



THE INDUSTRIAL DESIGN MANUAL

2023

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**Industrial Design Registry
Industrial Property Division**

**Department of Media, Creative Industry & Intellectual Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan**

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CHAPTER 1

Introduction

The Industrial Designs Registry, under the Department of Media, Creative Industry & Intellectual Property, is responsible for registration and protection of industrial designs in the country. The registration of industrial designs was commenced on May 1, 2009 by the Executive Order of the Ministry that brought into force Part III and Part II of the Industrial Property Act of the Kingdom of Bhutan, 2001 and Rules thereto. The obligation of Bhutan to register and protect industrial designs emanates from Article 5 *quinquies* of the Paris Convention for the Protection of Industrial Property, 1883, which Bhutan ratified in the year 2000. In terms of domestic situation, the launch of the registration system was highly welcome given the sudden rise in the need to protect innovation and creations by the local industry. This is evident from the growth of a number of industries in the past decades that not only recognized the importance of innovation in enhancing their competitiveness in the market but also to build their confidence to continue to invest in innovation and bring into market new designs.

Prior to 2009, the department was mostly involved in ground works relating to launching of registration related activities for industrial designs. These are developing competencies on examination and registration process, Form and Fee Schedule, and carrying out programs to create awareness on the industrial designs system. Industrial designs of products play an important role in the growth of design-based industries through producing new and innovative designs of products. The Industrial Property Act of the Kingdom of Bhutan, 2001 provides the legal basis for designers to protect such new designs and exercise their rights in the market. Of the several benefits of design protection, it acts as unique selling point for products. When determining the factors that are responsible for how products are bought in the market by consumers, it has been found that the aesthetic nature of products play a decisive role in the choice of their preferences.

Against this backdrop, the Industrial Designs Manual is developed to enhance the competencies of the examiners and maintain uniformity in examination practice, while realizing the following purposes of the Industrial Design Registry:

- ✓ To facilitate registration and grant of rights on new industrial designs;
- ✓ To promote innovation in the industrial designs sector through providing legal protection on industrial design creations; and
- ✓ To promote knowledge and understanding of industrial designs by the private sector and the public, encourage its greater application.

General Information

Contacts of the office

Industrial Property Division
Department of Media, Creative Industry and Intellectual Property
Ministry of Industry, Commerce and Employment
Thimphu
P.O Box 140

Official Working hours

Monday to Friday : 0900 hours to 1300 hours : 1400 hours to 1700 hours

Saturday, Sunday and Public Holidays: Closed

If the last day for filing a document falls on a Saturday, a Sunday or on a public holiday, the document may be filed on the next day working day.

CHAPTER 2

1.1. IMPORTANT DEFINITIONS

Sl. No.	Definitions
2.1	Registrar (Section 44)
	<p>“Registrar” means the registrar of the Industrial Property. In Bhutan the Department of Media, Creative Industry & Intellectual Property is headed by a Director/Director General and is the authorized person to carry out works of the Registrar or the person assigned by him/her.</p>
2.2	Industrial Design (Section 17(1))
	<p>“Industrial Design” means any composition of lines or colours or any three-dimensional form, or any material, whether or not associated with lines or colours, is deemed to be an industrial design, provided that such composition, form or material gives a special appearance to a product of industry or handicraft and can serve as a pattern for a product of industry or handicraft, and appeals to and is judged by the eye.</p>
2.3	New (Section 18 (1) (2) Section 5 (2) (c))
	<p>“New”, in relation to a design means the design is not disclosed to the public in Bhutan by publication in tangible form or by use or in any other way, prior to the filing date or, where applicable, the priority date of the application for registration.</p> <p>Consideration is made if the disclosure is occurred within twelve months preceding filing date or, where applicable, the priority date of application, and if it was happened by acts committed by the applicant or his predecessor in title or of an abuse committed by a third party with regard to the applicant or his/her predecessor in title.</p>
2.4	Agent (Section 35 & Rule 53)
	<p>“Agent” means a legal representative practicing and resident in Bhutan and a person registered as IP agent in prescribed manner.</p>
2.5	Proprietor of Industrial Design (Section 6)
	<p>The right to file for industrial design belongs to</p> <ol style="list-style-type: none"> a) An author of design b) Joint authorship in case the design is made jointly by two or more persons.

	<p>c) The first one to file to office in case two or more people have made the same design independently of each other or the person having the earliest validly claimed filing date if priority is claimed.</p> <p>d) The employer when a design is created in execution of an employment contract in absence of contrary contractual provisions.</p>
2.6	Priority Date & Right of Priority <i>(Section 9)</i>
	<p>“Priority date” is the earliest filing date of a design application in any of the countries party to the Paris Convention for Protection of Industrial Property(PCPIP).</p> <p>The “Right of Priority” means if an applicant has a corresponding design application* filed earlier in a Paris Convention country(other than Bhutan), he/she may claim priority from this first-filed application, provided the Bhutan registration is filed within six months from the date of the first filing.</p> <p><i>* A corresponding application is a separate application filed outside Bhutan for the same design in respect of the same article.</i></p>
2.7	Design Set <i>(Section 20 (4))</i>
	<p>“Set” means a number of products/articles of the same general character ordinarily sold together or intended to be used together, all bearing the same design, with or without modification not sufficient to alter the character or substantially to affect the identity thereof. For instance, tea set, dinner set, furniture set etc. Two or more industrial designs can be filed in the same application, provided they relate to same class of International Classification or to the same set or composition of articles.</p>

CHAPTER 3

FILING OF DESIGN APPLICATION

As filings are based on a "first-to-file" rule basis, filing of an industrial design should be made at the earliest possible time or before an article is disclosed to the public or as close to the date of creation of your design as possible.

This also means that you cannot sell, advertise or publicize your design in any form prior to filing your application. Prior disclosure will destroy the novelty of the design.

An industrial design registered in Bhutan is only protected in Bhutan. Protection in other countries can be obtained by filing applications in each country separately. However, to protect your novelty and if you wish to protect in many countries, applications for registration will have to be filed within twelve months from the earliest date when it was first filed in any of the Paris Convention member countries. Bhutan has been PCPIP since 2000.

Only the owner of an industrial design may apply to register the industrial design, though IP Agent can be authorized to make an application. Where an applicant's ordinary residence or principal place of business is outside Bhutan, the applicant must appoint a registered IP Agent with the DoMCIIP.

Sl. No.	Content
3.1	Where to File? (Rule 5,6 &7)
	<p>An application for registration of a Design and other related documents should be addressed to the Registrar of Industrial Property Division, DoMCIIP, Ministry of Industry, Commerce and Employment(MoICE), Thimphu; Bhutan. The document may be filed at the Industrial Design Registry by being delivered there personally.</p> <p>The documents must be</p> <ul style="list-style-type: none">✓ In English✓ Neatly handwritten or typewritten✓ Except in the case of Affidavit, the content must be on one side of the paper in a deep permanent ink.

	<ul style="list-style-type: none"> ✓ The signature of the persons signing a document and the date of signature must be placed immediately at the end of the document. ✓ The name of the person signing a document must be legibly written in English in capital letters beside the signature of that person. ✓ An alteration made in a document before it is filed at the Industrial Design Registry should be initialed in the margin by the person signing the document.
3.2	Person entitled to file an application (Applicant) <i>(Section 20 (2) Rule 31)</i>
	<p>Any person claiming to be the proprietor of any new or original design may apply for registration.</p> <p>A proprietor may be:</p> <ul style="list-style-type: none"> a) An author of design b) Joint authorship in case the design is made jointly by two or more persons. c) The first one to file to office in case two or more person have made the same design independently of each other or the person having the earliest validly claimed filing date if priority is claimed. d) The employer when a design is created in execution of an employment contract in absence of contrary contractual provisions.
3.3	Contents of application
	An application shall be filed in prescribed form-ID01 and the following checklist requirement must be met in this form.
3.3.1	Personal Details of the Applicant(s)
	An applicant must state in details the name of applicant(s), address and contact details including email address. For international/foreign applicants, they should give address of service in Bhutan, which could be the details and address of their IP agent or local representative in Bhutan. The application shall be signed either by the applicant(s) or by his/her authorized IP agent/representative.

3.3.2	Details of the Industrial Design (<i>Section 20 Rule 31</i>)
	<p>A design application must state the following details of the industrial design filed</p> <ul style="list-style-type: none"> • Type of application, whether the design application is single or in set. If in set, the number of industrial designs filed (A separate sheet must be used to provide details of each industrial design in case of multiple designs). • Title of the industrial design must be stated (E.g., Bottle, Table, etc.,) • The application must indicate the product(s) to which the industrial design is to be applied/used. • Shall indicate the class and subclass of the design as per <i>Locarno Classification</i> of industrial design.
3.3.3	Details of Designer (<i>Section 20 (s) Rule 31 (3)</i>)
	<p>The application shall include a citation of the designer(s) or of the team of designers or an indication that the designer(s) or team of designers has/have waived the right to be cited. The citation and the waiver or the absence of any indication regarding the designer(s) are not subject to examination. If the applicant is the creator/designer, the application shall contain the statement to that effect, and, where he is not, the application shall be accompanied by a statement justifying the applicant's right to the registration of the industrial design.</p>
3.3.4	Agent (<i>Rule 53 & 60</i>)
	<p>Natural or legal persons not having either their domicile or their principal place of business or a real and effective industrial or commercial establishment in Bhutan must appoint an IP Agent to act for them in all proceedings. An IP agent appointment shall be authenticated after receiving form ID09 from the applicant.</p> <p>The following persons are registered as IP agents and are active currently:</p> <ul style="list-style-type: none"> ✓ Mr. Prakash Rasaily, Clues and Colleague, P.O. Box 503, Thimphu-11001, BHUTAN Telephone: PABX (+975) 2325572/2335761, Fax: +9752325755, Direct: +9752321039, Mobile no.:+97517110908/77110908 Email: cluesandcolleague@gmail.com

	<p>✓ Mr. Yishay Dorji, Yishay & Associates, Sernya Lam. P.O. Box 995, Thimphu, Bhutan Telephone- 00975-2325722, Mobile no.: +975 - 17114383 Email: y.dorji57@gmail.com</p>
3.3.5	<p>Declaration of Priority (<i>Section 9 Rule 20</i>)</p>
	<p>Priority may be claimed on the basis of a previous (first) application of a design filed in or for a State which is party to the PCPIP. Priority can only be claimed where the application for design is filed within <i>six months</i> from the date of filing of the first application(s).</p> <p>A design application claiming priority must state;</p> <ul style="list-style-type: none"> • Name of convention country to which priority is claimed, • The application number, • The date of priority, • When the application number is unknown at the time of filing, that number must be furnished within three months from the date of filing application, and • The translation in English must be furnished within six months from date of filing when the priority application is in a language other than English. <p>It must be accompanied by a certified copy of design application filed abroad earlier. If the priority document was not submitted with the application, the same may be filed within an extended period of three months. Extension may be sought by filing Form-ID12 along with the prescribed fee.</p>
3.3.6	<p>Deferment of Publication (<i>Section 20 (5)</i>)</p>
	<p>The applicant(s) are given option to choose publication deferment of industrial design, upon registration, if the applicant feel that their product is not fully developed to be marketed. The request shall be indicated in form ID01 at the time of filing, and it can be deferred for a period up to 12 months from the date of filing or, if priority is claimed, from the date of priority of the application.</p>
3.3.7	<p>Representation of design (<i>Section 20 (1) Rule 32 (1) (2)</i>)</p>

