

## Designs Act, 2000

### Section 47 - POWER OF CENTRAL GOVERNMENT TO MAKE RULES

1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act. (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:- (a) the form of application for registration of design, the manner of filing it at the patent office and the fee which shall accompany it, under sub-sec. (2) ofSec.5-; (b) the time within which the registration is to be effected under sub-sec. (5) ofSec.5-; (c) the classification of articles for registration under sub-sec. (1) ofSec.6-; (d) the particulars of design to be published and the manner of their publication under Sec. 7; (e) the manner of making claim under sub-sec. (1) ofSec.8-; (f) the manner of making applications to the Controller under sub-sec. (5) ofSec.8-; (g) the additional matters required to be entered in the register of designs and the safeguards to be made in maintaining such register in computer floppies or diskettes under sub-sec. (1) ofSec.10-; (h) the manner of making application and fee to be paid for extension of the period of copyright under and the fee payable thereto, sub -sec. (2) ofSec.11-; (i) the manner of making application for restoration of design and the fee to be paid with it under sub-sec. (1) ofSec.12-; (j) the manner of verification of statement contained in an application under sub -sec. (2) ofSec.12-; (k) the additional fee to be paid for restoration of the registration of design under sub-sec. (1) ofSec.13-; (l) the provisions subject to which the right of the registered proprietor shall be under sub -sec. (1) ofSec.14-; (m) the number of exact representation or specimen of the design to be furnished to the Controller under clause (a) of sub-sec. (1) ofSec.15-; (n) the mark, words or figures with which the article is to be marked denoting that the design is registered under clause (b) of sub-sec. (1) ofSec.15-; (o) the rules to dispense with or modify as regards any class or description of articles and any of the requirements ofSec.15-as to marking under sub-sec. (2) of that section; (p) the fee to be paid for and the manner of inspection under sub-sec. (1) ofSec.17-; (q) the fee to be paid to obtain a certified copy of any design under sub-sec. (2) ofSec.17-; (r) the fee on payment of which the Controller shall inform underSec.18-; (s) the form for giving notice to the controller under clause (a) of the proviso toSec.21-; (t) the fee to be paid in respect of the registration of designs and application therefor, and in respect of other matters relating to designs under sub-sec. (1) ofSec.24-; (u) the fee to be paid for giving certified copy of any entry in the register underSec.26-; (v) the fee to be accompanied with the requests in writing for correcting any clerical error underSec.29-; (w) the form in which an application for registration as proprietor shall be made and the manner in which the Controller shall cause an entry to be made in the register of the assignment, transmission or other instrument effecting the title under sub -sec. (1) ofSec.30-; (x) the form in which an application for title shall be made and the manner in which the Controller shall cause notice of the interest to be entered in the register of designs with particulars of the instrument, if any, creating such interest under sub -sec. (2) of Sec. 30; (y) the manner of filing an application for registration and for making application for extension of time as referred to in sub-sec. (3) ofSec.30-; (z) the manner of making application to the Controller for rectification of register under sub -sec. (1) ofSec.31-; (za) the manner in which the notice of rectification shall be served on the Controller under sub-sec. (4) ofSec.31-; (zb) the rules regulating the proceedings before the Controller underSec.32-; (zc) the time which shall be granted to the applicants for being heard by the Controller underSec.33-; (zd) the fee to be accompanied with an appeal under sub -sec. (1) ofSec.36-; (ze) any other matter which is required to be, or may be, prescribed. (3) The power to make rules under this section shall be subject to the conditions of the rules being made after previous publication. (4) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to

the validity of anything previously done under that Act.

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