Semiconductor Integrated Circuits Layout-Design Rules, 2001

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G.S.R. 892(E)—In exercise of the powers conferred by sub-section (1) read with sub-section 2) of section 96 of the Semiconductor Integrated Circuits Layout-Design Act, 2000 (37 of 2000), the Central Government hereby makes the following rules, namely:—

CHAPTER I
PRELIMINARY

Short Title, Extent and Commencement

1.—(1) These rules may be called the Semiconductor Integrated Circuits Layout-Design Rules, 2001.

(2) They extend to the whole of India

(3) They shall come into force on the date of the commencement of the Act.

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Definitions

2. In these rules unless the context otherwise requires,—

(a) "Act" means the Semiconductor Integrated Circuits Layout-Design Act, 2000 (37 of 2000);

(b) "Form" means a form set out in the Schedule II;

(c) "journal" means the Semiconductor Integrated Circuits Layout-Design Journal published by the Registrar of Semiconductor Integrated Circuits Layout-Designs;

(d) "layout-design no. " means the Registration number of the layout-design registered under the Act;

(e) "Registry" means the Semiconductor Integrated Circuits Layout-Design Registry;

(f) "Schedule" means a Schedule to these rules;

(g) "Section" means a section of the Act.

Principal Place of Business in India

3. "Principal place of business in India" means,—

(i) where a person carries on business of semiconductor integrated circuits or layout-design,—

(a) if the business is carried on in India at only one place, that place;

(b) if the business is carried on in India at more places than one, the place mentioned by him as the principal place of business in India;

(ii) where a person is not carrying on a business of semiconductor integrated circuits or layout-design,—

(a) if he is carrying on any other business in India at only one place, that place;

(b) if he is carrying on any other business in India at more places than one, the place mentioned by him as the principal place of the business in India; and

(iii) where a person does not carry on any business in India but has a place of residence in India, then, such place of residence in India.

Appropriate Office of the
Semiconductor Integrated Circuits Layout-Design Registry

4. The "appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry" for the purpose of making an application for registration of a layout-design shall be the office of the Registry as specified in section 8 and for giving notice of opposition under section 11 or for filing an application for rectification under section 30 or for any other proceedings under the Act and the rules shall be,

(a) in relation to a layout-design on the register, the office of the Registry within whose territorial limits—

(i) the principal place of business in India of the registered proprietor of the layout-design as entered in the register at such date is situate;

(ii) where there is no entry in the register as to the principal place of business in India of the registered proprietor, the place mentioned in the address for service in India as entered in the register at such date is situate;

(iii) in the case of jointly registered proprietors, the principal place of business in India of the proprietor whose name is entered first in the register as having such place of business in India at such date is situate;

(iv) where none of the jointly registered proprietors is shown in the register as having a principal place of business in India, the place mentioned in the address for service in India of the joint proprietors as entered in the register at such date is situate;

(v) if no principal place of business in India of the registered proprietor of the layout-design or in the case of joint registration, of any of the joint proprietors of the layout-design, is entered in the register, and the register does not contain any address for service in India, the place of the office of the Registry where the application for registration of the layout-design was made, is situate; and

(b) in relation to a layout-design for which an application for registration is pending, the office of the Registry within whose territorial limits—

(i) the principal place of business in India of the applicant as disclosed in his application or, in the case of joint applicants, the principal place of business in India of the

applicant whose name is first mentioned in the application, as having such place of business is situate;

(ii) where neither the applicant nor any of the joint applicants, as the case may be, has a principal place of business in India, the place mentioned in the address for service in India as specified in the application is situate.

Jurisdiction of Appropriate Office not Altered by Change in the Principal Place of Business or Address for Service

5. No change in the principal place of business in India or in the address for service in India, as the case may be—

(a) of a registered proprietor or of any of the jointly registered proprietors in relation to any layout-design on the register, or

(b) of an applicant for registration or of any of the joint applicants for registration in relation to any layout-design for which an application for registration is pending,

shall effect the jurisdiction of the appropriate office of the Registry.

Entry of the Appropriate Office in the Register

6. In respect of every layout-design on the register, the Registrar shall cause to be entered in the register the appropriate office of the Registry and the Registrar may, at any time, correct any error in the entry so made.

Leaving of Documents etc.

7.—(1) Save as otherwise provided in sub-rule (2), all applications, notices, statements or other documents or any fees authorised or required by the Act or the rules to be made, served, left or sent or paid at or to the Registry in relation to a layout-design on the register for which an application for registration is pending, shall be made, served, left or sent or paid to the appropriate office of the Registry.

(2) Documents or fees authorised or required by the Act or the rules to be sent or paid may be sent or paid at either to the appropriate office or the head office of the Registry in the following matters,—

(a) communication and other documents including affidavits in relation to an application filed for registration of a layout-design;

(b) application or request on forms LD-8, LD-9, LD-10, LD-11, LD-13, LD-14, LD-15, LD-16, LD-17, LD-18, LD-19, LD-20, LD-21, LD-22, LD-25, LD-31

Documents, etc. Filed or Left not at the Appropriate Office

8. Subject to the provisions of rule 7, where any application, notice, statement or other document or any fee authorised or required by the Act or the rules is made, served, left or sent or paid, at or to an office which is not the appropriate office of the Registry, the Registrar shall return such application, notice, statement or document or fee to the person concerned.

Issue of Notices, etc.

9. Any notice or communication relating to any application, matter or proceeding under the Act or the rules shall ordinarily be issued from the appropriate office of the Registry but may, nevertheless, be issued from any office of the Registry.

Fees

10.—(1) The fees to be paid in respect of applications, oppositions, registration and other matters under the Act and the rules shall be those specified in Schedule I, hereinafter referred to as the "prescribed fee".

(2) Where in respect of any matter a fee is required to be paid under the rules, the form or the application or the request or the petition, therefor, shall be accompanied by the prescribed fee.