	<p>The design application must be accompanied by the following representations. The representation sheet needs to be prepared diligently and shall be filed along with the application, in duplicate. The IP Rules require the following with the application:</p> <ul style="list-style-type: none"> • Photographs, tracings including computer graphics or specimens of the design. The Registrar may require a specimen of the article to be submitted at the time of examination, in rare cases. • Photographs should be pasted on the representation sheets with the help of adhesive and not by other means like stapler, pin and cello tape so as to enable digitization. • Four graphic representations or four drawings in case of two-dimensional design. • Four graphic representations or four drawings or tracings of the different sides of the industrial design in case of three-dimensional design. • Representation means the exact representation of the article for which registration is sought. A representation may contain more than one page. • A specimen shall be of a size not exceeding(20cm x 20cm x 20cm). Graphic representation shall not exceed 10cm x 20cm. • The representation shall be in black ink and shall be affixed on four sheets of A4 size paper. • Total number of sheets and sheet number shall be mentioned in the representation sheet. • The representation sheet shall be signed and dated by the applicant/agent. • The applicant shall keep in mind the requirements of an Examiner to visualize the design and distinguish the same from any probable prior art. The number of views required in a representation sheet may be decided in light of this requirement.
3.3.8	Classification of designs (<i>Section 20(4)</i>)
	The classification of articles is based on the International Classification of Industrial Designs according to the Locarno Agreement. However, Bhutan is not a signatory to

	<p>the agreement but this system of classification is widely used by industrial design registry offices around the world. The Locarno Classification (LOC), established by the Locarno Agreement (1968), is an international classification used for the purposes of the registration of industrial designs. Under LOC, articles/products are classified into thirty-two classes with subclasses under each.</p> <p>The appropriate class and subclass must be mentioned in application with reference to LOC, and in case of ambiguity the examiner may decide the same in consultation with the applicant(s). LOC system can be accessed with the following link.</p> <p>https://www.wipo.int/classifications/locarno/locpub/en/fr/</p>
3.3.9	<p>Address for Service <i>(Section 20 Rule 31)</i></p>
	<ul style="list-style-type: none"> • An address for service in Bhutan shall be given by every person in any proceeding under the Act or Rules. • Unless an address for service is given, the Registrar shall not proceed with the application. • Names of natural persons shall be indicated by the person’s family name and given name(s), the family name being indicated before the given name(s); the names of legal entities shall be indicated by their full, official designations. • Addresses shall be indicated in such a way as to satisfy the customary requirements for prompt postal delivery at the indicated address and, in any case, shall consist of all the relevant administrative units, including the house number. • Nationality shall be indicated by the name of the State of which a person is a national; legal entities shall indicate the name of the State under whose laws they are constituted and their Registered Office. • Residence shall be indicated by the name of the State of which a person is a resident. • An address for service shall include contact details such as phone number and email address of the agent/applicant.

	<ul style="list-style-type: none"> • Any change in address for service for design shall be effected by filing form ID08 with the prescribed fee. If the change in address for service is due to the change in agent, duly executed power of attorney in favor of such agent shall be filed along with form ID09. • The design application and any other related document shall be submitted in person to the Industrial Design Registry, DoMCIIP, MoICE with letter addressed to the Registrar of Industrial Property Division.
3.3.10	Who can sign? <i>(Rule 7)</i>
	<ul style="list-style-type: none"> ✓ Any application or any other user documents filed at the Industrial Design Registry must be signed and dated. The name of the person signing the document must be legibly written under or beside the signature and that the signature should appear immediately at the end of the document. If there are attachments to the document, the signature and date that the document was signed should appear at the end of the main document. ✓ An application, notice or request must be signed by or on behalf of the person(s) making the application. If the application, notice or request is made by more than one person and it is not signed on behalf of the persons, the document must be signed by each individual in whose name the application, notice or request is made.
3.4	Fee
	<ul style="list-style-type: none"> ✓ Any fees related to design application shall be paid to Regional Office of Economic Affairs, Thimphu and the applicant(s) must produce a fee receipt at ID Registry for processing the application. ✓ Each document shall be checked to determine whether or not the full fee that it attracts has been paid. This involves checking the original receipt along with the documents and fees payable against each form. ✓ After confirming the correct fees, a copy of the receipt shall be kept in the application file.

	<ul style="list-style-type: none"> ✓ Fees once paid in respect of any proceedings shall not ordinarily be refunded irrespective of whether the proceeding has taken place or not.
3.5	Supporting Documents for an application, notice or request
	<ul style="list-style-type: none"> ✓ If an affidavit is required to be filed with an application, notice or request, it should conform to the provision and timeline of the Rule
3.6	Non-compliance with filing requirements
	<ul style="list-style-type: none"> ✓ If a document received for filing at the Industrial Design Registry fails to comply with the <i>Industrial Design Act</i> , the Examiner may either: <ul style="list-style-type: none"> ○ Treat the document as not having been filed; or ○ Treat the document as having been filed but require the person who filed the document to make any correction(s) that are necessary within the prescribed timeline with prescribed fees. ✓ If the registrar determines that an application, notice or request is not accompanied by the appropriate fee, or is not accompanied by a required declaration, the document will be considered as not filed.

CHAPTER 4

EXAMINATION AND REGISTRATION OF DESIGNS

Reception of documents

4.1	Initial processing of application (<i>Section 21 (1) Rule 33</i>)
	<ul style="list-style-type: none">✓ The design applications and other related user documents are received by the Industrial Design Registry using the Industrial Property Automation System (IPAS). The steps for reception are attached in <i>annexure XIII</i>.✓ Upon receiving the application, the system generates application number which is “BT”, “D” BT/D/ the year in which the application was filed/ the sequential order in which application is received, eg. BT/D/2022/42.✓ A fee payment authorization letter addressed to Regional Office of Economic Affairs, containing the application number and the amount to be paid should be generated using IPAS.✓ Once the applicant has paid the fees, a copy of fees receipt should be submitted to the office and the receipt number is captured in the system following which an acknowledgement of receipt is generated as office document ORID01. The application number allotted should be quoted in all subsequent communication concerning the application.✓ After completion of the documents reception, the application and other forms/user documents,, the examiner should capture relevant application data in IPAS and all the related documents should be scanned and uploaded in the system. The steps for capturing and uploading scanned documents is annexed in <i>annexure XIV</i>. The Office opens a physical file for the application and mark the file with the assigned application number.✓ Copies of all correspondence issued by the office should be included in the file, filed in chronological order in which the correspondence is sent to the applicant.✓ If a document is due to be filed on a date that is a weekend or public holiday, the due date becomes the next day on which the Registry is open for business.

4.2	Examination
	<p>The application for registration of a design goes through two phases of examination; the Formality Examination and Substantive Examination. It is done to check</p> <ul style="list-style-type: none"> a) Whether the application and the documents satisfy the formal requirements, and b) Whether the design(s) is registrable, under the provisions of the Industrial Property Act, 2001 and Industrial Property Rules, 2001.
4.3	Formality Examination (<i>Section 20 Rule 30,31,32</i>)
	<p>The Examiner determines whether:</p> <ol style="list-style-type: none"> 1. The application is in prescribed format? 2. The prescribed fee has been paid? 3. The name, address, and nationality of the applicant is mentioned? 4. Address for service is given in the application form? 5. Declaration of proprietorship is given in the application form? 6. Representation sheet is in a manner as prescribed in Rule 32 7. Power of attorney, if applicable, is filed? 8. In case of application where priority is claimed, examiner must check if: <ul style="list-style-type: none"> a) The application was filed within the prescribed time? b) The priority document was filed at the time of filing? If not, whether the priority document was filed within the extendable period of three months from date of filing application? 9. The application was filed by the same applicant, if not, whether the assignment document has been filed? 10. The application has to be signed by the applicant or his/her agent. The name of the signatory must be indicated and the authority of the signatory must be specified. <p>The checklist for formality examination is attached in <i>Annexure V</i></p>

	<p>If there is any deficiency regarding one of the above requirements, the examiner should notify the applicant accordingly in the Formality Examination Report. The applicant is given a time limit of <i>two months</i> within which to remedy the deficiency. The applicant may comply with the deficiencies within two months from the date of communication of the statement of objections or respond to the objections, failing which the application shall be treated as withdrawn.</p> <p>An application shall proceed for substantive examination only after compliance of the objections. In view of the above, it is desirable that the applicant/agent be diligent enough to comply with the formal requirements.</p> <p>Treating Deficiencies</p> <p>Where an application does not meet the formality requirements, the examiner must invite the applicant to remedy the deficiency within a time limit of <i>two months</i>. If the deficiency is not remedied in due time, the examiner should reject the application for correction. The correction(s) of the application must submit in form ID02 along with the prescribed fee for correction. A single application may be made for the correction of the same element in two or more applications of the same applicant.</p>
4.4	Substantive Examination (<i>Section 18 Rule 33</i>)
	<p>Substantive examination is carried out to determine whether the design under consideration is:</p> <ol style="list-style-type: none"> 1. In conformity with the ‘design’ definition under the Act? 2. New or original? 3. In conformity to public order or morality? <p>The checklist for substantive examination is attached in <i>Annexure VII</i></p>
4.4.1	Design (<i>Section 17 (1)</i>)
	<p>Design means any composition of lines or colours or any three-dimensional form, or any material, whether or not associated with lines or colours, is deemed to be an industrial design, provided that such composition, form or material gives a special</p>

	appearance to a product of industry or handicraft and can serve as a pattern for a product of industry or handicraft, and appeals to and is judged by the eye.
4.4.2	New/ Novelty (<i>Section 5 & 18</i>)
	“ New ”, in relation to a design means the design is not disclosed to the public in Bhutan by publication in tangible form or by use or in any other way, prior to the filing date or, where applicable, the priority date of the application for registration. Consideration is made if the disclosure is occurred within twelve months preceding filing date or, where applicable, the priority date of application, and if it was happened by acts committed by the applicant or his predecessor in title or of an abuse committed by a third party with regard to the applicant or his/her predecessor in title.
4.4.3	Novelty Search (<i>Section 18, 21 Rule 33 (4)</i>)
	<p>Designs are searched to try and establish that they are new and original. This is one of the most important tasks of designs examination. Only a new or original design may be registered. The Examiner should conduct a novelty search in the available databases such as global design database to ascertain the novelty of the design under consideration. Search should be conducted class-wise or article- wise to ascertain whether the applied design is significantly different from the previously registered, used or published designs. If it is found that the design is not new, the Examiner should mention the fact along with the citations in the examination report.</p> <p>Following are the links to databases including internal database and other accessible international IP Office databases used for design searches.</p> <ol style="list-style-type: none"> 1. http://www.wipo.int/ipdl/en/ 2. http://www.wipo.int/ipdl/en/search/hague/search-struct.jsp 3. https://search.ipindia.gov.in/DesignApplicationStatus/ 4. https://search.ipindia.gov.in/designsearch 5. http://www.uspto.gov/patents/resources/types/index.jsp 6. http://www.ipo.gov.uk/types/design/d-os/d-find/d-find-class.htm

