelsmerk)

Nota.—Bewys van bestelling tot tevredenheid van die Registrateur moet gelewer word.

## Trade Marks Form TM 45

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT, 1963

APPLICATION TO THE REGISTRAR TO RECTIFY  
REGISTER[Section 69, Regulation 77 read with Section 10 (3), 33 (1),  
35 and 53 (4)]Franking  
machine  
impressionRevenue  
stamp, R10  
Official  
datestamp

I/We,

hereby apply to the Registrar in terms of sections 10, 33, 35 and 53,  
as the case may be, for the rectification of the Trade Marks Register  
in respect of Trade Mark No. \_\_\_\_\_ in the following  
respects:

My/Our grounds for the application are \_\_\_\_\_

Address for service: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

To: The Registrar  
Trade Marks Office \_\_\_\_\_ Signature of applicant(s) or  
Pretoria. \_\_\_\_\_ authorised agent

And to (name of proprietor of trade mark and other interested persons)

Note.—Proof of service to satisfaction of the Registrar must be  
furnished.

## Trade Marks Form TM 46

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT, 1963

APPLICATION TO THE REGISTRAR TO REMOVE MARK  
FROM REGISTER ON GROUNDS OF NON-USE  
(Section 69, read with Section 36, Regulation 77)Franking  
machine  
impressionRevenue  
stamp, R10  
Official  
datestampI/We,  
hereby apply in terms of section 36 of the Act for the removal from  
the register of Trade Mark No. \_\_\_\_\_, dated \_\_\_\_\_  
in respect of: \_\_\_\_\_

My/Our grounds for the application are \_\_\_\_\_

Address for service: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

To: The Registrar  
Trade Marks Office \_\_\_\_\_ Signature of applicant(s) or  
Pretoria. \_\_\_\_\_ authorised agent

And to (name of proprietor of trade mark and other interested persons)

Note.—Proof of service to the satisfaction of the Registrar must be  
furnished.

## Trade Marks Form TM 47

REPUBLIC OF SOUTH AFRICA

TRADE MARKS ACT, 1963

NOTICE OF PAYMENT OF HEARING FEE  
(Regulation 33)Franking  
machine  
impressionRevenue  
stamp, R5  
Official  
datestampIn the matter of opposition to Trade Mark No. \_\_\_\_\_  
I hereby tender the hearing fee prescribed by regulation 33.

Address for service: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

To: The Registrar  
Trade Marks Office \_\_\_\_\_ Signature of applicant or  
Pretoria. \_\_\_\_\_ authorised agent

## Handelsmerkform TM 45

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

AANSOEK BY REGISTRATEUR OM VERBETERING VAN  
REGISTER[Artikel 69, Regulasie 77, gelees met Artikel 10 (3), 33 (1),  
35 en 53 (4)]Inkomste-  
seël, R10Ampelike  
datum-  
stempel

Ek/Ons,

van  
doen hierby aansoek by die Registrateur ingevolge artikels 10, 33,  
35 of 53, na gelang van die geval, om die verbetering van die Handels-  
merkregister ten opsigte van Handelsmerk No. \_\_\_\_\_ in  
die volgende besonderhede:

My/Ons redes vir die aansoek is \_\_\_\_\_

Adres vir bestelling \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_

Aan: Die Registrateur

Kantoor van Handelsmerke Handtekening van applikant(e)  
of gemagtigde agent  
Pretoria.En aan (name van eienaar van handelsmerk en ander belang-  
hebbende persone).Nota.—Bewys van bestelling tot tevredenheid van die Registrateur  
moet gelewer word.

## Handelsmerkform TM 46

REPUBLIEK VAN SUID-AFRIKA

DIE WET OP HANDELSMERKE, 1963

AANSOEK BY REGISTRATEUR OM 'N SKRAPPING VAN  
MERK UIT REGISTER OP GROND VAN NIE-GEbruIK  
(Artikel 69, gelees met Artikel 36, Regulasie 77)Inkomste-  
seël, R10Ampelike  
datum-  
stempel

Ek/Ons,

doen hierby aansoek ingevolge artikel 36 van die Wet om die skrapping  
uit die register van Handelsmerk No. \_\_\_\_\_ gedateer  
ten opsigte van

My/Ons redes vir die aansoek is \_\_\_\_\_

Adres vir bestelling \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_

Aan: Die Registrateur

Kantoor van Handelsmerke Handtekening van applikant of  
gemagtigde agent  
Pretoria.En aan (name van eienaar van handelsmerk en ander belang-  
hebbende persone).Nota.—Bewys van bestelling tot tevredenheid van die Registrateur  
moet gelewer word.