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(3) Fees may be paid in cash or sent by money order addressed to the Registrar or by postal order or by a bank draft issued by, or by a cheque drawn on and guaranteed, by a scheduled bank as defined in the Reserve Bank of India Act, 1934 (2 of 1934) or at the discretion of the Registrar by a cheque drawn on such bank even though not so guaranteed, and if sent through post shall be deemed to have been paid at the time when the money order or the properly addressed and prepaid letter containing the postal order, or bank draft or cheque would be delivered in the ordinary course of post.

(4) Postal orders shall be crossed and made payable to the Registrar at the appropriate office of the Registry and bank drafts and cheque shall also be similarly crossed and made payable to the Registrar but they shall be drawn on a scheduled bank at the place where the appropriate office of the Registry is situate.

(5) Where a fee is payable in respect of the filing of a document, the date on which the entire fee is paid shall be deemed to be the date of filing of the document.

(6) Where any fee paid by a party is ordered to be returned by the Registrar under any of the provisions of the Act or the rules the amount may be refunded by money order in which event money order commission shall be deductible from such amount.

Forms

11.—(1) The forms set forth in Schedules II and III shall be used in all cases to which they are applicable and may be modified as directed by the Registrar to meet other cases.

(2) Any form, when filed at the Registry, shall be accompanied by prescribed fee.

Size, etc. of the Documents

12.—(1) Subject to any other directions that may be given by the Registrar, all applications, notices, statements, or other documents, authorised or required by the Act or the rules to be made, served, left or sent, at or to the Registry or with or to the Registrar or the Appellate Board, shall be written, typewritten or printed in Hindi or in English in large and legible characters with deep permanent ink upon strong paper, and except in the case of affidavits, on one side only, of a size of approximately 33 centimeters by 20 centimeters and shall have on the left hand part thereof a margin of less than 4 centimeters.

(2) Duplicate documents including layout-designs shall be filed at the Registry, if at any time required by the Registrar.

Signing of Documents

13.—(1) A document purporting to be signed by a partnership shall be signed by at least one of the partners and the document purporting to be signed by a body corporate shall be signed by a director or by the secretary or other principal officer of the body corporate. The capacity in which an individual signs a document on behalf of a partnership or a body corporate shall be stated below his signature.

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(2) Signature to any documents if written in letters other than Roman, or if not eligible shall be accompanied by a transliteration in English and in block capital letters.

Service of Documents

14.—(1) All applications, notices, statements, papers having representations affixed thereto, or other documents authorised or required by the Act or the rules to be made, served, left or sent, at or to the Registry or with or to the Registrar or the Appellate Board, or any other person may be sent through the post by a pre-paid letter.

(2) Any application or any document so sent shall be deemed to have been made, served, left or sent at the time when the letter containing the same would be delivered in the ordinary course of post.

(3) In proving such sending it shall be sufficient to prove that the letter was properly addressed and put into the post.

Particulars of Address, etc. of Applicants and Other Persons

15.—(1) Names and addresses of the applicants and other persons shall be given in full, together with their nationality, calling, and such other particulars as are necessary for identification.

(2) In the case of a firm the full name and nationality of every partner thereof shall be stated.

(3) In the case of foreign applicants and persons having no principal place of business in India, their addresses in their home country shall be given in addition to their address for service in India.

(4) In the case of a body corporate or firm, the country of incorporation or the nature of registration, if any, as the case may be, shall be given.

Statement of Principal Place of Business in India in an Application

16.—(1) Every application for registration of a layout-design shall state the principal place of business in India, if any, of the applicant or in the case of joint applicants, of such of the joint applicants as have a principal place of business in India.

(2) Subject to the provisions of rules 17, 18 and 20 any written communication addressed to an applicant, or in the case of joint applicants to a joint applicant, in connection with the registration of a layout-design, at the address of his principal place of business in India given by him in the application shall be deemed to be properly addressed.

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Address for Service

17.—(1) An address for service in India shall be given,—

(a) by every applicant for registration of a layout-design who has no principal place of business in India;

(b) in the case of joint applicants for registration of a layout-design if none of them has a principal place of business in India;

(c) by the proprietor of a layout-design who had his principal place of business in India at the date of making the application for registration but has subsequently ceased to have such place; and

(d) by every applicant in any proceeding under the Act or the rules and every person filing a notice of opposition, who does not have a principal place of business in India.

(2) Any written communication addressed to a person as aforesaid at an address for service in India given by him shall be deemed to be properly addressed.

(3) Unless an address for service in India as required in sub-rule (1) is given, the Registrar shall be under no obligation to send any notice that may be required by the Act or the rules and no subsequent order or decision in the proceedings shall be called in question on the ground of any lack or non-service of notice.

Address for Service in Application and Opposition Proceedings

18. An applicant for registration of a layout-design or an opponent filing a notice of opposition may, notwithstanding that he has a principal place of business in India, if he so desires, furnish the Registrar with an address in India to which communications in relation to the application or opposition proceedings only may be sent. Such address of the applicant or the opponent shall be deemed, unless subsequently cancelled, to be the actual address of the applicant or the opponent, as the case may be, and all communications and documents in relation to the application or notice of opposition may be served by leaving them at, or sending them by post to such address of the applicant or the opponent, as the case may be.

Non-Availability of an Address for Service

19. The Registrar may, at any time when a doubt arises as to the continued availability of an address for service in India entered in the register, request the person for whom it is entered, by letter directed to any other address entered in the register or if no such address is entered in the register to the address at which the Registrar considers that the letter would reach him, to confirm the address for service in India and if within three months of making such a request the Registrar receives no such confirmation, he may strike the entry in the register of the address for service in India and require such person to furnish a fresh address for service in India, or his address at the principal place of business in India, if he has, any, at that time.

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Agency

20.—(1) The authorisation of an agent for the purpose of section 84 shall be executed on Form LD-32 or in such other written form as the Registrar may deem sufficient and proper.

(2) In the case of such authorisation, service upon the agent of any document relating to the proceeding or matter shall be deemed to be service upon the person so authorising him; all communications directed to be made to such person in respect of the proceeding or matter may be addressed to such agent, and all appearances before Registrar relating thereto may be made by or through such agent.

(3) In any particular case the Registrar may require the personal signature or presence of an applicant, opponent, proprietor, registered user or other person.