4.4.4	Public Order and Morality <i>(Section 18 (3))</i>
	An application for registration of design is not registrable if it is contrary to public order and morality. Decisions for application relating to such subject and related matters must be passed after discussing with the Industrial Design Committee instituted in DoMCIP.
4.4.5	Creator/ Designer of the design <i>(Section 20 (2))</i>
	The application is examined to check the creator/designer of the design(s) under the examination. If applicant is not the designer, a statement justifying the applicant's right to the registration must be filed along with application.
4.4.6	Special provision relating to prior registered designs <i>(Section 20 (3))</i>
	If the applicant has registered the design in any other class of articles, prior to the application under consideration, the priority date, priority country and application number shall be mentioned in Form ID01. An examination should be conducted to authenticate and ascertain the priority details of the application. When priority is claimed, a certified copy of the priority documents and certified copy of the representation of industrial design must be submitted to the office within three months from the date of filing of application.
4.4.7	Classification of Design <i>(Section 20 (4))</i>
	Application is cross-checked to see if the design is assigned with right class and sub-class in reference to LOC. In case of ambiguity and mention of wrong class and sub-class, the examiner must assign right class in consultation with the applicant(s). https://www.wipo.int/classifications/locarno/locpub/en/fr/
4.4.8	Novelty statement and Disclaimer
	If the applicant wishes to identify particular visual feature of the design as new and distinctive, applicant should provide a novelty statement in space provided in the form ID 01. Disclaimer is also required for any ornamental pattern on the product/article that is likely to be confused with a trademark, any mechanical function, word, letter, numerals and any other lines or patterns in the representation sheet which is not part of the

	industrial design. In case if the design is very similar to a previously registered design by the same owner, disclaim shall be made with regard to interface and use of the prior design(s).
4.4.9	Representation of the Industrial Design(s) <i>(Section 20 (1))</i>
	The representation must clearly illustrate the industrial design and must be submitted as per the specification of IP Rule. If the representations are not clear and does not meet the set requirements, the examiner must notify accordingly to make necessary changes within time period of two months.
4.4.10	Status of the Application <i>(Rule 33 (2) (4))</i>
	After the examination of application, the applicant is issued with the Substantive Examination Report indicating the status of the application in it. If the examination is successful, the applicant is notified on acceptance of application for registration, and if the application did not meet the requirement(s) set, applicant(s) will be notified on refusal. If the application requires amendment(s), applicant will be notified of any objections and the reasons for objection. Any objections raised must be corrected and submitted within two months in form ID02 from the date of notice along prescribed fee.
4.4.11	Registration <i>(Section 21 Rule 34)</i>
	After successful substantive examination, the industrial design should be registered. The registration number is same as the application number and the date of registration of an application is the date of filing of the application.
4.4.12	Certificate of Registration <i>(Section 21 Rule 34)</i>
	Upon registration, the Registrar issues a certificate of registration to the proprietor of the design. The certificate must contain following details: <ul style="list-style-type: none"> i. The number of the industrial design; ii. The name and address of the registered owner; iii. The name and address of the agent, if any; iv. The name and address of the creator, except where he has asked not to be named in the registration;

	<p>v. If the priority has been claimed, and the claim has been accepted, the priority date and the country or countries in which or for which the earlier application was filed; and</p> <p>vi. The kind of products for which the industrial design is to be used.</p>
4.4.13	Withdrawal of Application <i>(Section 20 (6) Rule 1 & 2)</i>
	If the applicant(s) wishes to withdraw the application, it shall be withdrawn by submitting a written declaration made by applicant(s) addressed to the Registrar. No refund would be made for the fee(s) paid.
4.4.14	Corrections <i>(Section 38, Rule 56 (2))</i>
	<p>Upon request by the applicant, the name and address of the applicant or the representative, errors of translation or transcription, clerical error or mistake in application to document may be corrected. A correction changing the representation of the design is not permissible.</p> <p>An application for correction of the application must be submitted in form ID2. A single application may be made for the correction of the same element in two or more applications of the same applicant.</p> <p>Treating Deficiencies</p> <p>Where an application for correction does not meet the requirements, the examiner must invite the applicant to remedy the deficiency within a time limit of two months. If the deficiency is not remedied in due time, the examiner should reject the application for correction.</p>

CHAPTER 5

POST REGISTRATION PROCEDURES

5.1	Industrial Design Journal (<i>Section 21 Rule 34</i>)
	After registration, the design is published in the Industrial Design Journal or after completion of publication deferment period if deferment is requested in ID01. After publication, the design is open to public for inspection.
5.2	Publication (<i>Rule 34</i>)
	<p>Industrial Design Journal should contain the following details on designs:</p> <ol style="list-style-type: none">1. Public notice, if any.2. Registered designs.<ol style="list-style-type: none">i. Industrial design numberii. Application numberiii. Date of filingiv. Date of priorityv. Class of the articlevi. Name of articlevii. Name and address of the registered applicantviii. Name and address of designerix. Name and address of Agentx. Best view(s) of the article from the representation. <p>The Industrial Design Journal should be made available at the official websites (www.moice.gov.bt and www.ipbhutan.gov.bt)</p>
5.3	Renewal of Registration (<i>Section 22 (5) Rule 35</i>)
	The industrial design registration right is conferred for a period of five years from the filing date of application for registration. The right may be renewed for two further consecutive periods of five years through payment of prescribed renewal fee. A grace

	<p>period of six months is allowed for late payment of renewal fee on payment of prescribed surcharge. A request for renewal shall be made in form ID04.</p> <p>The renewal shall be recorded and Registrar shall issue a certificate of renewal for the registered owner with following details;</p> <ul style="list-style-type: none">i. The registration number of the industrial design;ii. The date of renewal and the date of expiry;iii. The name and address of the registered owner; &iv. An indication of the kind of products for which the industrial design has been registered.
--	---

References

1. Industrial Property Act of Kingdom of Bhutan 2001
2. Industrial Property Rules, 2001
3. Manual Of Designs Practice & Procedure, India

Annexures

1. *Annexure I*- Industrial Design Work Flow
2. *Annexure II*- Industrial Design Fee Schedule
3. *Annexure III* - Industrial Design User Forms
4. *Annexure IV*- Industrial Design Office Documents (Notifications)
5. *Annexure V* -Formality Examination Checklist
6. *Annexure VI*-Formality Examination Report Format
7. *Annexure VII*- Substantive Examination Checklist
8. *Annexure VIII*- Formality Examination Report Format
9. *Annexure IX*- Industrial Design Registration Certificate Sample
10. *Annexure X*- Industrial Design Renewal Certificate Sample
11. *Annexure XI*- IPAS Reception and Data Capture
12. *Annexure XII*- IPAS Work Flow

