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

Certificate of Assignment: Form 0.4;

Certificate of Registration of Registered User: Form 0.5;

Certificate of Change of Name: Form 0.6;

Certificate of Extract from Register: Form 0.7,

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

Authentication of affidavits executed outside the Republic for use within the Republic

59. (1) Any affidavit executed in any place outside the Republic shall be deemed to be sufficiently authenticated for the purposes of use in the Republic if it is duly authenticated at such foreign place by the signature and seal of office of a notary public.

(2) Notwithstanding anything in this regulation contained, the Registrar may accept as sufficiently authenticated any affidavit which is shown to the satisfaction of the Registrar to have been actually signed by the person purporting to have signed such affidavit.

(3) No ducument required to be filed with the Registrar in terms of these regulations shall be required to be authenticated unless the Registrar specifically otherwise directs in any particular instance.

60. These regulations shall be called the Trade Mark Regulations, 1995, and shall come into operation on **1 May 1995.**

SCHEDULE 1

FEES

The following fees shall be paid in connection with applications, registrations and other matters under the Act. Such fees must in all cases be paid before or at the time of doing the matter in respect of which they are to be paid:

Item No.	*Description*	*Corresponding Forms*	*Fees R*
1.	Application for registration of—		
	(i) a trade mark for a specification of goods/services included in one class (sections 9, 14, 16 and 63—regulation 11)	TM1	220,00
	(ii) a honest concurrent user for a specification of goods/services included in one class (section 14—regulation 17)	TM1	255,00
	(iii) a certification mark for a specification of goods/services included in one class (section 42—regulation 56)	TM1	255,00
	(iv) a collective mark for a specification of goods/services included in one class (section 43—regulation 57)	TM1	255,00
2.	Applications, notifications or request to the Registrar:		
	(a) Request for advertisement [section 8—regulation 9 (3)]	TM2	75,00
	(b) Request for statement of a decision [section 16 (4)—regulation 54 (1)]	TM2	300,00

(2) Die volgende sertifikate moet uitgereik word ten opsigte van aangeleenthede uiteengesit in die titel van die betrokke vorms:

Sertifikaat van Sessie: Vorm 0.4;

Sertifikaat van Registrasie van Geregistreerde Gebruiker: Vorm 0.5;

Sertifikaat van Naamsverandering: Vorm 0.6;

Sertifikaat van Uittreksel uit Register: Vorm 0.7,

en mag gewysig word soos deur die Registrateur gelas.

Waarmerk van beëdigde verklarings verly buite die Republiek vir gebruik binne die Republiek

59. (1) 'n Beëdigde verklaring verly op enige plek buite die Republiek, word geag toereikend gewaarmerk te wees vir doeleindes van gebruik in die Republiek indien dit op sodanige ander plek behoorlik gewaarmerk is deur die handtekening en ampseël van 'n notaris.

(2) Ondanks enige andersluidende bepalings in hierdie regulasie kan die Registrateur enige beëdigde verklaring as toereikend gewaarmerk aanvaar wat tot tevredenheid van die Registrateur bewys word dat dit werklik onderteken is deur die persoon wat voorgee dat hy sodanige beëdigde verklaring onderteken het.

(3) Geen dokument wat ingevolge hierdie regulasies by die Registrateur ingedien moet word, hoef gewaarmerk te word nie tensy die Registrateur uitdruklik anders gelas in 'n bepaalde geval.

60. Hierdie regulasies heet die Handelsmerkregulasies, 1995, en tree in werking op **1 Mei 1995.**

BYLAE 1

GELDE

Die volgende gelde is betaalbaar in verband met aansoeke, registrasie en ander aangeleenthede ingevolge die Wet. Sodanige gelde moet in alle gevalle betaal word voor of ten tyde van die behartiging van die aangeleentheid ten opsigte waarvan dit betaalbaar is:

Item No.	*Beskrywing*	*Verbandhoudende Vorms*	*Gelde R*
1.	Aansoek vir registrasie van—		
	(i) 'n handelsmerk vir 'n spesifikasie van goedere/dienste ingesluit in een klas (artikels 9, 14, 16 en 63—regulasie 11)	TM1	220,00
	(ii) 'n eerlike gelyktydige gebruik vir 'n spesifikasie van goedere/dienste ingesluit in een klas (artikel 14—regulasie 17)	TM1	255,00
	(iii) 'n waarmerkingshandelsmerk vir 'n spesifikasie van goedere/dienste ingesluit in een klas (artikel 42—regulasie 56)	TM1	255,00
	(iv) 'n versamelhandelsmerk vir 'n spesifikasie van goedere/dienste ingesluit in een klas (artikel 43—regulasie 57)	TM1	255,00
2.	Aansoeke, kennisgewings of versoeke aan die Registrateur:		
	(a) Versoek om bekendmaking [artikel 5—regulasie 9 (3)]	TM2	75,00
	(b) Versoek om uiteensetting van gronde van beslissing [artikel 16 (4)—regulasie 54 (1)]	TM2	300,00