## Handelsmerkform TM 47

REPUBLIEK VAN SUID-AFRIKA

WET OP HANDELSMERKE, 1963

KENNISGEWING VAN BETALING VAN VERHOORGELD  
(Regulasie 33)Inkomste-  
seël, R5Ampelike  
datum-  
stempel

In verband met die verset teen Handelsmerk No. \_\_\_\_\_ bied

ek hierby die verhoorgeld aan soos voorgeskryf by regulasie 33.

Adres vir bestelling \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_

Aan: Die Registrateur

Kantoor van Handelsmerke Handtekening van applikant of  
gemagtigde agent  
Pretoria.

## Trade Marks Form TM 48

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963  
APPLICATION FOR CERTIFICATE  
[Section 31 (6) and Regulation 92 (1)]

Franking machine impression

Revenue stamp, R1

Official datestamp

In terms of regulation 92 (1) of the Trade Mark Regulations, I hereby apply for the undermentioned certificate in respect of Trade Mark No. \_\_\_\_\_ of \_\_\_\_\_ 19\_\_\_\_\_

## PARTICULARS OF CERTIFICATE REQUIRED

Address \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

Signature of applicant or authorised agent

To: The Registrar  
Trade Marks Office  
Pretoria.

## Trade Marks Form TM 49

REPUBLIC OF SOUTH AFRICA  
TRADE MARKS ACT, 1963

CONSENT TO APPEAL TO APPELLATE DIVISION  
[Section 63 (5) and Regulation 74 (1) (b)]

Franking machine impression

Revenue stamp, R1

Official datestamp

In terms of the provisions of section 63 (5) of the Act, I/we, being a party/parties to an appeal in the case of Trade Mark/Trade Mark in case of Application No. \_\_\_\_\_, Appellant, and

hereby consent to the appeal in this case being heard by the Appellate Division of the Supreme Court without any intermediate appeal having first been heard by any Provincial Division of the Supreme Court.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_  
Address for service \_\_\_\_\_

Appellant(s) or respondent(s) (as the case may be) or authorised agent on behalf of appellant or respondent (as the case may be)

SCHEDULE 3  
CLASSIFICATION OF GOODS  
NAMES OF CLASSES

*Class 1.*—Chemical substances used in manufactures, photography, or philosophical research, and anti-corrosives.

*Class 2.*—Chemical substances used for agricultural, horticultural, veterinary and sanitary purposes.

*Class 3.*—Chemical substances prepared for use in medicine and pharmacy.

*Class 4.*—Raw or partly prepared vegetable, animal and mineral substances used in manufacture, not included in other classes.

*Class 5.*—Unwrought and partly wrought metals used in manufacture.

*Class 6.*—Machinery of all kinds, and parts of machinery, except agricultural and horticultural machines included in Class 7.

*Class 7.*—Agricultural and horticultural machinery, and parts of such machinery.

*Class 8.*—Philosophical instruments, scientific instruments, and apparatus for useful purposes. Instruments and apparatus for teaching.

*Class 9.*—Musical instruments.

## Handelsmerkform TM 48

REPUBLIEK VAN SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
AANSOEK OM 'N SERTIFIKAAT  
[Artikel 31 (6), Regulasie 92 (1)]

Frankeermasjiendaftrek

Inkomsteseel, RI

Amptelike datumstempel

Ingevolge regulasie 92 (1) van die Handelsmerkregulasies doen ek hierby aansoek om ondergemelde sertifikaat ten opsigte van Handelsmerk No. \_\_\_\_\_ van \_\_\_\_\_ 19\_\_\_\_\_

## BESONDERHEDE VAN SERTIFIKAAT VERLANG

Adres \_\_\_\_\_

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_

Handtekening van applikant of gemagtigde agent

Aan: Die Registrateur  
Kantoor van Handelsmerke  
Pretoria.

## Handelsmerkform TM 49

REPUBLIC OF SUID-AFRIKA  
WET OP HANDELSMERKE, 1963  
TOESTEMMING TOT APPÈL NA APPÈLAFDELING  
[Artikel 63 (5), Regulasie 74 (1) (b)]

Frankeermasjiendaftrek

Inkomsteseel, RI

Amptelike datumstempel

Ingevolge die bepalings van artikel 63 (5) van die Wet, gee ek ons, 'n party/partye by 'n appèl in verband met Handelsmerk/Handelsmerkaansoek No. \_\_\_\_\_ in die geding \_\_\_\_\_, Appellant, en

hierby my ons toestemming dat die appèl in hierdie saak deur die Appèlafdeling van die Hooggereghof verhoor word sonder dat 'n tussenliggende appèl eers deur 'n Provinciale Afdeling van die Hooggereghof verhoor word.