Figure 1: Flow Chart on Registration of Industrial Designs

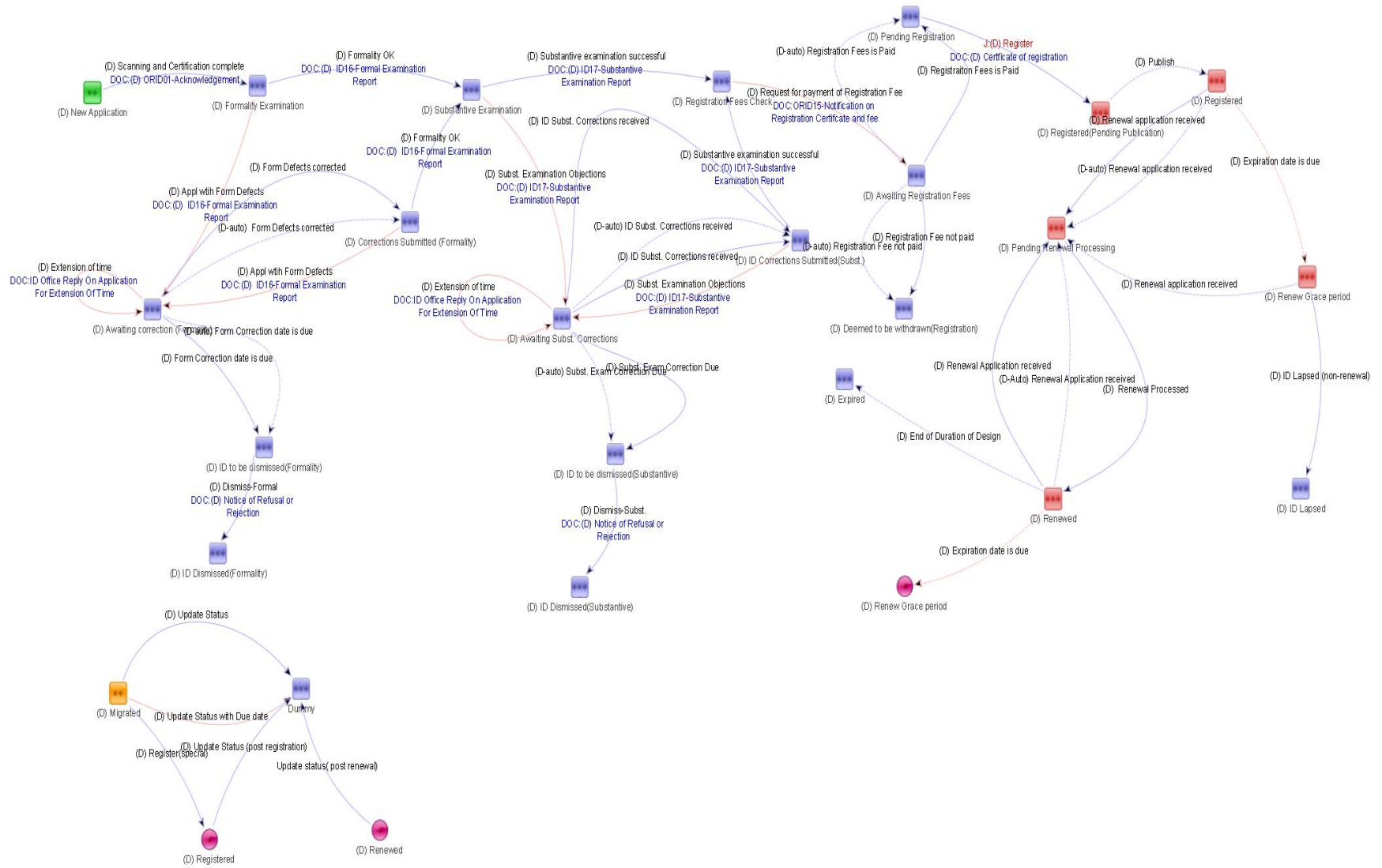


Figure 2: Flowchart on Office Document Processing in IPAS

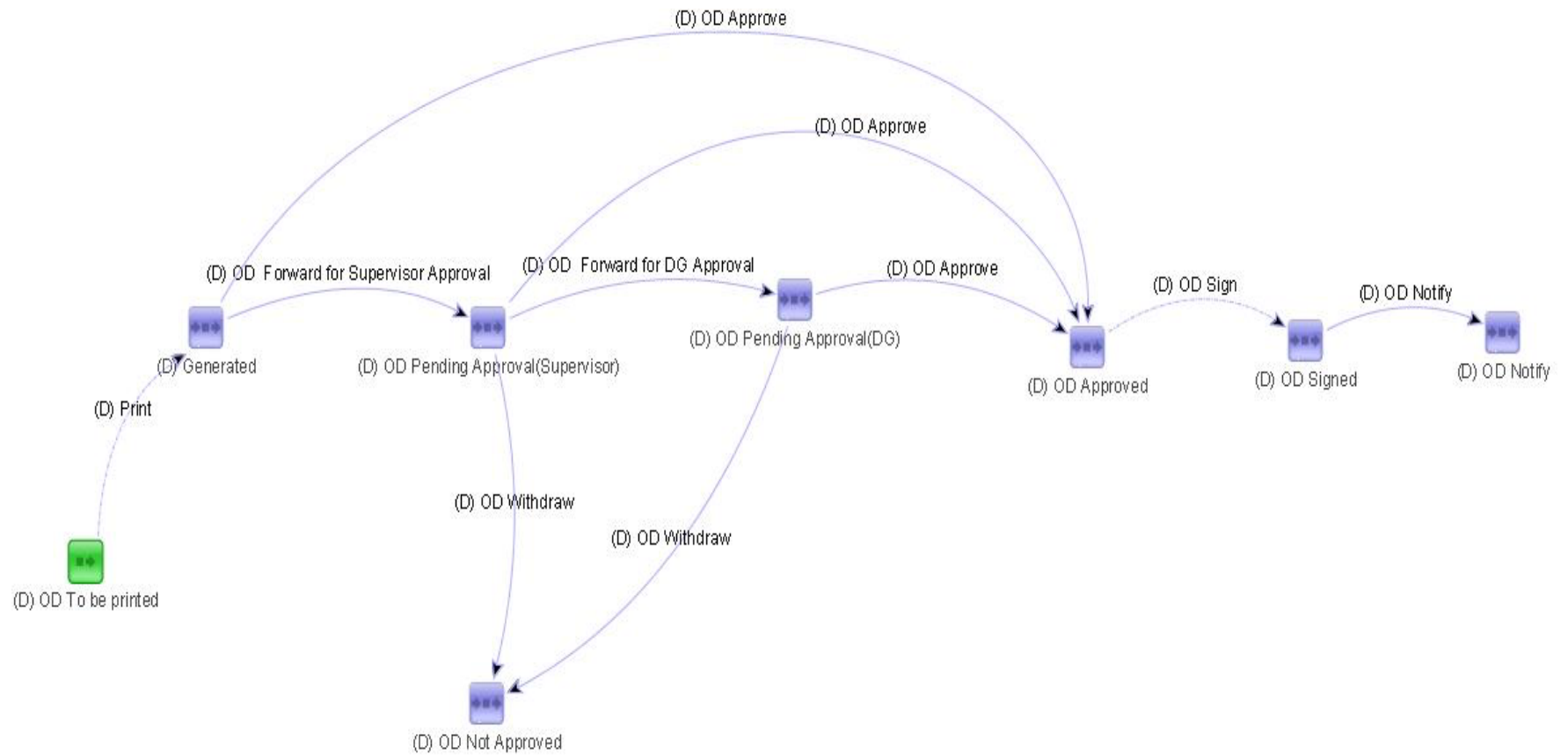
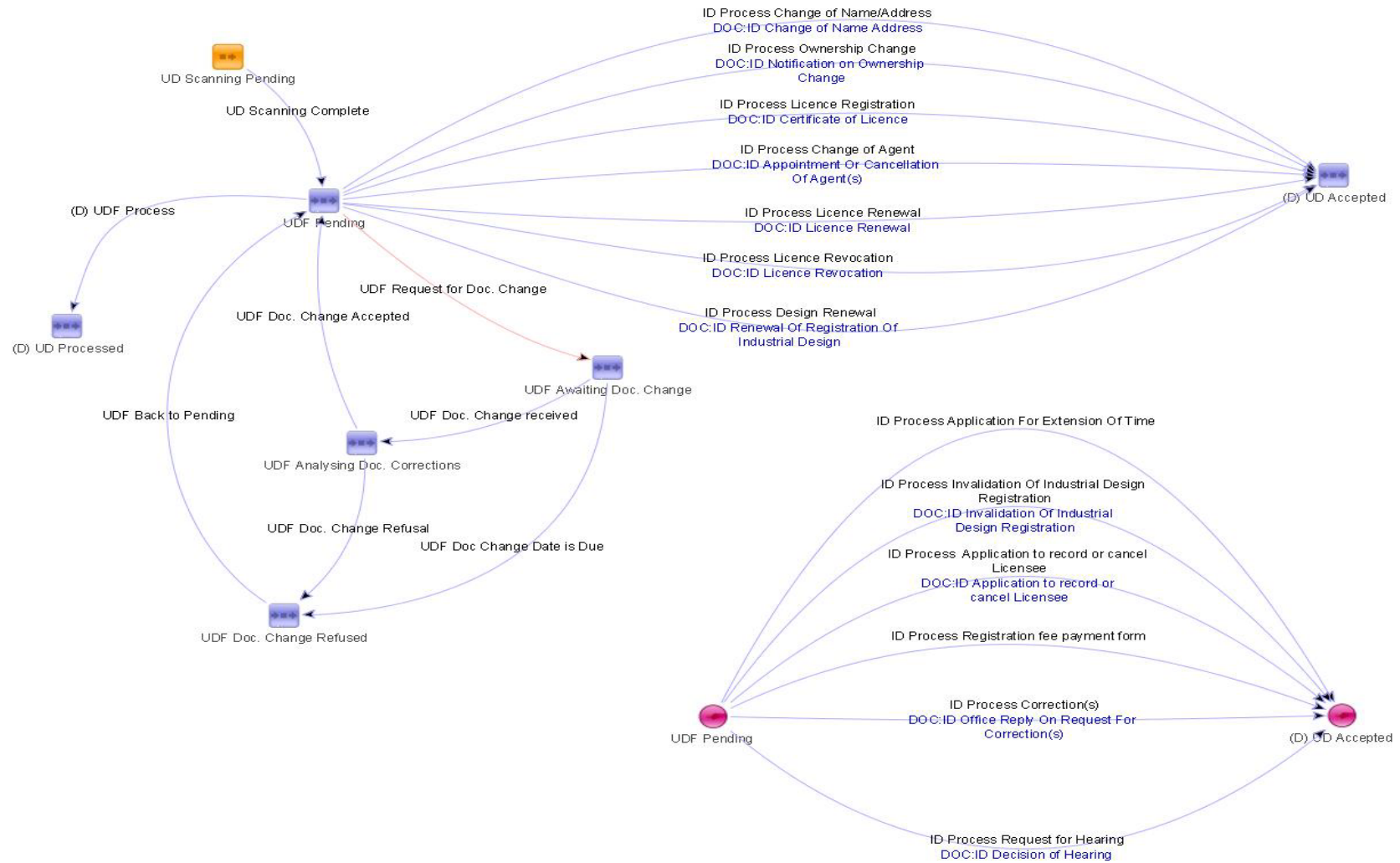


Figure 3: Flowchart on User Document Processing in IPAS





དབལ་ཕྱན་འབྲུག་གཞི་རྒྱུ་།
བདེ་བརྒྱུད་བརྗོད་ལྷན་ཁུངས་བཅོལ་དང་ལྷོ་རིག་རྒྱུ་དངོས་ལས་ཁུངས་།

Department of Media, Creative Industry & Intellectual
Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan

Fee Nu. 1000*

*Nu. 800 for additional industrial designs in a set

FORM ID 01
APPLICATION FOR REGISTRATION OF INDUSTRIAL DESIGN
Industrial Property Act of Kingdom of Bhutan, 2001
Section 20, Rule 31, 32

For Official use only

Application No.:

Industrial Design No.:

Type of application:

Date of filing:

Your reference:

No. of extra sheet attached to this
Form:

1. Personal Details of the Applicant(s):

Name:

Address:

Telephone:

Fax:

E-mail Address:

2. Address of Service in Bhutan:

Address:

Telephone:

Fax:

E-mail Address:

3. Agent Details: *(only complete if you are being represented by an Agent authorized to act on your behalf)*

Name:

Agent's Code No.:(if known)

Address:

Telephone:

Fax:

E-mail Address:

Note: Power of Attorney must be furnished within two months of filing this application

4. Designer Details:

The following person(s) is the designer(s)

5. Details of the Industrial Designs:

No. of industrial designs:

Note: If this application is for multiple industrial designs (set), reproduce this sheet.

Title of the industrial design:

Product(s):

Indicate the product(s) to which the industrial design relates or is to be applied:

Class and Subclass:

Note: Refer to Locarno Classification of Industrial Designs

6. Declaration of Priority: *Claim for Convention Priority (only if applicable). Attach certified copy of the priority document(s)*

Convention Country:

Application No.:

Priority Date:

7. Deferment of Publication:

Deferment is requested: Yes No

8. Fees Payable: *(Amount should be entered in Ngultrum (Nu.))*

Application Fee:	<input type="text"/>	<i>Nu. 1000</i>
For multiple industrial designs in a set:	<input type="text"/>	<i>Nu. 800 for each additional industrial design(s)</i>
Fee for deferment of publication:	<input type="text"/>	<i>Nu. 1000</i>
Fee for no. of industrial design publication deferred:	<input type="text"/>	<i>Nu. 1000 for each additional industrial design(s)</i>

9. Additional Details:

Industrial design is represented with specimen: Yes No

Brief description of the specimen:

Declaration

I/We apply to register the industrial design(s) as shown in the representation. I/We declare that the applicant(s) is/are owner(s) of industrial designs in relation to the product(s) and article(s) / set of articles as specified and to the best of my/our knowledge and belief the industrial design is new or original

(Affix legal stamp)
Signature

Name: *(in block letters)*

Date:

REPRESENTATION / SPECIMEN SHEET

(Reproduce this sheet if the space provided is not enough)

Applicant's Name:

No. of sheets:

Insert here (or attach) drawings/representation/ picture of the industrial design(s):

Statement of Novelty (newness and distinctiveness):

If you wish to identify particular visual features of the industrial design(s) as new and distinctive please include a statement below (or attach)

Disclaimers:

Disclaim any ornamental pattern on the product/article that is likely to be confused with a trademark, any mechanical function, words, letters, numerals and any other lines or patterns in the representation sheet which is not part of the industrial design. In case if the industrial design is very similar to a previously registered industrial design by the same owner, disclaim shall be made with regard to interface and use of the prior industrial design.

Date:

Form-ID02
FORM FOR FILING CORRECTION(S)
Industrial Property Act, 2001
Section 38 (1), Rule 33, 56 (1) (2)

To
The Registrar
Industrial Property Division
DoMCHIP, MoICE
Thimphu: Bhutan.

The correction relates to;

- a) Correction of clerical error
- b) Name or description of the proprietor(s)
- c) Name of the licensee/licensed user
- d) Address of the proprietor(s)
- e) Address of the licensee/licensed user
- f) Error of translation/transcription
- g) Other(s)

Date of receipt		
1	Industrial Design(s) No.	
2	Class and subclass	
3	Article	
4	Applicant / Registered owner details	
	Name:	
	Nationality:	
	Address:	
	Telephone No:	
	Fax No:	
	Email:	

5	Give correction details:	
6	Agent detail (if applicable):	
7	Address for services in Bhutan. Telephone no.: Fax. No.: Email:	
8	<p>Declaration: I declare that there has been no change in the actual proprietorship of the application or registration or the identity of the Licensed User.</p> <p>Signature Name(block letters) Date(dd/mm/yyyy) Official capacity of signatory</p>	

Form-ID03
SUBMISSION OF CORRECTION(S)
Industrial Property Act, 2001
Section 21 (2), Rule 33(2)(b) & (4)

To
The Registrar
Industrial Property Division
DoMCIIP, MoICE
Thimphu: Bhutan.

This has reference to your notification dated..... for the Industrial design(s) application No.....with the Filing Date.....

I/We hereby submit the required correction(s) of;

- a) Formality Correction
- b) Substantive Correction

Date of receipt		
1	Industrial Design(s) No.	
2	Class and subclass	
3	Article	
4	Applicant / Registered owner details	
	Name:	
	Nationality:	
	Address:	
	Telephone No:	
	Fax No:	
	Email:	
5	Give correction details:	
6	Agent detail (if applicable):	
7	Address for services in Bhutan.	

	Telephone no.: Fax. No.: Email:	
8	Signature Name(block letters) Date(dd/mm/yyyy) Official capacity of signatory	

Form-ID04
APPLICATION FOR RENEWAL OF INDUSTRIAL DESIGN REGISTRATION

Industrial Property Act, 2001
 Section 22 (5), Rule 35

To
The Registrar
Industrial Property Division
DoMCIIP, MoICE
Thimphu: Bhutan.

I (or we)leave the prescribed fee of Nu.....with surcharge of Nu.....for renewal of registration of the Industrial Design(s) no.:.....in class and subclass Whose renewal is/was due on.....

The certificate of renewal of registration may be sent to the following address in Bhutan

.....

Dated.....

State whether (<i>please tick</i>)		Date of receipt
First renewal		Number of extra sheet attached to this form:
Second renewal		
1	Registration date	
2	Class and subclass	
3	Name of the Article	
4	Registered owner(s) details	
	Name:	
	Nationality:	
	Address	
	Telephone no.	
	Fax. No.	
	Email	
5	State the date of expiry of the registration (dd/mm/yyyy)	
6	Agent detail(if applicable)	
	Name:	

	Nationality: Address: Telephone No. Fax No. Email	
7	Address of service in Bhutan Telephone No: Fax. No: Email:	
8	Signature: Name: Date: Seal:	

Form-ID05
NOTICE FOR INTENTION TO ATTEND HEARING

Industrial Property Act, 2001
Section 27(2) (d) Rules 44, 57

To
The Registrar
Industrial Property Division
DoMCIIP, MoICE
Thimphu: Bhutan.