Preliminary Advice by Registrar as to Originality of the Layout-Design

21. An application for preliminary advice by the Registrar under sub-section (1) of section 78 shall be made on Form LD-21 accompanied by prescribed fee.

CHAPTER II
PROCEDURE FOR
REGISTRATION OF LAYOUT-DESIGN

Application for Registration of Layout-Design

Form and Signing of Application

22.—(1) An application to the Registrar for the registration of a layout-design under sub-section (1) of section 8 shall be made on Form LD-1 accompanied by prescribed fee and shall be signed by the applicant or his agent.

(2) Three sets of one of the following items, which clearly describe the layout-design, shall be attached. The size of the drawing or the photograph shall not be less than 20 times the size of the semiconductor integrated circuit fabricated using such layout-design, namely:—

(a) three sets of drawings produced with a plotter which describes the layout-design applied for registration; or

(b) three sets of photographs of masks used for the fabrication of the semiconductor integrated circuit by using of the layout-design applied for registration, or drawings which describe the pattern of such masks.

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(3) In the case the applicant for registration of layout-design makes a request in writing for maintaining the secrecy of the layout-design, he may attach in place of the drawings or photographs specified in sub-rule (2), the three sets of partially blocked drawings or photographs of such layout-design to the satisfaction of the Registrar. The Registrar may inspect the complete drawing or photographs of such layout-design. The blocking of such drawing or photograph shall be to the satisfaction of the Registrar such that it does not hamper the identification of the applied-for layout-design. The blocked out area of such drawing or photograph shall not be greater than the area of the remaining portion of layout-design.

Application under Reciprocal Arrangements

23. Every application claiming priority under section 93 by reason of an application to register the layout-design having been made in a convention country, so declared under this section, which country shall be named, shall state the date of that application and the applicant shall furnish a certificate by the registrar or other registering authority of that country or shall otherwise verify the application made therein to the satisfaction of the Registrar.

Procedure on Receipt of Application for Registration

Acknowledgment or Receipt of Application

24. Every application for the registration of a layout-design shall, on receipt, be acknowledged by the Registrar. The acknowledgement shall be by way of return of one copy of the application on Form LD-1 with the official number of the application duly entered thereon.

Objections to Acceptance and Hearing

25.—(1) If, on consideration of the application of any evidence of use or of originality or of any other matter which the applicant may or may, be required to, furnish, the Registrar has any objection to the acceptance of the application or proposes to accept it subject to such amendments or modifications as he may think right to impose, the Registrar shall communicate such objections or proposal in writing to the applicant.

(2) If within three months from the date of the communication mentioned in sub-rule (1), the applicant does not amend the application according to the proposal aforesaid, or submit his observations to the Registrar or apply for a hearing, the application shall be deemed to have been abandoned.

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Notice of Withdrawal of the Application for Registration

26. A notice of withdrawal of application for registration of a layout-design under sub-section (2) of section 78 for the purpose of obtaining repayment of any fee paid on the filing of the application, shall be given in writing within three months from the date of communication mentioned in sub-rule (1) of rule 25.

Decision of the Registrar

27.—(1) The decision of the Registrar under rule 25 or rule 29 after a hearing, or without a hearing if the applicant has duly communicated his observation in writing and has stated that he does not desire to be heard, shall be communicated to the applicant in writing, and if the applicant intends to appeal from such decision he may within one month from the date of such communication apply on Form LD-5 accompanied by prescribed fee to the Registrar requiring him to state in writing the grounds of, and materials used by him in arriving at, his decision.

(2) In case where the Registrar makes any requirements to which the applicant does not object, the applicant shall comply therewith before the Registrar issues a statement in writing under sub-rule (1).

(3) The date when the statement in writing under sub-rule (1) is received by the applicant shall be deemed to be the date of communication of the Registrar's decision for the purpose of appeal.

Correction and Amendment of Application

28. An applicant for registration of a layout-design, may, whether before or after acceptance of his application but before the registration of the layout-design apply on Form LD-6 accompanied by prescribed fee for the correction of any error in or in connection with his application or any amendment of his application.

Withdrawal of Acceptance by the Registrar

29.—(1) If, after the acceptance of an application but before the registration of the layout-design, the Registrar has any objection to the acceptance of the application on the ground that it was accepted in error, or that the layout-design ought not to have been accepted in the circumstances of the case, or proposes that the layout-design should be registered only subject to, additional to or different from the amendments or modifications subject to which the application has been accepted, the Registrar shall communicate such objection in writing to the applicant.

(2) Unless within two months from the date of the communication mentioned in sub-rule (1), the applicant amends his application to comply with the requirements of the Registrar or applies for a hearing, the acceptance of the application shall be deemed to be withdrawn by the Registrar, and the application shall proceed as if it has not been accepted.

(3) Where the applicant intimates the Registrar within the period mentioned in sub-rule (2) that he desires to be heard, the Registrar shall give notice to the applicant of a date when he shall hear him. Such appointment shall be for a date at least fifteen days after the date of the notice, unless the applicant consents to a shorter notice. The applicant may state that he does not desire to be heard and submit such submission as he may consider desirable.

(4) The Registrar may, after hearing the applicant, or considering the submissions, if any, of the applicant, pass such orders as he may deem fit.

Advertisement of application

Manner of Advertisement

30. An application for the registration of a layout-design required to be advertised under sub-section (1) of section 10 or to be re-advertised under sub-section (2) of that section shall be advertised in the journal. The following details shall be given in the advertisement, namely:—

(i) application No;

(ii) date of acceptance of application for registration of layout-design;

(iii) name and address of the proprietor as given in the application;

(iv) brief description of the layout-design;

(v) whether the layout-design has been commercially exploited, if so the period of such exploitation;

(vi) the address of the office of the Registry where the application is filed.

Notification of Correction or Amendment of Application

31. In the case of an application to which clause *(b)* of sub-section (2) of section 10 applies, the Registrar may, if he so decides, instead of causing the application to be advertised again, insert in the journal a notification setting out the application number, the name and address of the principal place of business in India, if any, of the applicant or address for service in India of the applicant or where the applicant has no principal place of business in India his address for service in India, and the correction or amendment made in the application.