Gedateer op die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_\_  
Adres vir bestelling \_\_\_\_\_

Appellant(e) of respondent(e) (na gelang van die geval) of gemagtigde agent namens appellant(e) of respondent(e) (na gelang van die geval)

## BYLAE 3

## KLASSIFIKASIE VAN GOEDERE

## NAME VAN KLASSE

*Klas 1.*—Chemiese stowwe wat gebruik word in fabrikate, fotografie, of filosofiese navorsing, en korrosieverende middels.

*Klas 2.*—Chemiese stowwe wat gebruik word vir landbou-, tuinbou-, veeteartsenigkundige, en sanitêre doeleindes.

*Klas 3.*—Chemiese stowwe wat voorberei word vir gebruik in medisyne en artsensybereiding.

*Klas 4.*—Onverwerkte of gedeeltelik voorbereide plantaardige, dierlike, en minerale stowwe gebruik in fabrikate, nie in ander klasse ingesluit nie.

*Klas 5.*—Onbewerkte en gedeeltelik bewerkte metale wat by vervaardiging gebruik word.

*Klas 6.*—Alle tipes masjinerie, en onderdele van masjinerie, behalwe landbou- en tuinboumasjinerie wat in *Klas 7* ingesluit is.

*Klas 7.*—Landbou- en tuinboumasjinerie en onderdele van sodanige masjinerie.

*Klas 8.*—Filosofiese instrumente, wetenskaplike instrumente en apparaat vir nuttige doeleindes. Instrumente en apparaat vir onderwys.

*Klas 9.*—Musiekinstrumente.