In the matter of industrial design(s) No.....
Filed on....., I (or we)

hereby request that a hearing in the above matter may be given to me (or us) at the office of
the Registrar.

Dated this.....day of year.....

Date of receipt:

Form-ID07- Request for Invalidation
NOTICE OF INVALIDATION TO APPLICATION FOR REGISTRATION OF AN
INDUSTRIAL DESIGN

Industrial Property Act, 2001
Section 16 (3) (4), 18, 23, Rule 29, 51

To
The Registrar
Industrial Property Division
DoMCIIP, MoICE
Thimphu: Bhutan.

In the matter of industrial design(s) application no.....in
class and sub-class.....filed by.....
I (or we)hereby give notice of my (or
our) intention to oppose the registration of the above stated Industrial Design.

The grounds of opposition are as follows:

- a)
- b)

The evidence in support of the opposition is annexed.

All communications in relation to the proceedings may be sent to the following address in
Bhutan:

Power of Attorney is annexed/ already filed.

Dated this..... day of20.....

Instructions:

- a) *State the full name and address. An address for service in Bhutan should be given if the opponent has no place of business in Bhutan.*
- b) *State fully the grounds of opposition. If the registration is opposed on the ground that the design resembles designs already on the register, the numbers of those designs and of the journals in which they have been advertised are to be set out.*
- c) *To be stated only by an opponent who has given the addresses of his principal place of business or of residence in Bhutan, but who desires to give for the purpose of these proceedings a different address in Bhutan for communication.*
- d) *Signature of the opponent or of his agent.*

Form-ID07 A
SUBMISSION OF COUNTER STATEMENT FOR INVALIDATION
OF INDUSTRIAL DESIGN(S)
Industrial Property Act, 2001
Section 5, 16, 18, 23, Rule 29, 51

To
The Registrar
Industrial Property Division
DoMCIIP, MoICE
Thimphu: Bhutan.

IN THE MATTER of Invalidation, No.....to the application
no.....for the registration of Industrial Design

I (or we) the applicants for registration of the above Industrial Design,
hereby give notice that the following are the grounds on which I (or we) rely for my (our)
application:

- a.
- b.
- c. others.....

The evidence in support of the application is annexed.

I (or we) admit the following allegations in the matter of invalidation.

All communications in relation to these proceedings may be sent to the following address in
Bhutan ^b

No action concerning the Industrial Design in question is pending in any court.

Dated this.....day of year.....

Instructions:

- a. *State full name, address and nationality as stated in the application for registration*
- b. *To be stated only by an applicant who has given the address of his principal place of business in Bhutan, but who desires to give for the purpose of their proceedings on different address for communication.*
- c. *Signature of applicant or his/her agent*

Date of receipt		
1	Industrial Design No	
2	Class and subclass	
3	Article	
4	Person making this application (<i>please tick</i>): a. Applicant <input type="checkbox"/> b. Registered owner <input type="checkbox"/> c. Others <input type="checkbox"/>	
5	Specify the publication of design Journal date and page no.	
6	Agent detail (if applicable)	
7	Address for services in Bhutan.	
	Telephone No.	
	Fax No.	
	Email	

Form-ID08
REQUEST FOR CHANGE OF NAME/ADDRESS OF OWNER OF
INDUSTRIAL DESIGN APPLICATION
Industrial Property Act, 2001
Section 34, Rule 52

To
The Registrar
Industrial Property Division
DoMCIIP, MoICE
Thimphu: Bhutan.

I (or we) hereby request the change of my (or our) name/address of industrial design application no.:.....

Date of receipt		
1	Industrial Design(s) No.	
2	Class and subclass	
3	Article Name	
4	Applicant/ registered owner ;-	
	Name	
	Nationality	
	Address	
	Telephone No.	
	Fax No.	
	Email.	
5	Record a change of:	
	Name	
	Address	
	Address for Services	
6	If change in name, then ;	
	New Name	
	Nationality	
	Address	
	Telephone no.	
	Fax. No	
	Email	
7	If change in address, then new Address:	
8	Address for services	

9	Declaration: I declared that the information provided are true to my best belief and knowledge.	
10	Signature	
	Name	
	Date(dd/mm/yyyy)	
	Seal	

Note:

- a. *This form should be typewritten or in bold letters.*
- b. *Only one form is required to update the above-mentioned changes in respects of all design belonging to him/her. This form should be accompanied by prescribe fee.*
- c. *Please use additional sheet if the space provided is not enough.*

Form-ID09
APPOINTMENT OR CANCELLATION AN AGENT(S)

Industrial Property Act, 2001
Section 35 Rule 53

To
The Registrar
Industrial Property Division
DoMCIIP, MoICE
Thimphu: Bhutan.

I (or we)
hereby authorize
..... to act
as my (or our) agent for
..... and request that all
notices, requisitions and communications relating thereto may be sent to such agent at the above
address. I (or we) hereby revoke all previous authorization, if any, in respect of the proceeding.

By this Power of Attorney, I further authorize the holder to engage, if necessary, any other legal
practitioner/registered Industrial Property Agent.

Dated thisday of20.....

Instructions:

- a. *Insert full name, address and nationality*
- b. *Insert full name and address of agent (Legal Practitioner, Registered Industrial Property Agent, or a person in the sole and regular employment of the person appointing the agent.*
- c. *State the particular matter or proceeding for which the agent is appointed by giving the reference thereto, if known*
- d.

Form-ID10
REQUEST FOR INFORMATION AND PERMISSION
TO INSPECT ANY DOCUMENT

Industrial Property Act, 2001
Section 37(1) (b), Rule 55

To
The Registrar
Industrial Property Division
DoMCIIP, MoICE
Thimphu: Bhutan.

In the matter of industrial design(s) application No.....with
Filing Date.....

I/We (Name and address)
.....
.....

hereby request the Registrar

to permit me to consult the Register

to take inspection of documents

Name/signature
Date:

Note: If the applicant is submitted by an Agent, a document providing the Power of Attorney should be submitted.

Date of receipt		
1	Industrial Design(s) No	
2	Class and subclass	
3	Article	
4	Applicant or registered owner(s) details:	
	Name:	
	Nationality:	
	Address:	
	Telephone No:	
	Fax No:	
	Email:	
5	Name of agent(if applicable)	
6	Address for services	
	Telephone no.	
	Fax. No.	
	Email	
7	Signature	
	Name(block letters)	
	Date(dd/mm/yyyy)	
	Official capacity of signatory	

Instructions:

- a) A separate form should be filed for each design and this form should be accompanied by prescribed fee.
- b) This form should be typewritten or in bold letters.
- c) Please remember to sign and date it.
- d) Insert Mark number and class/ Patent number/ Industrial Design registration number class and subclass as the case may be, as appropriate.
- e) Insert name, address and nationality of the person making the request
- f) Strike out words that are not applicable and specify the particulars which the Registrar is required to certify or the document of which certified copy is requested.
- g) To be stated only when the address given is not an address in Bhutan.

Form-ID11
APPLICATION FOR CERTIFIED COPY OF AN ENTRY IN THE REGISTER OR A
CERTIFIED EXTRACT FROM THE REGISTER

Industrial Property Act, 2001
Section 37(1) (b), Rule 55

To
The Registrar
Industrial Property Division
DoMCIIP, MoICE
Thimphu: Bhutan.

In the matter of Industrial Design(s) No.....Class and sub-class.....

I/we
.....
.....
.....
.....
.....

hereby request you to furnish me (or us) with a certified copy of entry in the Register or copy of the

certificate issued.

- i. e-copy
- ii. Hard Copy

The purpose for which the certificate is required is as follows:
.....
.....
.....

Signature:

Name:

Date _____ :

Instructions:

1. *Insert Industrial Design(s) Number.*
2. *Insert a(in full) name, address and nationality*
3. *Set out the particulars which the Office is requested to certify.*
4. *To be signed by authorized applicant or agent.*

Date of receipt		
1	Industrial Design(s) No.	
2	Class and subclass	
3	Article	
4	Applicant or registered owner(s) details:	
	Name:	
	Nationality:	
	Address:	
	Telephone No:	
	Fax No:	
	Email:	
5	Name of agent(if applicable)	
6	Address for services	
	Telephone no.	
	Fax. No.	
	Email	
7	Signature	
	Name (block letters)	
	Date(dd/mm/yyyy)	
	Official capacity of signatory	

Instructions:

- a. *A separate form should be filed for each design and this form should be accompanied by prescribed fee.*
- b. *This form should be typewritten or in bold letters.*
- c. *Please remember to sign and date it.*

Form-ID12
APPLICATION FOR EXTENSION OF TIME

Industrial Property Act, 2001
Section 9, 38 (2), Rule 56 (3)

To
The Registrar
Industrial Property Division
DoMCIIP, MoICE
Thimphu: Bhutan.

In the matter of industrial design application No....., I (or we)..... would like to hereby apply for the extension of time for on the following grounds:

- a)
- b)
- c)

Dated :

Signature

Instructions:

- a. *Insert words and reference number identifying the matter in respect of which application is made*
- b. *State full name and address*
- c. *Insert the period of extension required*
- d. *State the purpose for which extension of time is required*

Date of receipt		
1	Industrial Design(s)No	
2	Class and subclass	
3	Article	
4	Applicant details:	
	Name:	
	Nationality:	
	Address:	
	Telephone No:	
	Fax No:	
	Email:	
5	Name of agent(if applicable)	
6	Address for services in Bhutan.	
	Telephone no.	
	Fax. No.	
	Email	
7	Signature	
	Name(block letters)	
	Date(dd/mm/yyyy)	
	Official capacity of signatory	

Instructions:

- a. Use separate form for each Industrial Design.
- b. This form should be typewritten or in bold letters.
- c. Please remember to sign and date it.

Fee Nu. 500*

*Nu. 200 for additional Industrial Design

Form-ID13
CLAIM/CANCELLATION OF LICENSEE IN THE
REGISTER OF INDUSTRIAL DESIGN

Industrial Property Act, 2001
Section 34 (5), Rule 59 (1)

To
The Registrar
Industrial Property Division
DoMCIIP, MoICE
Thimphu: Bhutan.

In the matter of industrial design(s) No.....registered
on.....request is hereby made by
..... who is (or are)
the proprietor of industrial design referred to above or applicants thereof, that the above-
mentioned industrial design(s) may be recorded/cancel the licensee, subject to the following
conditions/ restriction, if any. With effect from.....

In case of recording of licensee, the proposed license agreement is to end on the
....., or without limit of period.

Signature of proposed licensee

Signature of the proprietor of industrial property

Instructions:

- a. Insert full particulars of patent/trademark/Industrial design which is the subject matter of license*
- b. Insert the name, address, nationality of the proprietor of the industrial property.*
- c. Insert the name, address, nationality of the proposed licensee/licensed user.*

	Date of receipt	
1	Industrial Design(s) No	
2	Class and subclass	
3	Article	
4	Person making this application is (<i>please tick</i>): a. Applicant or b. Registered owner or c. others	
5	Registered owner details Name: Nationality: Address: Telephone No: Fax No: Email:	
6	Licensee details Name: Nationality: Address: Telephone no. : Fax no: Email:	
7	Specify the nature of documents filed in support of this application	
8	Agent detail (if applicable) :	
9	Address for services in Bhutan. Telephone no. : Fax. No. : Email:	
10	Signature Name(block letters) Date(dd/mm/yyyy) Official capacity of signatory	

Instructions:

- a This form should be either typewritten or legible bold letters.
- b Use separate form for each design. This form should be accompanied by prescribed fee.
- c Use separate sheets if the space provided is not enough
- d Remember to sign and date it.