Item No.	Description	Corresponding Forms	Fees R
	(c) Application to dissolve association between a registered trade mark and another registered trade mark [section 30 (5)—regulation 22 (2)] for each entry	TM2	40,00
	(d) Application for alteration of address or address for service [sections 23, 46 (1) or 66 (3)—regulation 8] for each entry	TM2	15,00
	(e) Applicant for correction of clerical error or for permission to amend application or document [sections 16 (5), 23 or 46 (1)—regulation 44 and 56 (5)] for each mark	TM2	15,00
	(f) Application to enter change of name or description of applicant, registered proprietor or registered user (section 23—regulation 44) for each mark	TM2	15,00
	(g) Application to cancel entry on register (section 23—regulation 44) for each mark	TM2	15,00
	(h) Request to strike out goods/services (section 23—regulation 44) for each mark	TM2	15,00
	(i) Request to enter disclaimer or memorandum (section 23—regulation 44) for each mark	TM2	22,00
	(j) Application to add or alter a trade mark [section 25 (1)—regulation 45] for each mark	TM2	82,00
	(k) Request for search (regulation 47) for each mark per class	TM2	70,00
	(l) Notification of application to Court [section 55—regulation 3 (2)]	—	—
	(m) Request for information (CAVEAT) as to future proceedings [regulation 48 (1)] for each mark	TM2	82,00
	(n) Application for the certificate of the Registrar with reference to the proposed assignment of a trade mark [section 39 (6)—regulation 37]	TM2	40,00
	(o) Notice of payment of hearing fee [regulation 19 (3) (f)]	TM2	215,00
	(p) Application for certificate [section 22 (5)—regulation 58 (1)]	TM2	28,00
	(q) Any other applications, notifications or request not provided for [regulation 3 (2)]	TM2	22,00
3.	Notice of opposition/rectification (sections 21, 24, 26 and 27—regulation 19)	TM3	100,00
4.	Notice of intention to defend (sections 21, 24, 26 and 27—regulation 19)	TM4	40,00
5.	Renewal of registration (sections 11 and 37—regulations 25, 26 and 27):		
	(i) For an ordinary registration	TM5	100,00
	(ii) For a honest concurrent user registration	TM5	100,00
	(iii) For a certification mark	TM5	100,00
	(iv) For a collective mark	TM5	100,00
	Additional fee within ~~one~~ six month of the date of expiration		40,00
	Additional fee for restoration of trade mark removed for non-payment of renewal fees		120,00