<i>Class 10.</i> —Horological instruments.	<i>Klas 10.</i> —Tydmeetinstrumente.
<i>Class 11.</i> —Instruments, apparatus and contrivances, not medicated, for surgical or curative purposes, or in relation to the health of men or animals.	<i>Klas 11.</i> —Instrumente, apparaat en toestelle, nie medisinal nie, vir chirurgiese of genesende doeleindes, of ten opsigte van die gesondheid van mens en dier.
<i>Class 12.</i> —Cutlery and edge tools.	<i>Klas 12.</i> —Tafelgereedskap en snywerktye.
<i>Class 13.</i> —Metal goods not included in other classes.	<i>Klas 13.</i> —Metaalgoedere nie in ander klasse ingesluit nie.
<i>Class 14.</i> —Goods or precious metals (including aluminium, nickel, Britannia metal, etc.), and jewellery, and imitations of such goods and jewellery.	<i>Klas 14.</i> —Goedere van edelmetale (met inbegrip van aluminium, nikkel, Britanniametaal, ens.) en juwellersware, en namaaksels van sulke goedere en juweliersware.
<i>Class 15.</i> —Glass.	<i>Klas 15.</i> —Glas.
<i>Class 16.</i> —Porcelain and earthenware.	<i>Klas 16.</i> —Porselein en erdewerk.
<i>Class 17.</i> —Manufactures from mineral and other substances for building or decoration.	<i>Klas 17.</i> —Fabrikate van minerale en ander stowwe vir bouwerk of versiering.
<i>Class 18.</i> —Engineering, architectural, and building contrivances.	<i>Klas 18.</i> —Ingenieurs-, argitektoniese en bouteerusting.
<i>Class 19.</i> —Arms, ammunition, and stores not included in Class 20.	<i>Klas 19.</i> —Wapens, ammunisie en voorrade nie in Klas 20 ingesluit nie.
<i>Class 20.</i> —Explosive substances.	<i>Klas 20.</i> —Plofstownwe.
<i>Class 21.</i> —Naval architectural contrivances and naval equipments not included in Classes 19 and 20.	<i>Klas 21.</i> —Skeepsbouteerusting en skeepsuitrusting wat nie in Klasse 19 en 20 ingesluit is nie.
<i>Class 22.</i> —Carriages.	<i>Klas 22.</i> —Voertuie.
<i>Class 23.</i> —(a) Cotton yarn; (b) Sewing cotton.	<i>Klas 23.</i> —(a) Katoengaring; (b) Naagaring.
<i>Class 24.</i> —Cotton piece-goods of all kinds.	<i>Klas 24.</i> —Alle soorte katoenstukgoedere.
<i>Class 25.</i> —Cotton goods not included in Class 23, 24 or 38.	<i>Klas 25.</i> —Katoengoedere wat nie in Klasse 23, 24 of 38 ingesluit is nie.
<i>Class 26.</i> —Linen and hemp yarn and thread.	<i>Klas 26.</i> —Linne- en hennepdraad en -garing.
<i>Class 27.</i> —Linen and hemp piece-goods.	<i>Klas 27.</i> —Linne- en hennepstukgoedere.
<i>Class 28.</i> —Linen and hemp goods not included in Class 26, 27 or 50.	<i>Klas 28.</i> —Linne- en hennepgoedere wat nie in Klasse 26, 27 en 50 ingesluit is nie.
<i>Class 29.</i> —Jute yarns and tissues, and other articles made of jute not included in Class 50.	<i>Klas 29.</i> —Jutegarings en weefsel en ander artikels wat van jute vervaardig en nie in Klas 50 ingesluit is nie.
<i>Class 30.</i> —Silk, spun, thrown or sewing.	<i>Klas 30.</i> —Sy, gespin, gevleg of vir naaiwerk.
<i>Class 31.</i> —Silk piece-goods.	<i>Klas 31.</i> —Systukgoedere.
<i>Class 32.</i> —Other silk goods not included in Class 30 or 31.	<i>Klas 32.</i> —Ander sygoedere wat nie in Klasse 30 of 32 ingesluit is nie.
<i>Class 33.</i> —Yarns of wool, worsted or hair.	<i>Klass 33.</i> —Woigarings, kamgarings of haargarings.
<i>Class 34.</i> —Cloths and stuffs of wool, worsted or hair.	<i>Klass 34.</i> —Stowwe en materiaal van wol, kamstof of haarstof.
<i>Class 35.</i> —Woollen and worsted and hair goods not included in Classes 33 and 34.	<i>Klass 35.</i> —Wolstowwe en kamstowwe en haarstowwe wat nie in Klasse 33 of 34 ingesluit is nie.
<i>Class 36.</i> —Carpets, floor-cloth and oil-cloth.	<i>Klass 36.</i> —Tapyte, vloerkleed en oliekleedjie.
<i>Class 37.</i> —Leather, skins, unwrought and wrought, and articles made of leather not included in other classes.	<i>Klass 37.</i> —Leer, velle, bewerk en onbewerk en artikels wat van leer vervaardig is en nie in ander klasse ingesluit nie.
<i>Class 38.</i> —Articles of clothing.	<i>Klass 38.</i> —Kledingstukke.
<i>Class 39.</i> —Paper (except paper-hangings), stationery, and book-binding.	<i>Klass 39.</i> —Papier (behalwe plakpapier), skryfbehoeftes en boekbindmateriale.
<i>Class 40.</i> —Goods manufactured from india-rubber and gutta-percha not included in other classes.	<i>Klass 40.</i> —Goedere wat van gomlastiek en guttaperitsja vervaardig en nie in ander klasse ingesluit is nie.
<i>Class 41.</i> —Furniture and upholstery.	<i>Klass 41.</i> —Meubels en bekleedsel.
<i>Class 42.</i> —Substances used as food, or as ingredients in food.	<i>Klass 42.</i> —Stowwe wat as voedsel of as bestanddele in voedsel gebruik word.
<i>Class 43.</i> —Fermented liquors and spirits.	<i>Klass 43.</i> —Gegiste drank en sterk drank.
<i>Class 44.</i> —Mineral and aerated waters, natural and artificial, including ginger-beer.	<i>Klass 44.</i> —Mineraal- en spuitwater, natuurlik en kunsmatig, insluitende gemmerbier.
<i>Class 45.</i> —Tobacco, whether manufactured or unmanufactured.	<i>Klass 45.</i> —Tabak, of vervaardig of onvervaardig.
<i>Class 46.</i> —Seeds for agricultural and horticultural purposes.	<i>Klass 46.</i> —Saad vir landboukundige en tuinboukundige doeleindes.
<i>Class 47.</i> —Candles, common soap, detergents; illuminating, heating or lubricating oils, matches; and starch, blue, and other preparations for laundry purposes.	<i>Klass 47.</i> —Kerse; gewone seep; suiweringmiddels; lamp-, verwarmings- of smeeroles; vuurhoutjies en styzel; blouse en ander preparate vir wasdoeleindes.
<i>Class 48.</i> —Perfumery (including toilet articles, preparations for the teeth and hair, and perfumed soap).	<i>Klass 48.</i> —Parfumerie (met inbegrip van toiletgoedere, preparate vir tanden en hare en geperfumeerde seep.)
<i>Class 49.</i> —Games of all kinds and sporting articles not included in other classes.	<i>Klass 49.</i> —Speletjies van alle soorte en sportartikels nie in ander klasse ingesluit nie.
<i>Class 50.</i> —Miscellaneous:	<i>Klass 50.</i> —Diversé:
(1) Goods manufactured from ivory, bone, or wood, not included in other classes.	(1) Goedere vervaardig van ivoor, been of hout, nie in ander klasse ingesluit nie.
(2) Goods manufactured from straw or grass, not included in other classes.	(2) Goedere vervaardig van strooi of gras, nie in ander klasse ingesluit nie.
(3) Goods manufactured from animal or vegetable substances, and not included in other classes.	(3) Goedere vervaardig van dierlike of plantaardige verbindingsstowwe en nie in ander klasse ingesluit nie.
(4) Tobacco pipes.	(4) Tabakpype.
(5) Umbrellas, walking-sticks, brushes, and combs.	(5) Sambrele, wandelstokke, borsels en kamme.
(6) Furniture cream, plate powder.	(6) Meubelroom, plaatpoeier.
(7) Tarpaulins, tents, rickcloths, rope, twine.	(7) Teerseile, tente, miedseile, tou, twyn.
(8) Buttons of all kinds other than of precious metal or imitations thereof.	(8) Knope van alle soorte behalwe dié van edelmetale of namaaksels daarvan.
(9) Packing and hose of all kinds.	(9) Verpakningsmateriaal en waterslange van alle soorte.
(10) Goods not included in the foregoing classes.	(10) Goedere nie in bestaande klasse ingesluit nie.