Form –ID14
OWNERSHIP CHANGE OF INDUSTRIAL DESIGN(S)

Industrial Property Act, 2001
Section 34, 38(1), Rule 56

To
The Registrar
Industrial Property Division
DoMCIIP, MoICE
Thimphu: Bhutan.

This request refers to change in Ownership of

(i) Industrial Design No.....with Filing
Date.....
registered to.....

OR

(ii) Industrial Design Application No.....with Filing
Date.....
filed by.....

The changes maybe recorded as;

A. Transferor(s)

1 If the transferor is a natural person, the person's

(a) Family or Last name(s):.....

(b) Given or First name(s):

2 If the transferor is a legal entity, the entity's full official designation:.....

3 Address (including postal code and country):
.....

Telephone number(s)
(With area code)

Email address

.....
B. Transferee (s)

- 1 If the transferee is a natural person, the person's
 - (a) Family or Last name(s):.....
 - (b) Given or First name(s):
- 2 If the transferee is a legal entity, the entity's full official designation:
.....
- 3 Address (including postal code and country):.....
.....

Telephone number(s) (With area code)	Email Address
.....

C. Signature or Seals

1. Signature(s) or seal(s) of the transferor(s)

- 1.1 Name(s) of the natural person(s) who sign(s) or whose seal(s) is (are) used:
- 1.2 Date of signature(s) or of sealing (s):.....
- 1.3 Signature(s) or seal(s):.....

2. Signature(s) or seals(s) of the transferee(s)

- 2.1 Name(s) of the natural person(s) who sign(s) or whose seal(s) is (are) used:
- 2.2 Date of signature(s) or of sealing(s):,.....
- 2.3 Signature(s) or seal(s):.....

Name/signature
Date:

Form –ID15
REGISTRATION FEE PAYMENT FORM OF INDUSTRIAL DESIGN(S)

Industrial Property Act, 2001
Section 21(3), Rule 33(6)

To
The Registrar
Industrial Property Division
DoMCHIP, MoICE
Thimphu: Bhutan.

I (or we).....leave the prescribed fee for registration of
Industrial design(s) No.....in class and sub-class

The certificate of registration may be sent at the following address in Bhutan.
.....

Applicant/Agent Dated this.....day ofyear.....



དཔལ་ལྷན་འབྲུག་གཞི་རྒྱུ་།
 བདེ་བརྒྱུད་བཟོ་སྐྱེ་གསར་བཅོལ་དང་རྫོང་རྒྱ་རྒྱ་དངོས་ལས་ཁུངས།



**Department of Media, Creative Industry & Intellectual
 Property**
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan

No.BT/D/20.....

Date.....

The Regional Director
Regional Office of Economic Affairs
Ministry of Industry, Commerce and Employment
Chamzamtog, Thimphu

Sub : Authorization to deposit IP-related fees under Revenue Head FAIPR

Sir/Madam,

Please accept the payment of Ngultrum as fee for new **application/Registration/Renewal/Corrections/Assignment/Others** of Industrial Design applications no.: under the revenue head FAIPR as filed by

For Registrar

Date:



དབལ་ཕྱན་ལྷན་ཁག་གྲུབ།
བད་བརླུང་བཟོ་སྐྱ་གསར་བཏོད་དང་སློ་རིག་རྒྱ་དངོས་ལས་ཁུངས།



**Department of Media, Creative Industry & Intellectual
Property**
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan

OFFICE RESPONSE (OR)-ID1
ACKNOWLEDGMENT RECEIPT OF APPLICATION FOR REGISTRATION OF
INDUSTRIAL DESIGN

Industrial Property Act of the Kingdom of Bhutan, 2001

Section 21(1), Rule 33

DoMCIIP/IPD/BT/D/20.....

Date.....

.....
.....
.....
.....

Dear Sir/Madam,

This is to acknowledge the filing of the following documents in support of the application for registration of Industrial Design(s), details of which are noted below:

1. **Form ID1:** Application for registration of an industrial design
2. **Ngultrum One Thousand (Nu. 1000/-)** only as application fee through the Revenue Money Receipt No.:.....

For Industrial design:

In class and sub-class:

List of documents filed along with the application:

Sl. No.	Particulars	Yes	No
1.	Application [Form ID1]		
2.	Representation of the Industrial Design:		
	(a) Drawing [7 sheets]		
	(b) Photographs		
	(c) Other graphic representations		
	(d) Specimen		
3.	Application Fee		
4.	Power of Attorney [Form ID9]		
5.	Priority documents [if applicable]:		
	(a) Certified original copy		
	(b) Certified duplicate copy		
6.	Others (<i>specify</i>) Declaration by the Applicants		

The application has been numbered as below:

Industrial Design Application No. :

Industrial Design No. :

Date of Filing: :

The Office will revert upon completion of formality requirements at the earliest.

For Registrar

Date



དབལ་ལྷན་འབྲུག་གཞུང་།
 བར་བརྒྱུད་བཞོ་གྲ་གསར་བཞོད་དང་སློ་རིག་རྒྱ་དངོས་ལས་ཁྲུངས།
Department of Media, Creative Industry & Intellectual Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan



OR-ID2
OFFICE REPLY ON REQUEST FOR CORRECTION(S)
Industrial Property Act, 2001
 Section 38, Rule 56 (2)

DoMCIIP/IPD/BT/D/20.....

Date:

.....

Dear Sir/ Madam,

With reference to your letter on request for correction of industrial design application no.:.....filed on.....relating to;

- h) Correction of clerical error
- i) Name or description of the proprietor(s)
- j) Name of the licensee/licensed user
- k) Address of the proprietor(s)
- l) Address of the licensee/licensed user
- m) Error of translation/transcription
- n) Other(s)

The office records the correction(s) as requested.

For Registrar

Date:



དཔལ་ལྷན་འབྲུག་གཞུང་།
བདེ་བརྒྱུད་བཟོ་སྐྱེ་གསར་བཏོད་དང་རྫོ་རིག་རྒྱ་དངོས་ལས་ཁུངས།

Department of Media, Creative Industry & Intellectual Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan



OR-ID03

SUBMISSION OF CORRECTION(S)

Industrial Property Act, 2001

Section 21(2), Rule 33(2)(b), 33(4)

DoMCIIP/IPD/BT/D/20.....

Date:

.....
.....
.....
.....

This to notify that your Industrial Design(s) application No with Filing Date has been identified to be deficient in the following requirements:

- 1.
- 2.
- 3.

You are hereby requested to file the corrections on the prescribed Form **ID3** along with prescribed fee within two months from the date of this notification. Failure to do so would result in the rejection of this application.

For Registrar

Date:



དཔལ་ལྷན་འབྲུག་གཞི་རྒྱུ་།
 བཅོམ་བཅུ་བཟོ་གསར་བཏོད་དང་སློབ་སྦྱོར་སྐྱོད་དོན་ལས་ཁུངས།

Department of Media, Creative Industry & Intellectual Property
 Ministry Of Industry, Commerce and Employment
 Royal Government of Bhutan
 OR-ID5



DECISION OF HEARING
Industrial Property Regulations, 2001
 Section 27 (2) (d) Rule 44, 57

DoMCIIIP/IPD/BT/D/20.....

Date:

.....

With reference to Industrial Design No.:.....filed onunder class
 and sub-class.....in the matter between
 invalidator.....and owner

The office hereby, after hearing and discussion between the both parties decide to cancel the
 registration

For Registrar

Date:



དཔལ་ལྷན་འབྲུག་གཞུང་།
 བད་བརྒྱུད་བཟོ་སྐྱུ་གསར་བཏོད་དང་སློ་རིག་རྒྱ་དངོས་ལས་ཁུངས།

Department of Media, Creative Industry & Intellectual Property
 Ministry Of Industry, Commerce and Employment
 Royal Government of Bhutan



OR-ID5

DECISION OF HEARING

Industrial Property Regulations, 2001

Section 27 (2) (d) Rule 44, 57

DoMCIP/IPD/BT/D/20.....

Date:

.....

With reference to Industrial Design No.....registered onunder class
 and sub-class.....in the matter between
 invalidator.....and owner

The office hereby, after hearing and discussion between the both parties decide to **maintain** the
 registration.

For Registrar

Date



དབལ་ཕྱན་ལྷན་ཁག་གྲུང་།
 བད་བརྒྱུད་བཟོ་སྐྱེ་གསར་བཙོང་དང་རྫོ་རིག་རྒྱ་དངོས་ལས་ཁྲུངས།

Department of Media, Creative Industry & Intellectual Property
 Ministry Of Industry, Commerce and Employment
 Royal Government of Bhutan



OR-ID6

INVALIDATION OF INDUSTRIAL DESIGN REGISTRATION

Industrial Property Act, 2001

Section 16, 23 Rule 29, 51

DoMCIP/IPD/BT/D/20.....

Date:

.....

With reference to Industrial Design(s) no.....filed onin class and sub-class....., please find enclosed herewith a application for invalidation of Industrial Design registration by.....

Please submit arguments to maintain your registration with the office. Failure of which would make us to invalidate the mentioned Industrial Design(s) as requested by the above applicant.

For Registrar

Date:



དཔལ་ལྷན་འབྲུག་གཞུང་།
 བར་བརྒྱུད་བཅོམ་གསལ་བཏོང་བའི་རྩིས་རྒྱ་དངོས་ལས་ཁུངས།
 Department of Media, Creative Industry & Intellectual Property
 Ministry Of Industry, Commerce and Employment
 Royal Government of Bhutan



OR-ID6

INVALIDATION OF INDUSTRIAL DESIGN REGISTRATION

Industrial Property Act, 2001

Section 16, 23 Rule 29, 51

DoMCIIP/IPD/BT/D/20.....

Date:

To

.....

With reference to Industrial Design(s) no..... filed onin class and sub-class....., the office hereby invalidates the above-mentioned Industrial Design(s) registration.

For Registrar

Date



དབལ་ཕྱན་འབྲུག་གཞུང་།
 བཅོམ་བཞུད་བཟོ་སྐྱེ་གསར་བཤོད་དང་སློབ་རིག་རྒྱ་དངོས་ལས་ཁུངས།
Department of Media, Creative Industry & Intellectual Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan



OR-ID8

**REQUEST FOR RECORDING CHANGE OF OWNERSHIP OF REGISTERED INDUSTRIAL DESIGN
OR INDUSTRIAL DESIGN APPLICATION**

Industrial Property Act, 2001

Section 34, Rule 52

DoMCIP/IPD/BT/D/20.....

Date:

To

.....

With reference to your request for recording change of name/address for the Industrial Design Application No. filed on..... under class and sub-class..... filed by

The office hereby records the changes:

From

.....

To

.....

For Registrar

Date:



དཔལ་ལྷན་འབྲུག་གཞུང་།
བདེ་བརྒྱུད་བཅོམ་ལྷན་གསར་བཙེང་དང་སློ་རིག་རྒྱ་དངོས་ལས་ཁུངས།

Department of Media, Creative Industry & Intellectual Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan



OR-ID9

APPOINTMENT OR CANCELLATION OF AGENT(S)

Industrial Property Act, 2001

Section 35, Rule 53

DoMCIIP/IPD/BT/D/20.....

Date:

.....
.....
.....

With reference to your application on appointment/cancellation of an agent(s) for industrial design(s) application dated with following particulars;

Industrial Design(s) Application No.....
Filing date.....
Class and subclass.....
Applicant.....

