



List of Clerical Errors

S. No.	Rule	Chapter	Comments
1.	24 (2)(d)	II	Rule should also include “specifies the colours”.
2.	Title of Chapter	VIII	Title of the Chapter is misspelt as “MISCLLANEOUS” instead of “ MISCELLANEOUS ”.
3.	Rule 109 – Refusal or invalidation of registration of a trade mark conflicting with a geographical indication	VIII	Typographical Error – The rule erroneously states that a request for refusal or invalidation of a registered trade mark conflicting with a Geographical Indication shall be made in TM-C. The correct form for the same, as specified in the Second Schedule is TM-O .
4.	Sixth Schedule	VIII	In the proposed Trade Marks Rules, 2015, there is no Fourth or Fifth Schedule. Thus, the Sixth Schedule (Scale of costs) should be re-numbered or re-arranged as Fourth Schedule. Accordingly, the wording in Rule 121 should be changed The Sixth Schedule as it currently stands has the following typographical errors which should be corrected: (i) The Schedule incorrectly corresponds to Rule 122 and not Rule 121 . (ii) Typographical error in the title of the Schedule. The corrected title shall read as: <i>Scale of costs allowable in rule 121 proceedings before the Registrar</i> . (iii) Entry 3, Column 3 is incomplete/incorrect. The corrected version shall read as: <i>Rs. 500 plus cost for re-summoning the other parties’ witnesses who were due to be examined on the day</i> .
5.	Rule 123 – Form, etc., of Affidavits	VIII	Typo in the heading. The word ‘Affidavit’ should be corrected to ‘ Affidavits ’.
6.	Rule 125 – Certified copies of documents	VIII	In the proviso, the phrase “...may furnish an expedited certified copies...” appears to be grammatically incorrect and should be amended to “... may furnish expedited certified copies ...”. In other words, the article ‘an’ should be deleted. The basis for changing the timeline for furnishing expedited certified copies of documents from <i>thirty</i> days (previously) to <i>thirty seven</i> days is unclear. It should either be <i>seven</i> days or the original timeline of <i>thirty</i> days should be retained.



ANNEXURE B

S. No.	Rule	Chapter	Comments
7.	Rule 128 – Time for Appeal	VIII	Typo in the heading. It should read as “ Appeals to the Intellectual Property Appellate Board ” instead of “Appeal of the Intellectual Property Appellate Board”
8.	Form TM-M	VIII	(1) In column M for Request for Inclusion of trade mark in the list of Well-Known Trademarks, the word <i>Registration Certificate</i> has been mentioned. The import of the same is not clear and it should be removed. (2) The spelling of the word thereof is incorrectly mentioned as there off.
9.	Entry 11	First Schedule Page 37	Section 58 to be corrected to read as Section 59
10.	Entry 23	First Schedule Page 38	Wherever the word ‘partnership’ appears, the same should be corrected to read as ‘proprietorship’
11.	Entry 64	First Schedule Page 42	The fee for expedited examination has been mentioned as INR 20000 for electronic request – the same should be INR 40000.