## SCHEDULE 4

CLASSIFICATION OF GOODS AND SERVICES  
NAMES OF CLASSES

1. Chemical products used in industry, science, photography agriculture, horticulture, forestry; artificial and synthetic resins; plastics in the form of powders, liquids or pastes, for industrial use; manures (natural and artificial); fire extinguishing compositions; tempering substances and chemical preparations for soldering; chemical substances for preserving foodstuffs; tanning substances; adhesive substances used in industry.

## BYLAE 4

KLASSIFIKASIE VAN GOEDERE EN DIENSTE  
NAME VAN KLASSE

1. Chemiese produkte gebruik in nywerhede, wetenskap, fotografie, landbou, tuinbou, bosbou; kunsharse en sintetiese harse; plastiekstof in die vorm van poeiers, vloeistowwe of pastas vir industriële gebruik; bemestingstowwe (natuurlik en kunsmatig); brandblussamestellings; temperstowwe en chemiese verbindings vir soldeerwerk; chemiese verbindings vir preservering van voedsel; looistowwe; kleefstowwe gebruik in die nywerheid.

2. Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colouring matters; dyestuffs; mordants; natural resins; metals in foil and powder form for painters and decorators.

3. Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

4. Industrial oils and greases (other than edible oils and fats and essential oils); lubricants; dust laying and absorbing compositions; fuels (including motor spirit) and illuminants; candles, tapers, night-lights and wicks.

5. Pharmaceutical, veterinary and sanitary substances; infants' and invalids' foods; plasters, material for bandaging; material for stopping teeth, dental wax; disinfectants; preparations for killing weeds and destroying vermin.

6. Unwrought and partly wrought common metals and their alloys; anchors, anvils, bells, rolled and cast building materials; rails and other metallic materials for railway tracks; chains (except driving chains for vehicles); cables and wires (non-electric); locksmith's work; metallic pipes and tubes; safes and cash boxes; steel balls; horseshoes; nails and screws; other goods in non-precious metal not included in other classes; ores.

7. Machines and machine tools; motors (except for land vehicles); machine couplings and belting (except for land vehicles); large size agricultural implements; incubators.

8. Hand tools and instruments; cutlery, forks and spoons; side arms.

9. Scientific, nautical, surveying and electrical apparatus and instruments (including wireless), photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; coin or counter-free apparatus; talking machines; cash registers; calculating machines; fire-extinguishing apparatus.

10. Surgical, medical, dental and veterinary instruments and apparatus (including artificial limbs, eyes and teeth).

11. Installations for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.

12. Vehicles; apparatus for locomotion by land, air or water.

13. Firearms; ammunition and projectiles; explosive substances; fireworks.

14. Precious metals and their alloys and goods in precious metals or coated therewith (except cutlery, forks and spoons); jewellery, precious stones; horological and other chronometric instruments.

15. Musical instruments (other than talking machines and wireless apparatus).

16. Paper and paper articles, cardboard and cardboard articles; printed matter, newspapers and periodicals, books; bookbinding material; photographs; stationery, adhesive materials (stationery); artists' materials; paint brushes; typewriters and office requisites (other than furniture); instructional and teaching material (other than apparatus); playing cards; printers' type and cliches (stereotype).

17. Gutta-percha, india-rubber, balata and substitutes, articles made from these substances and not included in other classes; plastics in the form of sheets, blocks and rods, being for use in manufacture; materials for packing, stopping or insulating; asbestos, mica and their products; hosepipes (non-metallic).

18. Leather and imitations of leather, and articles made from these materials and not included in other classes; skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

19. Building materials, natural and artificial stone, cement, lime, mortar, plaster and gravel; pipes of earthenware or cement; road-making materials; asphalt, pitch and bitumen; portable buildings; stone monuments; chimney pots.

20. Furniture, mirrors, picture frames; articles (not included in other classes) of wood, cork, reeds, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum, celluloid, substitutes for all these materials, or of plastics.