The office hereby records the

Appointment of agent

Cancellation of agent

For Registrar

Date:



དཔལ་ལྷན་འབྲུག་གཞུང་།
 བཅའ་བརྒྱུད་བཅོམ་ལྷན་གསལ་བཏོད་དང་སློབ་རིག་རྒྱུ་དངོས་ལས་ཁུངས།



Department of Media, Creative Industry & Intellectual Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan

OR-ID10 & 11

PERMISSION TO CONSULT/INSPECT ANY DOCUMENT

Industrial Property Act, 2001

Section 37 (1) (b), Rule 55

DoMCIIP/IPD/BT/D/20.....

Date:

.....

This is pertaining to the Industrial Design(s) application No..... with Filing Date....., the office has accepted your request for;

Consultation of the documents from am /pm to.....am/pm on.....

Inspection of the documents fromam /pm to.....am/pm on.....

A certified copy of the requested entry is enclosed with the letter.

For Registrar

Date:



དབལ་ཕྱན་འབྲུག་གཞུང་།
 བཞུང་བརྒྱུད་བཟོ་གྲྭ་གསར་བཙེད་དང་མེ་རིག་རྒྱ་དངོས་ལས་ཁུངས།

Department of Media, Creative Industry & Intellectual Property
 Ministry Of Industry, Commerce and Employment
 Royal Government of Bhutan
 OR-ID12



OFFICE REPLY ON APPLICATION FOR EXTENSION OF TIME

Industrial Property Act, 2001
 Section 9, 38 (2), Rule 56 (3)

DoMCIIP/IPD/BT/D/20.....

Date:

.....

With reference to your application on extension of time for industrial design(s) application no.....filed on....., the office hereby accepts your request for extension of time with effect fromtill

.....

For Registrar

Date



དཔལ་ལྷན་འབྲུག་གཞུང་།
 བད་བརྒྱུད་བཟོ་སྐྱེ་གསར་བཏོད་དང་སློབ་སྦྱོར་གྱི་དངོས་ལས་ཁུངས།

Department of Media, Creative Industry & Intellectual Property
 Ministry Of Industry, Commerce and Employment
 Royal Government of Bhutan



OR-ID13

APPLICATION TO CANCEL/ CLAIM AS MORTGAGE OR LICENSEE IN THE REGISTER
 OF INDUSTRIAL DESIGN

Industrial Property Act, 2001

Section 34 (5), Rule 59 (1)

DoMCIIP/IPD/BT/D/20.....

Date:

To (Licensee)

.....

To (Licensor or Design owner)

.....

With reference to your application to cancel/claim as licensee in the register of Industrial Design(s) dated....., for industrial design(s) application No..... filed on.....the office hereby records the claim/cancellation of Licensee or Mortgage as.....in the register of Industrial Design(s).

For Registrar

Date:



དབལ་ལྷན་འབྲུག་གཞུང་།
 བཅོམ་བཟོད་བསྐྱོད་གསལ་བཤེད་དང་སློབ་རིག་རྒྱ་དངོས་ལས་ཁུངས།
 Department of Media, Creative Industry & Intellectual Property
 Ministry Of Industry, Commerce and Employment
 Royal Government of Bhutan



OR-ID14

Notification on Ownership Change
Industrial Property Act, 2001

Section 34, 38 (1) Rules 56

DoMCIP/IPD/BT/D/20.....

Date:

To (Transferor)

.....

To (Transferee)

.....

This is to notify that the ownership of your Industrial application
 No.....filed on.....is
 henceforth changed to

.....
from.....

For Registrar



དབལ་ཕྱན་འབྲུག་གཞི་རྒྱུ་
 བཅོམ་བཅོམ་གསལ་བཏོན་དང་སློབ་སྦྱོར་རྒྱ་དངོས་ལས་ཁུངས།

Department of Media, Creative Industry & Intellectual Property
 Ministry Of Industry, Commerce and Employment
 Royal Government of Bhutan



OR-ID15

Notification on Registration of ID

Industrial Property Act, 2001

Section 21(3), Rules 33(6) 34(1)

DoMCIP/IPD/BT/D/20.....

Date:

.....

You are hereby notified that this office has decided to register your industrial design application no.....with filing date.....

Therefore, you are requested to collect the registration certificate after paying prescribed Registration Fee and submitting form ID15.

For Registrar



དབལ་ལྷན་འབྲུག་གཞི་རྒྱུ་།
 བད་པ་རྒྱུད་བཅོ་ལྔ་གསར་བཅོལ་དང་སློ་རིག་རྒྱ་དངོས་ལས་ཁུངས།



Department of Media, Creative Industry & Intellectual Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan

NOTIFICATION ON WITHDRAWAL OF INDUSTRIAL DESIGN APPLICATION

DoMCIP/IPD/BT/D/20.....

Date:

.....

This is to notify that your request to withdraw industrial design(s) application No with Filing Date..... is recorded by this office on.....

For Registrar

Date:



དབལ་ཕྱན་འབྲུག་གཞུང་།
བརྗོད་བརྗོད་གཞུང་གི་འཕེལ་རྒྱུ་དང་སྤྱོད་སྤྱོད་ལྷན་ཁང་གི་འཕེལ་རྒྱུ་ལྷན་ཁང་།

Department of Media, Creative Industry & Intellectual Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan



NOTICE FOR REFUSAL OR REJECTION

Industrial Property Act, 2001

Section 18, 21 Rule 33

DoMCIIP/IPD/BT/D/20..... Date:

.....
.....
.....
.....

With reference to Industrial Design(s) application No.....with filing date.....in class and sub-classthe office hereby refuses or reject for further registration process.

The circumstances which led to the rejection of the application is/are as follows;
.....
.....
.....

For Registrar

Date:



དཔལ་ལྷན་འབྲུག་གཞུང་།
བདེ་བརྒྱུད་བོལ་གསར་བཞེད་དང་སློ་རིག་རྒྱ་དངོས་ལས་ཁུངས།



Department of Media, Creative Industry & Intellectual Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan

NOTIFICATION ON LAPSED OF INDUSTRIAL DESIGN RIGHT

Industrial Property Act, 2001

Section 22(5), Rule 35

DoMCIIP/IPD/BT/D/20.....

Date:

To

.....
.....
.....

This is to notify that your industrial design(s) application No with Filing Date..... is considered withdrawn/lapsed with effect from.....due to following reasons:

- 1.
- 2.
- 3.

For Registrar

Date:



དབལ་ཕྱན་ལྷན་ཁག་གཞི་།
 བཅོམ་བཞུགས་པའི་ལྷན་ཁག་གཞི་དང་སློབ་ཤིང་རྒྱ་དངོས་ལས་ཁྲུང་སྐྱོང་།



Department of Media, Creative Industry & Intellectual Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan
OR-ID7A

Notification to make Counterstatement

Industrial Property Act, 2001

Section 21(3), Rules 33(6) 34(1)

DoMCIIP/IPD/BT/D/20.....

Date

.....

With reference to Industrial Design(s) application no..... in class and sub-class..... published onin ID Bulletin No..... please find enclosed herewith a “Application for of invalidation of Industrial design registration” by

Therefore, we would like to notify you to submit counter statement(s) in form **ID-7**, if any. Failure of which would make us to invalidate the mentioned design as requested by the above applicant.

For Registrar

Date

Checklist for Formal Examination

Sl. No.	Particulars	Yes	No
1	Applicant's details (Name & Address) indicated		
2	Address for communication in Bhutan indicated		
3	Creator/ Designer of the design(s) indicated		
3a	If applicant is not creator of the design(s), ownership transfer agreement submitted		
4	Details of Industrial Design provided		
5	Agent details (Name & address), if applicant is represented by agent		
		Single	Set
6	Type of application filed		
		Yes	No
7	Language of the application filed (If other than English, translation in English submitted)		
8	Application Fees for designs (Application Fee) paid		
8a	Fees for publication deferment(If requested) is paid		
9	Power of Attorney filed		
10	Priority date claimed		
10a	Certified copy of Priority Application submitted		
11	Industrial Design clearly represented with drawings		
12	Representation Sheet (All sheets are present as indicated)		
13	Certified copy of representation of ID submitted		
14	Specimen of the product representing ID submitted (if applicable)		
15	Declaration by the Applicant/Agent		
16	Statement of Novelty submitted		
17	Disclaimers provided		
18	Assignment paper submitted (if applicable)		
19	Any other Errors		
20	Remarks for authenticity of the documents submitted (If any)		



དབལ་ལྷན་འབྲུག་གཞི་རྒྱུ་།
 བད་བརྒྱུད་བཟོ་སྐྱེ་གསར་བཞེད་དང་རྫོང་ལྷོ་སྐྱེ་རྒྱ་དངོས་ལས་ཁྲུང་སྐྱེ།



Department of Media, Creative Industry & Intellectual Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan

No.: BT/D/20.....

Date.....

To

.....

Please refer to your Industrial Designs Application No..... filed to this office on We are pleased to transmit the Notice of Formal Examination, which is attached, for your necessary perusal.

Kindly note that objections (amendments and corrections), if any, has been raised in the Notice of Formal Examination, must be filed by using the **Form ID03** within two (2) months from the date of issue of this Notice and *must* be accompanied by documentary evidence and payment of the prescribed Fee.

If there are no objections, the office will revert after the industrial design indicated in the application has been examined to determine its registrability as per the provisions of the existing Act and Rules.

For Registrar

Date:

Formalities Examination Report

OR—ID 25A NOTICE OF EXAMINATION REPORT Section 20, 21(1), Rule 31, 32	Application No.:	Applicant(s):
	Date of Filing:	LOC Classification:
Date of issue:	Title of the Industrial Design:	

From: Registry of Industrial Designs Intellectual Property Division, DoMCIIP P. O. Box 141, Debum Lam, Thimphu	To:
---	------------

APPLICANT(S):

NOTICES:

- a. Re-issuance of this notice
- b. Attend to the objections raised in the notice, as appropriate, within two (2) months from the date of this notice
- c. The last date for acceptance of the application will expire on *24 May 2022*. If the application is not accepted on or before that date, it will be treated as abandoned under Rule 33 2(b) of the Industrial Property Rules

OBJECTIONS:

I. Application elements—(s(20(1)-(6))

Applicant's Name, Address, Nationality and Residence:

Indicated

The following MUST be indicated:

(a) Name

(b) Address

(c) Nationality

(d) Residence

Creator / Designer of the industrial design(s):

Applicant is not the Creator / Designer.

A statement justifying the applicant's right to the registration is filed along with name and address of the creator and other relevant documents [*for e.g. ownership transfer agreement*]

A statement justifying the applicant's right is not filed [*ownership transfer agreement, mention name and address of the creator*]

Type of Application:

Single

Set

The application is filed in language other than English language:

English Translation Documents are submitted (if applicable)

English Translation Documents MUST be filed

II. FEES

No. of industrial design(s):

/ Nu. 1000 per industrial designs]

Fees payable:

Deferment of publication (if requested):

No. of industrial design(s) deferred:

Fees payable:

[Nu. 1000 per industrial designs deferred]

TOTAL FEES PAYABLE:

Total Fees Paid :

III. Name and Address of the Agent—(s35)

The Applicant is not represented by an agent

The Applicant is represented by an agent. Following details of the agent is filed for the purpose of correspondences:

Name and Address

Power of Attorney *[If it is not filed, it MUST be filed within two (2) months from this notice]*

IV. Declaration of Priority—(s20(3))

Priority in respect of the Industrial Design is claimed):

Yes

No

If Yes, following are the details of Priority application :

Priority Date

Country

Application No.