Item No.	Beskrywing	Verbandhoudende Vorms	Gelde R
	(c) Aansoek om ontbinding van assosiasie tussen een geregistreerde handelsmerk en 'n ander geregistreerde handelsmerk [artikel 30 (5)—regulasie 22 (2)] vir elke inskrywing	TM2	40,00
	(d) Aansoek om verandering van adres of adres vir bestelling [artikel 23, 46 (1) of 66 (3)—regulasie 8] vir elke inskrywing	TM2	15,00
	(e) Aansoek om verbetering van 'n klerklike fout of om magtiging om 'n aansoek of dokument te wysig [artikels 16 (5), 23 of 46 (1)—regulasies 44 en 56 (5)] vir elke merk	TM2	15,00
	(f) Aansoek om verandering van die naam of beskrywing van applikant, geregistreerde eienaar of geregistreerde gebruiker (artikel 23—regulasie 44) vir elke merk	TM2	15,00
	(g) Aansoek om intrekking van inskrywing in register (artikel 23—regulasie 44) vir elke merk	TM2	15,00
	(h) Versoek om die skrapping van goedere/dienste (artikel 23—regulasie 44) vir elke merk	TM2	15,00
	(i) Versoek om inskrywing van prysgewing of 'n memorandum (artikel 23—regulasie 44) vir elke merk	TM2	22,00
	(j) Aansoek om byvoeging tot of wysiging aan 'n handelsmerk [artikel 25 (1)—regulasie 45] vir elke merk	TM2	82,00
	(k) Versoek om nasoeking (regulasie 47) vir elke merk per klas	TM2	70,00
	(l) Kennisgewing van aansoek by Hof [artikel 55—regulasie 3 (2)]	TM2	82,00
	(m) Versoek om inligting (CAVEAT) oor toekomstige verrigting [regulasie 48 (1)] vir elke merk	TM2	82,00
	(n) Aansoek om die Registrateur se sertifikaat met betrekking tot voorgenome sedering van 'n geregistreerde handelsmerk [artikel 39 (6)—regulasie 37]	TM2	40,00
	(o) Kennisgewing van betaling van verhoorgelde [regulasie 19 (3) (f)]	TM2	215,00
	(p) Aansoek om sertifikaat [artikel 22 (5)—regulasie 58 (1)]	TM2	28,00
	(q) Enige ander aansoek, kennisgewing of versoek waarvoor daar nie voorsiening gemaak is nie [regulasie 3 (2)]	TM2	22,00
3.	Kennisgewing van teenstand/verbetering (artikels 21, 24, 26 en 27—regulasie 19)	TM3	100,00
4.	Kennisgewing van voorneme om te verdedig (artikels 21, 24, 26 en 27—regulasie 19)	TM4	40,00
5.	Hernuwing van registrasie (artikels 11 en 37—regulasies 25, 26 en 27):		
	(i) Vir 'n gewone registrasie	TM5	100,00
	(ii) Vir 'n eerlike gelyktydige gebruik registrasie	TM5	100,00
	(iii) Vir 'n waarmerkingshandelsmerk	TM5	100,00
	(iv) Vir 'n versamelhandelsmerk	TM5	100,00
	Bykomende gelde binne een maand na verstrykingsdatum		40,00
	Bykomende gelde vir die herstel van handelsmerk geskrap weens versuim om hernuwingsgelde te betaal		120,00

Item No.	Description	Corresponding Forms	Fees R
6.	Application to record a transaction affecting the rights in a trade mark—assignment, transmission, hypothecation or attachment (sections 39, 40, 41 and 46—regulations 31, 33, 38 and 43):		
	For first mark	TM6	58,00
	For each additional mark	TM6	22,00
	Penalties for late registration of cession or transmission of a registered mark—for each period of 12 months or portion thereof	TM6	40,00
7.	Application for—		
	(i) registration of registered user [section 38 (6)—regulation 39]:		
	For the first mark	TM7	58,00
	For each additional mark	TM7	22,00
	(ii) variation of the registration of a registered user entry [section 38 (8) (a)—regulation 41]	TM7	50,00
	(iii) cancellation of entry of a registered user [section 38 (8) (a)—regulation 41]	TM7	50,00
	(iv) maintenance of a registered user entry [section 38 (8) (b)—regulation 42]	TM7	50,00
8.	For leave to make copies of documents in respect of each application or registered mark		1,00
9.	For inspecting register, file or document		3,00
10.	For collating documents for certification—for every 100 words or part thereof		3,00
11.	For photocopy of any document, per page (regulation 49)		1,00
12.	Certification of extracts from register or documents—(per document)		20,00
13.	Upon each entry in the register of a mark or a note that the mark is associated with a newly registered mark		3,50

SCHEDULE 2

TRADE MARK FORMS

Office forms 0.1 to 0.7 and General Forms TM1 to TM7 as follows:

Item No.	Beskrywing	Verbandhoudende Vorms	Gelde R
6.	Aansoek om 'n transaksie wat die regte in 'n handelsmerk raak, aan te teken—sessie, oordrag, verhipotekering of beslaglegging (artikel 39, 40, 41 en 46—regulasie 31, 33, 38 en 43):		
	Vir eerste merk	TM6	58,00
	Vir elke bykomende merk	TM6	22,00
	Boete vir laat registrasie van sessie of oordrag van 'n geregistreerde handelsmerk—vir elke tydperk van 12 maande of gedeelte daarvan	TM6	40,00
7.	Aansoek om—		
	(i) registrasie van geregistreerde gebruiker [artikel 38 (6)—regulasie 39]:		
	Vir die eerste merk	TM7	58,00
	Vir elke bykomende merk	TM7	22,00
	(ii) wysiging van die registrasie van geregistreerde gebruiker [artikel 38 (8) (a)—regulasie 41]	TM7	50,00
	(iii) intrekking van inskrywing van geregistreerde gebruiker [artikel 38 (8) (a)—regulasie 41]	TM7	50,00
	(iv) handhawing van geregistreerde gebruiker inskrywing [artikel 38 (8) (b)—regulasie 42]	TM7	50,00
8.	Verlof om afskrifte van dokumente te maak—vir elke aansoek of geregistreerde handelsmerk		1,00
9.	Nagaan van register, lêer of dokument		3,00
10.	Kollasionering van dokumente vir sertifisering—vir elke 100 woorde of deel daarvan		3,00
11.	Fotokopiëring van enige dokument—per bladsy (regulasie 49)		1,00
12.	Sertifisering van uittreksels uit register of stukke (per dokument)		20,00
13.	Elke inskrywing in die register van 'n merk of nota dat die merk geassosieer is met 'n nuut geregistreerde merk		3,50