Request to Registrar for Particulars of Advertisement of Layout-Design

32. Any person may request the Registrar on Form LD-31 to be informed of the number, date and page of the journal in which a layout-design specified in the form was advertised and the Registrar shall furnish such particulars to the person making the request.

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Opposition to Registration

Notice of Opposition

33.—(1) A notice of opposition to the registration of a layout-design under sub-section (1) of section 11 shall be given in triplicate on Form LD-2 accompanied by prescribed fee within three months from the date of advertisement or re-advertisement, as the case may be, of the application for registration in the journal. The notice shall include a statement of the grounds on which the opponent objects to the registration.

(2) An application for an extension of the period within which a notice of opposition to the registration of a layout-design may be given, shall be made on a Form LD-30 accompanied by the prescribed fee. Such period of extension shall not exceed one month in the aggregate.

Counter Statement

34. The counter statement required by sub-section (2) of section 11 shall be sent in triplicate on Form LD-3 accompanied by the prescribed fee within two months from the receipt by applicant of the copy of the notice of opposition and shall set out what facts, if any, alleged in the notice of opposition, are admitted by the applicant. The Registrar, on the person giving notice of opposition, shall serve a copy of the counter-statement.

Evidence in Support of Opposition

35.—(1) Within two months from the service on him of a copy of the counter-statement by the Registrar, the opponent shall either leave with the Registrar such evidence by way of affidavit as he may desire to adduce in support of his opposition or shall intimate to the Registrar and to the applicant in writing that he does not desire to adduce evidence in support of his opposition but intends to rely on the facts in the notice of opposition. He shall deliver to the applicant copies of any evidence that he leaves with the Registrar under this sub-rule.

(2) If an opponent takes no action under sub-rule (1) within the time therein prescribed, he shall, unless the Registrar otherwise directs, be deemed to have abandoned his opposition.

Evidence in Support of Application

36. Within two months from the receipt by the applicant of the copies of affidavits in support of the opposition or of the intimation that the opponent does not desire to adduce any evidence in support of its opposition, the applicant shall leave with the Registrar such evidence by way of affidavit as he desires to adduce in support of his application and shall deliver to the opponent copies thereof or shall intimate to the Registrar and the opponent that he does not desire to adduce any evidence but intends to rely on the facts stated in the counter statement and or on the evidence already left by him in connection with the application in question. In case the applicant relies on any evidence already left by him in connection with the application, he shall deliver to the opponent copies thereof.

Evidence in Reply by Opponent

37. Within one month from the receipt by the opponent of the copies of the applicant's affidavits, the opponent may leave with the Registrar evidence by affidavit in reply and shall deliver to the applicant copies thereof. This evidence shall be confined to matters strictly in reply.

Further Evidence

38. No further evidence shall be left on either side; but in any proceedings before the Registrar, he may at any time, if he thinks fit, give leave to either the applicant or the opponent to leave any evidence upon such terms as to costs or otherwise as he may think fit.

Exhibits

39. Where there are exhibits to affidavits filed in an opposition a copy of each exhibit shall be sent to the other party on his request and at his expenses, or, if such copies cannot conveniently be furnished the originals shall be left with the Registrar in order that they may be open to inspection. The original exhibits shall be produced at the hearing unless the Registrar otherwise directs.

Translation of Documents

40. Where a document in a language other than Hindi or English referred to in the notice of opposition, counter-statement or an affidavit field in an opposition, an attested translation thereof in Hindi or English shall be furnished in duplicate.

Hearing and Decision

41.—(1) Upon completion of the evidence (if any), the Registrar shall give notice to the parties of a date when he shall hear the arguments in the case. Such appointment shall be for a date at least one-month after the date of the notice, unless the parties consent to a shorter notice. Within fourteen days from the receipt of the notice, any party who intends to appear shall so notify the Registrar on Form LD-4 accompanied by the prescribed fee. Any party who does not so notify the Registrar within the time last aforesaid may be treated as not desiring to be heard and the Registrar may act accordingly.

(2) The decision of the Registrar shall be notified to the parties in writing.

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Security for Costs

42. The security of costs which the Registrar may require under sub-section (6) of section 11 may be fixed at any amount which he may consider proper; any such amount may be further enhanced by him at any stage in the opposition proceeding.

Notice of Non-Completing of Registration

Procedure for Giving Notice

43. The notice which the Registrar is required by sub-section (3) of section 13 to give to an applicant shall be sent on Form OLD-1 to the applicant at the address of his principal place of business in India or if he has no principal place of business in India at the address for service in India stated in the application but if the applicant has authorised an agent for the purpose of the application, the notice shall be sent to the agent and a duplicate thereof to the applicant. The notice shall specify twenty-one days' time from the date thereof or such further time as the Registrar may allow, for completion of the registration.

Registration

Entry in the Register

44.—(1) As soon as may be after the expiration of three months from the date of the advertisement or re-advertisement, as the case may be, in the journal of any application for the registration of a layout-design, the Registrar shall, subject to the provisions of sub-section (1) of section 13, enter the layout-design in the register.

(2) The entry of layout-design in the register shall specify the date of the registration of such layout-design, and all particulars required by sub-section (1) of section 6 including—

(a) date of acceptance of application for registration of layout-design under sub-section (1) of section 10;

(b) name, address and nationality of the registered proprietor;

(c) in case the layout-design has been commercially exploited before date of registration under section 13, the period of such exploitation and the place of exploitation;

(d) office of the Registry where the request for registration was filed;

(e) the address of the principal place of business in India, if any, of the proprietor of the layout-design or in case of a jointly owned layout-design, of such of the joint proprietors of the layout-design as have a principal place of business in India;

(f) where the proprietor of the layout-design has no place of business in India his address for service in India as entered in the application for registration together with his address in his home country;

(g) in case of a jointly owned layout-design, where none of the joint proprietors has a principal place of business in India, the address for service in India as given in the application together with the address of each of the joint proprietors in his home country;

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Death of Applicant before Registration

45. In case of death of any applicant for the registration of a layout-design after the date of his application and before the layout-design has been entered in the register, the Registrar may on proof of the applicant's death and on proof of the transmission of the interest of the deceased person, substitute in the application his successor in interest in place of the name of such deceased applicant and the application may proceed thereafter as so amended.