The following certified copy of the priority documents MUST be submitted within two (2) months from this notice, (if foreign priority is claimed):

Certified copy of the priority application

Certified copy of the representation of the industrial design

V. Representation of Industrial Design(s)—(Rule 32)

Representation (Drawings) clearly illustrating the industrial design submitted

Total no. of Representation Sheet submitted:

Representation(s) do not clearly illustrate the industrial designs. Replace the representation(s) with four (4) fresh representation, preferably photographic or engineering drawing or computerized sketch. Return to this office the superseded representation(s) duly cancelled over by signature

The following representation views are not submitted:

Front View

Bottom View

Side Views

Top View

Perspective View

Back View

Specimen of the product/article representing the industrial design (if applicable). *Note: Requisite postage should be sent for the return of the specimen after verification*

Is submitted

Is not submitted

VI. Disclaimers

Is disclaimed

Is not disclaimed *(If not disclaimed, disclaim any ornamental pattern on the product that is likely to confuse with a trademark, any mechanical function, words, letters, numerals and any other patterns in the representation sheet which is not part of the industrial design, and must submit within two (2) months from the notice)*

VII. Others

Assignment papers (if applicable):

Is submitted

Is not submitted *[If it is not filed, it MUST be filed within two (2) months from this notice]*

STATUS OF THE APPLICATION:

The applicant is hereby notified that the application is:

Accepted for Examination

Refused for Examination

Objected

Note: Please respond to the objection(s), if any.

Use Form-ID21 for submission of amended documents together with prescribed fee of Nu. 200/-. It must be submitted within two (2) months from the date of issue of this Notice as per the Industrial Property Rules 33(2)(4).

<p>Name and mailing address of the Office:</p> <p>Department of Media, Creative Industry & Intellectual Property Ministry of Industry, Commerce and Employment Royal Government of Bhutan P.O. Box 141, Debum Lam Thimphu: Bhutan www.ipbhutan.gov.bt</p> <p>Telephone: +975 (02) 33 52 33/32 65 12 Fax: 975(02) 32 11 45</p>	<p>For Registrar Date:</p>		
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Checklist for Substantive Examination Notice

Sl No.	Particulars	Yes	No
1	Industrial Design Complies with the definition		
2	Novelty criteria of Industrial Design is met		
3	ID is not against Public order or morality		
4	Creator of the Industrial Design is indicated		
5	If applicant is not designer of ID, an ownership transfer/right to file is submitted		
6	Application is submitted within 6 months from its priority date		
7	Certified copy of Priority application is submitted		
8	Filed ID application is rightly classified under Locarno Classification system.		
9	Statement of Novelty is submitted		
10	Disclaimer in respect of the use of words, letters, numerals or trademarks or any extraneous matter which is not part of the industrial design, is disclaimed/removed		
11	Disclaimer in respect of mechanical, principle action or operation of the article is disclaimed in all the representation sheets.		
12	Representation sheets are all represented as indicated		
	Others(If any)		

Substantive Examination Report Format

<p>OR—ID 25</p> <p>NOTICE OF EXAMINATION</p> <p>REPORT</p> <p>Section 21(2), Rule 33 2(b)</p>	<p>Application No.:</p>	<p>Applicant(s):</p>
	<p>Date of Filing: <i>(day/month/year)</i></p>	<p>LOC Classification:</p>
<p>Date of issue:</p>	<p>Title of the Industrial Design:</p>	

<p>From:</p> <p style="margin-left: 20px;">Registry of Industrial Designs Intellectual Property Division, DoMCIIP P. O. Box 141, Debum Lam, Thimphu</p>	<p>To:</p>
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<p>APPLICANT(S):</p>

<p>NOTICES:</p> <ul style="list-style-type: none"> a. Attend to the objections raised in the notice, as appropriate, within two (2) months from the date of this notice b. The last date for acceptance of the application will expire on 01 May. 2021. If the application is not accepted on or before that date, it will be treated as abandoned under Rule 33 2(b) of the Industrial Property Rules

<p>SECTION AND RULES:</p> <ul style="list-style-type: none"> 1. Examination of Industrial Designs with reference to Section 17, 18, 20 and 21 of the Act, and Rule 33

<p>OBJECTIONS:</p>

<p>VIII. Definition of Industrial Designs—(s17(1)-(2))</p>

Complies with the definition

Not complied with for the following reasons:

(a) _____

(b) _____

(c) _____

Industrial design relates to a mere mechanical contrivance; the shape of each part thereto is solely dictated by the mechanical function which the article has to perform

IX. Registrable Industrial Designs—(s18(1) to (3))

Novelty

Industrial design is NEW

Industrial design *prime facie* lacks novelty. The Office considers the following reasons for lacking novelty:

(a) _____

(b) _____

(c) _____

The industrial design sought for registration is identical with Industrial Design application No.: N/A

Industrial design is contrary to public order and morality

X. Creator/designer of the industrial design—(s20(2))

Applicant is the creator/designer.

Applicant is not the creator/designer. A statement justifying the applicant's right to the registration must be filed.

XI. Declaration of Priority—(s20(3))

Date of Priority is:

Within six (6) months of filing application.

Not within six (6) months of filing application

The following certified copy of the priority documents must be submitted:

Certified copy of the priority application

Certified copy of the representation of the industrial design

XII. Objections on industrial designs and to product(s) as it relates—(s21(2))

Class(es) is correct

Class(es) is incorrect and should be amended in the Application Form—
ID1

Product(s) associated with the industrial designs does not fall in the class to which the registration is sought

Name of the product to which the industrial design is to be applied is not stated

Statement of novelty:

is filed

must be filed or amended

Disclaimer in respect of the use of words, letters, numerals or trademarks or any extraneous matter which is not part of the industrial design, must be disclaimed/removed

Disclaimer in respect of mechanical, principle action or operation of the article should be must disclaimed in all the representation sheets.

XIII. Representation of Industrial Design(s)—(s20(1))

Representation(s) do not clearly illustrate the industrial designs. Replace the representation(s) with four (4) fresh representation, preferably photographic or engineering drawing or computerized sketch. Return to this office the superseded representation(s) duly cancelled over by signature

The following representation views are not submitted:

Front View

Bottom View

Side Views

Top View

Perspective View

Back View

XIV. Others

The following defects in the Form or contents in the application have been noted:

STATUS OF THE APPLICATION:

The applicant is hereby notified that the application is:

Accepted for Registration

Refused for Registration

Objected

Note: Please respond to the objection(s), if any.

Use Form-ID21 for submission of amended documents together with prescribed fee of Nu. 200/-. It must be submitted within two (2) months from the date of issue of this Notice as per the Industrial Property Rules 33(2)(4).

Name and mailing address of the Office:

Department of Media, Creative Industry & Intellectual
Property
Ministry of Industry, Commerce and Employment
Royal Government of Bhutan
P.O. Box 141, Debum Lam
Thimphu: Bhutan
www.ipbhutan.gov.bt

Telephone No.: **(009752)335233/326512**

Fax: **(009752)321145**

For Registrar

Date:



དབལ་ཕྱན་འབྲུག་གཞུང་།
 བད་བརྒྱན་བཟོ་སྐྱེ་གསར་བཏོད་དང་སློ་རིག་རྒྱ་དངོས་ལས་ཁུངས།

Department of Media, Creative Industry & Intellectual Property
 Ministry Of Industry, Commerce and Employment
 Royal Government of Bhutan



CERTIFICATE OF REGISTRATION OF INDUSTRIAL DESIGN

Having complied with the provisions of Industrial Property Act of Kingdom of Bhutan, 2001 and Industrial Property Rules, 2001, this **Office registers** this Industrial Design, the DETAILS of which are mentioned below. The REGISTRATION grants unto the applicant/s or assigns the exclusive right as per Section 22 of Industrial Property Act of Kingdom of Bhutan, 2001, and unless sooner terminated as provided by the law and the regulations, the term of this REGISTRATION shall be 15 years subjected to renewal after every five years.

INDUSTRIAL DESIGN NUMBER: : **D0000**

APPLICATION NUMBER : BT/D/

NAME OF THE DESIGN :

NAME AND ADDRESS OF THE APPLICANT(S) :

NAME OF THE DESIGNER :

NAME OF THE AGENT :

DATE OF FILING :

DATE OF PRIORITY & COUNTRY :

DATE OF GRANT :

TERM OF INITIAL REGISTRATION :

DATE OF EXPIRATION :

Sealed at my direction this:

REGISTRAR
 Department of Media, Creative Industry & Intellectual Property



དབལ་ཕྱན་འབྲུག་གཞུང་།
བད་བརྒྱུད་བཞོ་སྐྱ་གསར་བཅོལ་དང་རྫོ་རིག་རྒྱ་དངོས་ལས་ཁྲུངས།

Department of Media, Creative Industry & Intellectual Property
Ministry Of Industry, Commerce and Employment
Royal Government of Bhutan



CERTIFICATE OF RENEWAL OF INDUSTRIAL DESIGN

In accordance with Section 22(5), Rule 35 of the Industrial Property Act of Kingdom of Bhutan, 2001 and Industrial Property Rules, 2001, it is hereby certified that the registered Industrial Design, the details and a representation of which is attached, has been renewed in the Register of Industrial Design, and that the following details have been entered in the Register in respect of that registration:

INDUSTRIAL DESIGN NUMBER	: D0000
APPLICATION NUMBER	: BT/D/
PRODUCT/ARTICLE	:
LOC. CLASS	:
NAME AND ADDRESS OF THE APPLICANT(S)	:
DATE OF FILING	:
DATE OF INITIAL REGISTRATION	:
DATE OF RENEWAL	:
DATE OF EXPIRATION	:

Sealed at my direction this:

REGISTRAR
Department of Media, Creative Industry & Intellectual Property

Figure 4: Fee Schedule of Industrial Design

No	Particulars	Form No.	Fee (Nu.)
1	On application for registration i. in respect of single Industrial Design. ii. For each additional Industrial Designs in a set(s) or series.	ID1	1000 800
2	On request for correction(s) of clerical error/error of translation or transcription/any mistake in application/document (<i>Section 38 (1), Rule 33, 56 (1) (2)</i>) i. in respect of single Industrial Design ii. for each additional design	ID2	500 200
3	Submission of correction for formalities and substantive examination (<i>Section 21 (2), Rule 33(2)(b), 33 (4)</i>) i. in respect of single Industrial Design ii. for each additional design	ID3	200 100
4	On application for renewal of Industrial Design rights (<i>Section 22 (5), Rule 35</i>) i. in respect of single Industrial Design ii. for each additional design	ID4	2000 1000
5	Surcharge for late renewal within the grace period of six months (<i>Section 22 (5), Rule 35</i>) i. in respect of single Industrial Design ii. for each additional design	ID5	1000 500
6	On request for hearing before the registrar (<i>Section 27(2) (2), Rule, 44, 57</i>) i. in respect of single Industrial Design ii. for each additional design	ID6	500 200

7	On request for invalidation of Industrial Design (<i>Section 16, 23 Rule 29, 51</i>) i. in respect of single Industrial Design ii. for each additional design	ID7	1500 800
7A	Application of Counterstatement of invalidation	ID7A	No Fee
8	On request to change name or address of services of an applicant/owner per application.	ID8	500
9	Appointment or cancellation of an agent by power of Attorney (<i>Rule 53</i>)	ID9	As per Industrial Property Rules (No Fee)
10	On request for consultation/inspection of documents in register for every hour or part thereof permitted under act and rule (<i>Section 37(1) (b), Rule 55</i>)	ID10	500
11	On application for certified copy of extracts of any entry from the register permitted under act and rule (<i>Section 37(1) (b), Rule 55</i>)	ID11	500
12	On application for extension of time for a month or part thereof. (<i>Section 9, 38 (2), Rule 56 (3)</i>)	ID 12	200 per month
13	On application for recordal/cancellation of Mortgage or License/name of licensee in the Register of design (<i>Section 34 (5), Rule 59 (1)</i>) i. in respect of single Industrial Design ii. for each additional design	ID13	500 200
14	On request to change the ownership of the design (<i>Section 34, 38 (1) Rules 56</i>) i. in respect of single Industrial Design ii. for each additional design	ID14	500 200
15	Registration Fee (<i>Section 21(3), Rule 33(6), 34(1)</i>) i. in respect of single Industrial Design ii. for each additional design	ID 15	1000 500