BYLAE 2

HANDELSMERK VORMS

Kantoorvorms 0.1 tot 0.7 en Algemene Vorms TM1 tot TM7 is soos volg:

DEPARTEMENT VAN HANDEL EN NYWERHEID

REGISTRATEUR VAN PATENTE, HANDELSMERKE, MODELLE EN OUTEURSREG

DEPARTMENT OF TRADE AND INDUSTRY

REGISTRAR OF PATENTS, TRADE MARKS, DESIGNS AND COPYRIGHT

REPUBLIEK VAN SUID-AFRIKA . REPUBLIC OF SOUTH AFRICA

KENNISGEWING VAN NIE-VOLTOOIING VAN REGISTRASIE
(Artikel 20 - Regulasie 20)

Die Registrateur moet u aandag vestig op artikel 20 van die Wet op Handelsmerke, 1993, en op regulasie 20 van die Handelsmerkregulasies daaronder opgestel.

Aansoek vir handelsmerk.....
No.....
was op die .....
dag van.....19.....gedoen.

Weens u versuim is registrasie nog nie voltooi nie. Tensy dit voltooi word binne twee maande van datum hiervan sal die aansoek as teruggetrek behandel word.

NOTICE OF NON-COMPLETION OF REGISTRATION
(Section 20 - Regulation 20)

The Registrar has to call your attention to section 20 of the Trade Marks Act, 1993, and to regulation of the Trade Marks regulations made thereunder.

Application for trade mark.....
No.....
was made on the.....
day of.....19.....

Registration has not been completed by reason of your default. Unless it is completed within two months from the date hereof, the application will be treated as abandoned.

Gedateer op die dag van
Dated ....., this ..... day of ..... 19.....

.....
Registrateur van Handelsmerke / Registrar of Trade Marks

92-O.1-nnnnn

DEPARTEMENT VAN HANDEL EN NYWERHEID

REGISTRATEUR VAN PATENTE, HANDELSMERKE, MODELLE EN OUTEURSREG

DEPARTMENT OF TRADE AND INDUSTRY

REGISTRAR OF PATENTS, TRADE MARKS, DESIGNS AND COPYRIGHT

REPUBLIEK VAN SUID-AFRIKA . REPUBLIC OF SOUTH AFRICA

Sertifikaat van Registrasie

Certificate of Registration

DIE WET OP HANDELSMERKE, 1993

No

THE TRADE MARKS ACT, 1993

Ingevolge die bepalings van artikel 29 (2) van die Wet sertifiseer ek hierby dat, behoudens die bepalings en voorwaardes daarin uiteengesit, die ondergemelde handelsmerk in die Kantoor van Handelsmerke geregistreer is.

I hereby certify, in terms of section 29 (2) of the Act, that subject to the terms and conditions specified therein the undermentioned trade mark has been registered in the Trade Marks Office.

Gedateer op die dag van
Dated ....., this ..... day of ..... 19.....

.....

Registrateur van Handelsmerke / Registrar of Trade Marks

92-O.2-nnnnn

DEPARTEMENT VAN HANDEL EN NYWERHEID

REGISTRATEUR VAN PATENTE, HANDELSMERKE, MODELLE EN OUTEURSREG

DEPARTEMENT OF TRADE AND INDUSTRY

REGISTRAR OF PATENTS, TRADE MARKS, DESIGNS AND COPYRIGHT

REPUBLIEK VAN SUID-AFRIKA . REPUBLIC OF SOUTH AFRICA

U Verwysing / Your Reference

.....

Ons Verwysing / Our Reference

.....

Navrae / Enquiries

.....

KENNISGEWING VOORDAT HANDELSMERK VAN DIE REGISTER VERWYDER WORD INGEVOLGE ARTIKEL 37 (3)

Meneer / Menere,

U word hierby in kennis gestel dat ingevolge die bepalings van artikel 37 (3) van die Wet en regulasie 24, u Handelmerk.....
No ..... geregistreer in Klas .....
van die register van handelsmerke verwyder sal word, tensy die voorgeskrewe geld van R ..... (wat by wyse van inkomsteseëls op Vorm TM 5 betaalbaar is) by hierdie kantoor ontvang word voor of op die ..... dag van ....., op welke datum die bestaande registrasie verstryk.