Certificate of Registration

46.—(1) The Certificate of registration of a layout-design to be issued by the Registrar under sub-section (2) of 13 shall be on Form OLD-2 with such modifications as the circumstances of any case may require.

(2) The Registrar may issue a duplicate or further copies of the certificate of registration to be copy of entry in register on request by the registered proprietor on Form LD-25 accompanied by prescribed fee.

CHAPTER III
ASSIGNMENT AND TRANSMISSION

Application for Entry of Assignment or Transmission

47. An application to register the title of a person who becomes entitled, by assignment or transmission, to a registered layout-design shall be made on Form LD-10 or Form LD-11 accompanied by prescribed fee according as it is made by such person alone or conjointly with the registered proprietor.

Particulars to be Stated in Application

48. An application under rule 47 shall contain full particulars of the instrument, if any, under which the application or in case of a joint application, the person other than the registered proprietor claims to be entitled to the layout-design; and such instrument or a duly certified copy thereof shall be produced at the Registry for inspection at the time of application. The Registrar may require and retain an attested copy of any instrument produced for inspection in proof of title, but such copy shall not be open to public inspection.

Case Accompanying Application

49. Where a person applying under rule 47 for registration of his title, does not establish his claim under any document or instrument which is capable in itself of furnishing proof of his title, he shall, unless the Registrar otherwise directs, either upon or with the application, state a case setting forth the full particulars of the facts upon which his claim to be proprietor of the layout-design is based, and showing that the layout-design has been assigned or transmitted to him. If the Registrar so requires, the case shall be verified by an affidavit on Form LD-7.

Proof of Title

50. The Registrar may call upon any person who applies to be registered as proprietor of a registered layout-design to furnish such proof or additional proof of title as he may require for his satisfaction.

Impounding of Instruments

51. If in the opinion of the Registrar any instrument produced in proof of title of a person is not properly or sufficiently stamped, the Registrar shall impound and deal with it in the manner provided by Chapter IV of the Indian Stamp Act, 1899.

Assignments Involving Transmission of Moneys Outside India

52. If there is in force any law regulating the transmission of moneys outside India, the Registrar shall not register the title of a person who becomes entitled to a layout-design by an

assignment which involves such transmission except on production of the permission of the authority specified in such law for such transmission.

Application for Registrar's Direction as to Advertisement of an Assignment of a Layout-Design without Goodwill of the Business

53.—(1) An application for directions under section 22 shall be made on Form LD-8 accompanied by prescribed fee and shall state the date on which the assignment was made. The application shall give particulars of the registration of registered layout-design including user of the registered layout-design. The Registrar may call for any evidence or further information and if he is satisfied with regard to the various matters he shall issue directions in writing with respect to the advertisement of the assignment.

(2) A request for an extension of the period within which the application mentioned in sub-rule (1) may be made shall be on Form LD-9 accompanied by prescribed fee.

Application for Entry of Assignment without Goodwill

54. An application under rule 47 relating to an assignment of a layout-design shall state—

(a) whether the layout-design had been or was used in the business; and

(b) whether the assignment was made otherwise than in connection with the goodwill of that business;

and if both those circumstances subsisted, then, the applicant shall leave at the Registry a copy of the directions to advertise the assignment, obtained upon application under rule 53, and such proof, including copies of advertisement or otherwise, as the Registrar may require, to show that his directions have been fulfilled and if the Registrar is not satisfied that the directions have been fulfilled, he shall not proceed with the application.

CHAPTER IV
REGISTERED USER

Application for Registration as Registered User

55.—(1) An application to Registrar for the registration under section 25 of a person as a registered user of a registered layout-design shall be made jointly by that person and the registered proprietor of the layout-design on Form LD-13 accompanied by prescribed fee and shall also be accompanied by the following documents—

(a) the agreement in writing or a duly authenticated copy thereof, entered into between the registered proprietor and the proposed registered user with respect to the permitted use of the layout-design.

(b) the documents and correspondence, if any, mentioned in the agreement referred to in clause *(a)* or duly authenticated copies thereof.

(c) Agreement if any or duly authenticated copies thereof, entered into between the proposed registered user and the registered proprietor as regards the price at which the semiconductor integrated circuit incorporating registered layout-design or an article incorporating such a semiconductor integrated circuit should be sold or the maintenance of particular price for such semiconductor integrated circuits or articles.

(2) There shall also be filed along with the application an affidavit made by the registered proprietor or by some person authorised to the satisfaction of the Registrar to act on his behalf giving—

(a) particulars and statements required by sub-clauses (i) to (iii) of clause *(b)* of sub-section(1) of section 25;

(b) a statement as to whether the layout-design which is the subject of the application has been used by him in the course of trade before the date of the application and if so the amount and duration of such use;

(c) a statement as to whether the registered proprietor has acquired title to the layout-design by way of assignment;

(d) a statement as to whether the registered proprietor had, before the date of the application for registration as registered user, allowed the use of the layout-design by any person and if so by whom;

(e) a statement whether or not the proposed permitted use is intended solely for export from India.

(3) The registered proprietor and the proposed registered user shall also produce and file such other documents and furnish such other evidence and information as may be required in that behalf by the Registrar.

(4) Notwithstanding anything contained in sub-rule (1), where more than one application for registration as registered user is made by the same registered proprietor and the same proposed registered user in respect of layout-design covered by the same agreement, the documents mentioned in sub-rule (1) may be filed with any one of the applications and a cross reference to such documents given in other application or applications.

Entry in the Register

56.—(1) Where the requirements of rule 55 have been complied with, the Registrar shall register the proposed registered user.

(2) The entry of a registered user in the register shall state the date on which the application for registration of registered user was made and the date of registration of the registered user. The entry shall also state, in addition to the particulars and the statements mentioned in clause *(b)* of sub-section (1) of section 25, the name, description and principal

place of business in India of the registered user and if he does not carry on business in India his address for service in India.