21. Small domestic utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (other than paint brushes); brush-making materials; instruments and material for cleaning purposes; steel wool; unworked or semi-worked glass (excluding glass used in building); glassware, porcelain and earthenware, not included in other classes.

22. Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks; padding and stuffing materials (hairs, kapok, feathers, seaweed, etc.); raw fibrous textile materials.

23. Yarns, threads.

24. Tissues (piece-goods); bed and table covers; textile articles not included in other classes.

25. Clothing, including boots, shoes and slippers.

26. Lace and embroidery, ribands and braid; buttons, press buttons, hooks and eyes, pins and needles; artificial flowers.

27. Carpets, rugs, mats and matting; linoleums and other materials for covering floors; wall hanging (non-textile).

28. Games and playthings; gymnastic and sporting articles (except clothing); ornaments and decorations for Christmas trees.

2. Verf, vernisje, lakstowwe; preserverstowwe teen roes en degenerasie van hout; kleurstowwe; verfstowwe; bytmiddels; natuurlike hars; metale in foelie- en poeievorm vir skilders en dekorateurs.

3. Bleikmiddels en ander stowwe vir wasserygebruik; skoonmaak-, poloor-, skuur- en slyppreparate; seepsoorte, parfumerie, vlugtige olies, skoonheidsmiddels haarswasmiddels; tandepoeiers en pasta.

4. Nywerheidssolie en ghries (behalwe eetbare olies en vette en vlugtige olies); smeermiddels; samestellings vir die bind en absorbering van stof; brandstowwe (met inbegrip van motorbrandstof) en beligtingsmiddels; kerse, waskerse, naglite en pitte.

5. Farmaseutiese, veeartsenkundige en sanitêre stowwe; kossoorte vir babas en invalides; pleisters, verbandmateriaal; tandvulmateriaal, tandwas; ontsmettingsmiddels; onkruidoders en preparate vir die uitroei van ongedierte.

6. Onbewerkte en gedeeltelik bewerkte gewone metale en hul allooi; ankers, aambeelde, klokke, gewalte en gegote boumateriale; spore en ander metaalagtige materiaal vir spoorlyne; kettings behalwe dryfkettings vir voertuie; kabels en draad (nie elektries); slotmakerswerk; metaalpype en -buise; brandkaste en geldkissies; staalballe; perdeskoene; spykers en skroewe en ander goedere van onedele metaal nie in ander klasse ingesluit nie; ertse.

7. Masjiene en masjiengereedskap; motore (behalwe vir voertuie); masjienkoppelings en dryfbande (behalwe vir voertuie); groot landbou-implemente; broeimasjiene.

8. Handgereedskap en instrumente; messe, kurke en lepels; swapens.

9. Wetenskaplike, seevaartkundige, opmeetkundige en elektrotegniese apparaat en instrumente (met inbegrip van radio's), fotografiese, kinematografiese, optiese, weeg-, meet-, sein-, kontrolerings-(toesighoudende), lewensreddings- en onderrigapparaat en -instrumente; munt- of penningoutomaat; praatmasjiene; kasregisters; rekenmasjiene; brandblusapparaat.

10. Chirurgiese, mediese, tandheelkundige en veeartsenkundige instrumente en apparaat (met inbegrip van kunsledemate, -oë en -tande).

11. Installasies vir beligting, verwarming-, stoomopwekkingskook-, verkoelings-, drogings-, ventilatings-, watervoorsienings- en sanitêre doeleindes.

12. Voertuie, apparaat vir land-, lug- of seevervoer.

13. Vuurwapens; ammunisie en projektlede; plofstoewe, vuurwerke.

14. Edelmetale en hul allooi en goedere van edelmetale of daarmee oorgeblaas (behalwe messe, kurke en lepels); juweliersware; edelgesteentes; tydmeetkundige en ander chronometriese instrumente.

15. Musiekinstrumente (behalwe praatmasjiene en draadloosapparaat).

16. Papier en papierartikels, karton en kartonartikels; drukwerk, nuusblaie en tydskrifte, boeke; boekbindmateriaal; foto's; skryf-behoeftes; kleefmateriaal (skryf-behoeftes); kunstenaarstoebohore; verfkaste; tikkemasjiene en kantoortoebohore (behalwe meubels); onderrig- en opleidingsmateriaal (behalwe apparaat); speelkaarte; drukkersletters en cliche's (stereotiep).

17. Guttapertsja, gomlastiek, balata en surrogate, artikels vervaardig van hierdie stowwe en nie in ander klasse ingesluit nie; plasticstowwe in die vorm van velle, blokke en stawe vir gebruik in vervaardigingsprosesse; materiale vir verpakking, stop en isolering; asbes, mika en hulle produkte; spuitslange (nie-metaal).