Die uwe,

NOTICE BEFORE REMOVAL OF TRADE MARK FROM THE REGISTER UNDER SECTION 37(3)

Sir / Gentlemen,

You are hereby notified that, under the provisions of section 37 (3) of the Act and regulation 24 , your Trade Mark.....
No ....registered in Class ....., will be removed from trade marks register unless the prescribed fee of R ..... (payable by meens of Revenue Stamps on Form TM 5) is received at this office on or before the ..... on which date this existing registration will expire.

Yours faithfully,

Geteken en geseël te Pretoria op die dag van
Signed and sealed at Pretoria, this ..... day of ..... 19.....

.....

Registrateur van Handelsmerke / Registrar of Trade Marks

Nota. - Die volle hernuwingsgelde is betaalbaar ten opsigte van elke afsonderlike klas.
Note. - The full renewal fee is payable in respect of each separate class.

92-O.3-nnnnn

DEPARTEMENT VAN HANDEL EN NYWERHEID

REGISTRATEUR VAN PATENTE, HANDELSMERKE, MODELLE EN OUTEURSREG

DEPARTMENT OF TRADE AND INDUSTRY

REGISTRAR OF PATENTS, TRADE MARKS, DESIGNS AND COPYRIGHT

REPUBLIEK VAN SUID-AFRIKA . REPUBLIC OF SOUTH AFRICA

Sertifikaat van Sessie

DIE WET OP HANDELSMERKE, 1993

Ingevolge die bepalings van artikel 40 van die Wet en regulasie 35 sertifiseer ek hierby dat die naam van die latere eienaar van Handelsmerk :

Certificate of Assignment

THE TRADE MARKS ACT, 1993

I hereby certify, in terms of section 40 of the Act and regulation 35, that the name of the subsequent proprietor of Trade Mark :

N°

In my register aangeteken is en soos volg lui :

Has been entered in my register to read as follows :

Geteken en geseël te Pretoria op die dag van
Signed and sealed at Pretoria, this ..... day of ..... 19.....

.....

Registrateur van Handelsmerke / Registrar of Trade Marks

DEPARTEMENT VAN HANDEL EN NYWERHEID

REGISTRATEUR VAN PATENTE, HANDELSMERKE, MODELLE EN OUTEURSREG

DEPARTMENT OF TRADE AND INDUSTRY

REGISTRAR OF PATENTS, TRADE MARKS, DESIGNS AND COPYRIGHT

REPUBLIEK VAN SUID-AFRIKA . REPUBLIC OF SOUTH AFRICA

Sertifikaat van Registrasie van Geregistreerde Gebruiker

Certificate of Registration of Registered User

DIE WET OP HANDELSMERKE, 1993
(Ingevolge artikel 38(7) en Regulasie 40)

THE TRADE MARKS ACT, 1993
(Pursuant to section 38(7) and Regulation 40)

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

I hereby certify that the following entry appears in my register in relation to the undermentioned Trade Mark :

N°

Geteken en geseël te Pretoria op die dag van
Signed and sealed at Pretoria, this ..... day of ..... 19.....

.....
Registrateur van Handelsmerke / Registrar of Trade Marks

DEPARTEMENT VAN HANDEL EN NYWERHEID

REGISTRATEUR VAN PATENTE, HANDELSMERKE, MODELLE EN OUTEURSREG

DEPARTMENT OF TRADE AND INDUSTRY

REGISTRAR OF PATENTS, TRADE MARKS, DESIGNS AND COPYRIGHT

REPUBLIEK VAN SUID-AFRIKA . REPUBLIC OF SOUTH AFRICA

Sertifikaat van Registrasie Van Naamsverandering

DIE WET OP HANDELSMERKE, 1993
(Ingevolge artikel 23)

Hiermee sertifiseer ek dat die naam van die eienaar/geregistreerde gebruiker van Handelsmerk :

Certificate of Registration Of Change of Name

THE TRADE MARKS ACT, 1993
(Puruant to section 23)

This is to certify that the name of the proprietor/registered user of Trade Mark :

N°

in my register gewysig is om te lees

has been altered in my register to read

Geteken en geseël te Pretoria op die dag van
Signed and sealed at Pretoria, this ..... day of ..... 19.....

.....
Registrateur van Handelsmerke / Registrar of Trade Marks

92-O.6-nnnnn