Notice of Registration as Registered User

57. A notice in writing of the registration of the registered user of a layout-design shall be sent by the Registrar to the registered proprietor of the layout-design, to the registered user and to every other registered user whose name is entered in relation to same layout-design on Form OLD-5. This Form shall also be inserted in the journal.

Cancellation of the Registration of the Registered User

58. An application for the cancellation of the registration of a registered user under clause *(a)* or clause *(b)* or clause *(c)* of sub-section (1) of section 26 shall be made on Form LD-14 or Form LD-15, as the case may be, accompanied by prescribed fee and shall be accompanied by a statement of grounds on which it is made.

Registrar to Require Information for Enforcing of Topographical Dimensions of the Layout-Design

59.—(1) The Registrar may at any time or from time to time require the registered proprietor or the registered user of a layout-design to furnish him with such information as he may require for satisfying himself that the stipulations in the agreement between the registered proprietor and the registered user, regarding the topographical dimensions of the layout-design are being enforced or complied with.

(2) Where any such information as is referred to in sub-rule (1) is not furnished within the stipulated time allowed by the Registrar, the Registrar may presume that the stipulation in the agreement regarding the topographical dimensions of the layout-design is not being enforced or is not complied with.

Notification for Cancellation of Registration

60. The notice required for in respect of every application under sub-section (2) of section 26 shall be made on Form OLD-6 and shall be sent to the registered proprietor and each registered user (not being the applicant) of the layout-design.

Procedure on Application to Cancel Registration

61.—(1) The Registrar shall notify in writing applications under section 26 to the registered proprietor and each registered user (not being the applicant in either case) of the layout-design.

(2) Any person notified under sub-rule (1) who intends to intervene in the proceedings, shall within one month of the receipt of such notification give notice to the Registrar on Form LD-16 accompanied by prescribed fee to the effect and shall send therewith a statement of the

grounds of his intervention. The Registrar shall thereupon serve or cause to be served copies of such notice and statement on the other parties, namely, the applicant, the registered proprietor, the registered user whose registration is the subject-matter of the proceeding in question and any other registered user who intervenes.

(3) The applicant and any person notified under sub-rule (1) may, within such time or times as the Registrar may appoint, leave evidence in support of his case, and the Registrar after giving the parties an opportunity of being heard, may accept or refuse the application.

Registered User's Application under Sub-Section (2) of Section 31

Application under sub-section (2) of section 31 shall be made on Form LD-6 or Form LD-17 or Form LD-18 or Form LD-19 accompanied by prescribed fee as may be appropriate by a registered user of a layout-design and the Registrar may require such evidence by affidavit or otherwise as he may think fit as to the circumstances in which the application is made.

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CHAPTER VI
RECTIFICATION AND CORRECTION OF REGISTER

Rectification of Register

Application to Rectify the Register

63. An application to the Appellate Board or to the Registrar under section 30 or sub-section (1) of section 48 for making, expunging or varying of any entry relating to a layout-design in the register shall be made in duplicate on Form LD-12 accompanied by prescribed fee and shall be accompanied by a statement in duplicate setting out fully the nature of the applicant's interest and the facts upon which he bases his case. Where the application is made by a person who is not the registered proprietor of the layout-design in question, the application and the statement aforesaid shall be left at the Registry in triplicate. In case there are registered user, such application and statements shall be accompanied by as many copies thereof as there are registered users. A copy each of the application and statement shall be transmitted forthwith by the Registrar to the Registered proprietor and to each of the registered user and to any other person who appears from the register to have an interest in the layout-design.

Further Procedure

64. Within two months from the receipt by a registered proprietor of the copy of the application mentioned in rule 63, he shall send to the Registrar on Form LD-3 a counter statement in triplicate of the grounds on which the application is contested and if he does so the Registrar shall serve a copy of the counter-statement on the person making the application. The provisions of the rules 35 to 41 shall thereafter apply *mutatis mutandis* to the further proceedings on the application. The Appellate Board or the Registrar shall not, however,

rectify the register merely because the registered proprietor has not filed a counter-statement. In any case of doubt, any party may apply to the Appellate Board or the Registrar, as the case may be, for the directions.

Rectification of the Register by Appellate Board or the Registrar of its own Motion

65.—(1) The notice which the Appellate Board or the Registrar is required to give under sub-section (3) of section 30, shall be sent in writing to the registered proprietor, to each registered user, if any, to any other person who appears from the register to have any interest in the layout-design, and shall state the grounds on which the Appellate Board or the Registrar proposes to rectify the register and shall also specify the time, not being less than one month from the date of such notice, within which an application for a hearing shall be made.

(2) Unless within the time specified in the notice aforesaid, any person so notified sends to the Appellate Board or the Registrar a statement in writing setting out fully the facts upon which he relies to meet the grounds stated in the notice or applies for a hearing, he may be treated as not desiring to take part in the proceedings and the Appellate Board or the Registrar may act accordingly.

(3) If the Appellate Board or the Registrar decides to rectify the register it shall communicate the decision in writing to the registered proprietor and each registered user, if any.

Order of the Appellate Board to the Registrar

66. Any order of the Appellate Board to the Registrar for rectification of the register shall indicate the details of making, expunging or varying an entry in the register. The Registrar upon receipt of the notice in Form OLD-7 from the Appellate Board shall rectify the register accordingly.

Change of Address

Alteration of Address in Register

67.—(1) A registered proprietor or a registered user of a layout-design, the address or whose principal place of business in India or whose address in his home country, as the case may be, is changed so that the entry in the register is rendered incorrect, shall forthwith request the Registrar on Form LD-18 to make the appropriate change of the address in the register, and the Registrar shall alter the register accordingly, if he is satisfied in the matter.

(2) A registered proprietor or a registered user of a layout-design, whose address for service in India entered in the register if changed, whether by discontinuance of the address or otherwise, so that the entry in the register is rendered incorrect, shall forthwith request the

Registrar on Form LD-19 to make appropriate alteration of the address in the register, and the Registrar shall alter the register accordingly if he is satisfied in the matter.