18. Leer en leernamaaksels, en artikels van hierdie materiale vervaardig en nie in ander klasse ingesluit nie; velle, huide, koffers en reistasse; sambrelle, sonsambrelle en wandelstokke; swepe, tuie en saalmakersware.

19. Boumateriaal, natuurlike en kunsmatige klip, sement, kalk, messelklei, pleister en gruis, erde- of sementpype; padboumateriaal-asfalt, pik en bitumen; vervoerbare geboue; klipmonumente; skoorsteenpotte.

20. Meubels, spieëls, portretrame; artikels (nie in ander klasse ingesluit nie) bestaande uit hout, kurk, riete, rottang, matjiesgoed, horing, been, invoor, balein, skulp, barnsteen, perlemoen, meerskuim, selluloïd en surrogate van al hierdie materiale, of uit plastiese.

21. Klein huishoudelike gereedskap en houers (nie vervaardig uit of oorgeblaas met edelmetale nie); kamme en sponse; borsels (behalwe verfkasse), borselvervaardigingsmateriaal; skoonmaakinstrumente en -materiaal; staalwol; onbewerkte of halfbewerkte glas (behalwe glas gebruik in bouwerk), glasware, porselein en erdeware nie in ander klasse ingesluit nie.

22. Toue, lyn, nette, tente, sonskerm, teerseil, seile, sakke, vulsek of opstopmateriaal (hare, kapok, vere, seegras, ens.); ruvesel-tekstielmaterialie.

23. Drade, garings.

24. Weefsel (stukgoedere); beddekens en tafeldoek; tekstiel-artikels nie in ander klasse ingesluit nie.

25. Klerasie, met inbegrip van stewels, skoene en pantoffels.

26. Kant en borduurwerk; linte en galons; knope, drukknope, hakies en ogies; spelde en naalde; kunsblomme.

27. Tapte, vloermatjies, matte en matwerk; linoleum en ander vloerbedekkingsmateriaal; muurbehangsel (nie tekstiel).

28. Speletjies en speelgoed; gimnastiek en sportartikels (behalwe klerasie); ornamente en versierings vir Kersbome.

29. Meat, fish, poultry and game, meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and other dairy products; edible oils and fats; preserves, pickles.

30. Coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes; flour, and preparations made from cereals; bread, biscuits, cakes, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salts, mustard; pepper, vinegar, sauces, spices; ice.

31. Agricultural, horticultural and forestry products and grains not included in other classes; living animals; fresh fruits and vegetables; seeds; live plants and flowers; foodstuffs for animals, malt.

32. Beer, ale and porter; mineral and aerated waters and other non-alcoholic drinks; syrups and other preparations for making beverages.

33. Wines, spirits and liqueurs.

34. Tobacco, raw or manufactured; smokers' articles; matches.

35. Advertising and business.

36. Insurance and financial.

37. Construction and repair.

38. Communication.

39. Transportation and storage.

40. Material treatment.

41. Education and entertainment.

42. Miscellaneous.

29. Vleis, vis, pluimvee en wild; vleisekstrakte; gepreserveerde, gedroogde en gaar vrugte en groente; jellies, konfyt; eiers, melk en ander suweiprodukte, eetbare olies en vette; heelkonfyt, atjar.

30. Koffie, tee, kakao, suier, rys, tapioka, sago, koffiesurrogate; meel en graanpreparate; brood, beskuitjies, koek, tergebak en banket, versierprodukte; heuning, swartstroop; gisstowwe, bakpoeier, sout, mosterd, peper, asyn, souse, speserye; ys.

31. Landboukundige, tuinboukundige en bosboukundige produkte en graansoorte nie in ander klasse ingesluit nie; lewendediere; vars vrugte en groente; saad; lewende plante en blomme; dierevoedsel, mout.

32. Bier, "ale" en porter, mineraal- en spuitwater en ander nie-alkoholiese drankie; strope en ander preparate vir die vervaardiging van drank.

33. Wyne, sterk drank en likeurs.

34. Tabak, bewerk of onbewerk, rookartikels, vuurhoutjies.

35. Adverting en besigheid.

36. Assuransie en finansiële.

37. Konstruksie en herstelwerk.

38. Kommunikasie.

39. Vervoer en opbergung.

40. Materiaalbehandeling.

41. Opvoedkunde en vermaaklikheid.

42. Diverse.

#### BYLAE 5

#### GELDE BETAALBAAR AAN 'N PERSOON WAT OPGEROEP WORD OM REGISTRATEUR BY TE STAAN

Under the provisions of section 52 (16) of the Trade Marks Act, 1963 (as amended), the fees to be paid to a person called to assist the Registrar in terms of section 52 (6) of the Act, shall be—

1. For an examination as directed by the Registrar: R15 per hour.
2. Re-imbursement for other expenses:

(i) *Travelling expenses*.—The cost of air transport or first class transport by rail, or motortransport at prescribed Public Service rates. The particular circumstances will determine which mode of transport will result in the least total cost, having regard to the time factor.