(3) A registered proprietor or a registered user of a layout-design the address of whose principal place of business in India or whose address for service in India is altered by a public authority, so that the changed address designates the same premises as entered in the register, may make the aforesaid request to the Registrar on Form LD-18 or Form LD-19, as the case may be, and if he does so he shall leave therewith a certificate of the alteration given by the said authority. If the Registrar is satisfied as to the facts of the case, he shall alter the register accordingly, but shall not require any fees to be paid on the form, notwithstanding the provisions of sub-rule (2) of rule 10 or sub-rule (2) of rule 11.

(4) (i) Where a registered proprietor makes a request under sub-rules (1), (2) or (3), he shall serve a copy of the request on the registered user or users, if any, and inform the Registrar accordingly.

(ii) When the request aforesaid is made by a registered user, he shall serve a copy thereof on the registered proprietor and other registered users, if any, and inform the Registrar that he had done so.

(5) In case of the alteration of the address of a person entered in the register as the address for service in India of more than one registered proprietor or registered user of layout-designs, the Registrar may, on proof that the said address is the address of the applicant and if satisfied that it is just to do so, accept an application from that person on Form LD-19 amended so as to suit the case, for appropriate alteration of the entries of his address as the address for service in the several registrations, particulars of which shall be given in such form and may alter entries accordingly.

(6) All applications under this rule on Form LD-19 shall be signed by the registered proprietor or the registered user, as the case may be, or by an agent expressly authorised by him for the purpose of such an application unless in exceptional circumstances the Registrar otherwise allows.

Correction of Register

Application under Sub-section (1) of Section 31

68. Where an application has been made by the registered proprietor under sub-section (1) of section 31 for the alteration of the register by correction or change of any entry relating to layout-design or cancellation of entry of layout-design in the register, the Registrar may require the applicant to furnish such evidence by affidavit or otherwise as the Registrar may think fit, as to the circumstances in which the application is made. Such application shall be made on Form LD-6, LD-17, LD-18, LD-19 or LD-20 accompanied by prescribed fee as may be appropriate and a copy thereof shall be served by the applicant on the registered user or users, if any, under the registration of the layout-design in question and to any other person who appears from the register to have an interest in the layout-design.

CHAPTER VII
APPELLATE BOARD

Cancellation of Registration or of Assignment or Transmission of Layout-Design

69.—(1) Any person may make application under sub-section (1) of section 41 to apply for the cancellation of the registration or of assignment or transmission of the layout-design to the Appellate Board on Form LD-33 accompanied by prescribed fee. The Board shall give notice on Form OLD-8 to the opposite parties.

(2) The Appellate Board shall on receipt of replies, to the opposition to the application referred to in sub-rule (1) within the time specified in the notices or where no such reply is filed after the expiration of the period so specified, after giving opportunity of being heard to the applicant and the opposite parties dispose of the application.

Board to Permit Certain Uses of the Registered Layout-Design

70. Subject to the provisions of section 51 of the Act, the Appellate Board may permit the Government or the person authorised by the Government to use the registered layout-design. The application for such permission shall be made on the Form LD-34 accompanied by prescribed fee.

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The Time Period for Efforts under First Proviso to the Sub-Section (1) of Section 51

71. The person authorised under sub-section (1) of section 51 shall not be permitted under that sub-section the use of a registered layout-design unless the Appellate Board is satisfied that such person has made efforts to enter into agreement with the registered proprietor of such layout-design on reasonable commercial terms and conditions for permitted use of such layout-design and such efforts had not been successful within a period of six months.

Review of the Decision of the Appellate Board to Permit Use of Registered Layout-Design

72.—(1) The registered proprietor of a layout-design may request the Appellate Board to review the permission granted under sub-section (1) of section 51, giving details of the reasons for such a review. The request shall be filed on Form LD-29 accompanied by prescribed fee.

(2) The Appellate Board, on receiving application under sub-rule (1) for review of its decision, shall issue the notice to the person authorised to use the registered layout-design under sub-section (1) of section 51 on Form OLD-9. The date of hearing the arguments of the case shall also be indicated in the notice.

(3) Appointment for hearing of the arguments in the case under sub-rule (2) shall be for a date at least one month after the date of the notice, unless the parties consent for a shorter notice. Within fourteen days from the receipt of the notice, any party who intends to appear shall notify the Appellate Board. Any party who does not so notify the Appellate Board within the time last aforesaid may be treated as not desiring to be heard and Appellate board may act accordingly.

(4) The decision of the Appellate Board shall be notified to the parties in writing.

Application to the Appellate Board for Determining of Royalty

73.—(1) The application under sub-section (1) of section 40 for determining royalty shall be made to the Appellate Board on Form LD-27. Such application shall be accompanied by an affidavit supporting the facts and grounds stated in the application and the copy of the document or other evidences in support of the benefit accrued by performing or directing to perform any of the acts referred to in clause *(b)* of sub-section (1) of section 18 in respect of the semiconductor integrated circuit or article, as the case may be, in respect of which the royalty is claimed and fee in respect of filing and for the service or execution of the processes amounting to two percent of the royalty claimed.

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(2) On receipt of an application under sub-rule (1) the Appellate Board shall give notice to the opposite party on the Form OLD-3. The opposing party may file opposition within thirty days from the date on which such notice is served to him on Form LD-28.

(3) The Appellate Board shall on receipt of opposition under sub-rule (2) or where no such opposition is filed after the expiration of the period of thirty days referred to in sub-rule (2), after giving opportunity of being heard to the applicant and the opposite party, dispose of the application.

Appeal to the Appellate Board

74. An appeal to the Appellate Board under sub-section (1) of section 42 shall be preferred on Form LD-26 accompanied by prescribed fee and shall be verified by the person preferring the appeal in the manner specified in such form.

A copy of the order on decision against which such appeal is preferred shall be accompanied with such form.

CHAPTER VIII
MISCELLANEOUS

Extension of Time

75.—(1) An application for extension of time under section 76 not being a time expressly provided in the Act or a time for extension of which provision is made in these rules shall be made on Form LD-23 accompanied by prescribed fee.