(ii) *Subsistence allowance*.—The expenditure in respect of subsistence to the maximum applicable in the Public Service or *pro rata* for a portion of a day of 24 hours in respect of the period of absence from ordinary place of residence or employment when it is necessary to stay overnight, or the reasonable out-of-pocket expenses for meals and refreshment when it is not necessary to stay overnight.

(iii) *Reports*.—The expenditure on stationery at cost, in addition to cost of typing.

Ingevolge artikel 52 (16) van die Wet op Handelsmerke, 1963 (soos gewysig), is die gelde aan 'n persoon wat kragtens artikel 52 (6) van die Wet opgeroep word om die Registrateur by te staan, soos volg:

1. Vir ondersoek soos deur Registrateur gelas, R15 per uur.
2. Vergoeding vir ander onkostes:

(i) *Reiskoste*.—Die koste van lugvervoer, of eersteklas treinvervoer, of motorvervoer teen neergelegde Staatsdienstariewe. Die besondere omstandighede sal bepaal welke metode van vervoer die minste totale koste sal meebring, met inagneming van die tydsfaktor.

(ii) *Verblyfskoste*.—Die uitgawe aan verblyf tot die maksimum bedrag wat in die Staatsdiens van toepassing is of *pro rata* vir 'n gedeelte van 'n dag van 24 uur ten opsigte van die tydperk van afwesigheid van normale verblyf- of werkplek wanneer oornag moet word, of die redelike werklike uitgawes aan etes en verversings wanneer dit nie nodig is om te oornag nie.

(iii) *Verstae*.—Die uitgawe aan skryfbenedigdhede teen kosprys, bo-en-behalwe tikkoste.

Use it.  
Don't abuse it.  
water is for everybody

Werk mooi daar mee.

Ons leef daarvan

# Die Afrikaanse Woordeboek

## VOLUMES I, II, III, IV and V

Copies of the First, Second, Third, Fourth and Fifth Volumes of "Die Afrikaanse Woordeboek" containing the letters A,B,C; D,E,F; G; H,I; and J,K; respectively, are obtainable from the Government Printer, Pretoria and Cape Town at the following prices:—

	Linen Bound.	Leather Bound.
Volume I.....	R7,00	R19,00
Volume II.....	R7,00	R11,50
Volume III.....	R6,00	R10,00
Volume IV.....	R8,50	R13,50
Volume V.....	R11,40	R19,05

## DELE I, II, III, IV en V

Deel een, twee, drie, vier en vyf van die Afrikaanse Woordeboek bevattende die letters A,B,C; D,E,F; G; H,I; en J,K; respektiewelik, is van die Staatsdrukker, Pretoria en Kaapstad teen die volgende pryse verkrygbaar:—

	Gewone Linenband.	Leerband.
Deel I.....	R7,00	R19,00
Deel II.....	R7,00	R11,50
Deel III.....	R6,00	R10,00
Deel IV.....	R8,50	R13,50
Deel V.....	R11,40	R19,05

## Useful Hints—

1. Address all mail fully, clearly and without misleading abbreviations.
2. Place your own address on the back of the envelope or wrapper.
3. Do not enclose coins or other hard objects in letters.
4. Send remittances by Postal Order or Money Order.
5. Pack parcels properly, using strong containers and heavy paper. Tie securely.
6. Prepay postage fully.
7. Place postage stamps in the upper right hand corner of the envelope or wrapper.
8. Insure your parcels and register valuable letters. Documents which can only be replaced at considerable cost should preferably be insured.
9. Post early and often during the day. Mail held until the last moment may cause delay.
10. Give your correspondents your correct post office address including your box number where applicable.

## Nuttige wenke—

1. Adresseer alle posstukke volledig, duidelik en sonder misleidende afkortings.
2. Plaas u eie adres agterop die koevert of omslag.
3. Moenie muntstukke of ander harde artikels in briewe insluit nie.
4. Gebruik posorders of poswissels wanneer geld deur die pos gestuur word.
5. Verpak pakkette behoorlik. Gebruik sterk houers en dik papier en bind dit stewig vas.
6. Maak seker dat die posgeld ten volle vooruitbetaal is.
7. Plak die posseëls in die boonste regterhoek van die koevert of omslag.
8. Verseker u pakkette en registreer waardevolle briewe. Dokumente wat slegs teen hoë koste vervang kan word, moet verkiekslik verseker word.
9. Pos vroegtydig en dikwels gedurende die dag. Posstukke wat tot op die laaste oomblik teruggehou word kan vertraging veroorsaak.
10. Verstrek u volledige posadres aan u korrespondente asook u posbusnommer waar van toepassing.

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