(2) Upon an application made under sub-rule (1) the Registrar, if satisfied that the circumstances are as to justify the extension of the time applied for, may, subject to the provisions of these rules where a maximum time limit is prescribed and subject to such conditions as he may think fit to impose, extend the time and notify the parties accordingly and the extension may be granted though the time for doing the act or taking the proceeding for which it is applied for has already expired or not.

Exercise of Discretionary Power of Registrar

76. The time within which a person entitled under section 72 to an opportunity of being heard shall exercise his option of requiring to be heard shall, save as otherwise expressly provided in the Act or these rules, be one month from the date of a notice which the Registrar shall give to such person before determining the matter with reference to which such person is entitled to be heard. If within that month such person is required to be heard, the Registrar shall appoint a date for the hearing and shall give ten days' notice thereof.

Notification of Decision

77. The decision of the Registrar in the exercise of any discretionary power given to him by the Act or these rules shall be notified to the person affected.

Amendments and Correction of Irregularity in Procedure

78.—(1) Any document or drawing or other representation of a layout-design may be amended, and any irregularity in procedure which, in the opinion of the Registrar may be obviated without detriment to the interests of any person, might be corrected, if the Registrar thinks fit on such terms as he may direct.

(2) The Registrar may require the amendment of any application or representation of a layout-design or any other document or the addition of any matter thereto in order to bring it in accordance with the formal requirements of the Act.

Directions not Otherwise Prescribed

79. Where in the opinion of the Appellate Board or the Registrar, it is necessary for the proper prosecution or completion of any proceedings under the Act or these rules for a person to perform an act, file a document or produce evidence, which is not provided for by the Act or the rules, the Appellate Board or the Registrar may by notice in writing require the person to perform the act, file the document or produce the evidence, specified in the notice.

Hearings

Hearings

80.—(1) In relation to a layout-design for which an application for registration is made, the application as well as any proceeding under the act and the rules shall, in the event of a hearing becoming necessary, be heard at the office of the Registry at which such application was made under sub-section (2) of section 8 or at such place within the territorial jurisdiction of that office as the Registrar may deem proper.

(2) Where an officer exercising the powers of the Registrar who has heard any matter under the Act or these rules has reserved order thereon, is transferred from one office of the Registry to another office or reverts to another appointment before passing an order or rendering decision thereon, he may, if the Registrar so directs, pass the order or render the decision as if he had continued to be the officer in the office of the Registry where the matter was heard.

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Award of Costs

Costs in Uncontested Cases

81. Where any opposition duly instituted under these rules is not contested by the applicant, the Registrar in deciding whether costs should be awarded to the opponent shall consider whether the proceedings might have been avoided if reasonable notice had been given by the opponent to the applicant before the notice of opposition was filed.

Exception to Rule 81

82. Notwithstanding the provisions of rule 81 costs in respect of fees specified under Forms LD-2, LD-3 and LD-4 and of all stamps used on and affixed to affidavit used in the proceedings shall follow the event.

Scale of Costs

83. Subject to the provisions of rules 81 and 82, in all proceedings before the Registrar, the Registrar may, save as otherwise expressly provided by the Act, award such costs, not exceeding the amount admissible thereof under Schedule I, as he considers reasonable having regard to all the circumstances of the cases.

Review of Decision by Registrar

Application for Review of Registrar's Decision

84. An application to the Registrar for the review of his decision under clause *(c)* of section 72 shall be made on Form LD-24 accompanied by prescribed fee within one month

from the date of such decision or within such further period not exceeding one month thereafter as the Registrar may on request allow, and shall be accompanied by the statement setting forth the grounds on which the review is sought. Where the decision in question concern any other person in addition to the applicant, such application and statement shall be left in triplicate and the Registrar shall forthwith transmit a copy each of the application and statement to the other person concerned. The Registrar may, after giving the parties an opportunity of being heard, reject or grant the application, either unconditionally or subject to any conditions or limitations, as he thinks fit.

Affidavits

Form, etc. of Affidavits

85.—(1) The affidavits required by the Act and these rules to be filed at the Registry or furnished to the Appellate Board or the Registrar, unless otherwise provided in Schedule II, shall be headed in the matter or matters to which they relate, shall be drawn up in the first person, and shall be divided into paragraphs consecutively numbered; and each paragraph shall, as far as practicable, be confine to one subject. Every affidavit shall state the description and the true place of abode of the person making the same, shall bear the name and address of the person filing it and shall state on whose behalf it is filed.

(2) Where two or more persons join in an affidavit, each of them shall depose separately to such facts which are within his personal knowledge and those facts shall be stated in separate paragraphs.

(3) Affidavits shall be taken—

(a) in India before any court or person having by law authority to receive evidence, or before any officer empowered by such court as aforesaid to administer oaths or to take affidavits;

(b) in any country or place outside India - before a diplomatic or counsellor officer , within the meaning of the Diplomatic and Counsellor Officers (Oath and Fees) Act, 1948, of such country, or place or before the Notary Public, or before a Judge or Magistrate, of the country or place.

(4) The person before whom affidavit is taken shall state the date on which and the place where the same is taken and shall affix his seal, if any, or the seal of the court to which he is attached thereto and sign his name and description at the end thereof.

(5) Any affidavit purporting to have affixed, impressed or subscribed thereto or thereon the seal or signature of any person authorised by sub-rule (3) to take an affidavit, in testimony of the affidavit having been taken before him, may be admitted by the Registrar without proof of the genuineness of the seal or signature, or of the official character of that person.

(6) Alterations and interlineations shall, before an affidavit is sworn or affirmed, be authenticated by the initials of the person before whom the affidavit is taken.

(7) Where the deponent is unacquainted with the language in which the affidavit is written, a certificate by the person taking the affidavit that the affidavit was translated in his presence to the deponent, that the deponent seemed perfectly to understand it and that the deponent made his signature in his presence, shall appear in the jurat.

(8) Every affidavit filed before the Registrar in connection with any of the proceedings under the Act or these rules shall be duly stamped under the law for the time being in force.

Inspection of Documents by the Public

Inspection of Documents

86. The documents mentioned in sub-section (1) of section 87 shall be available for inspection at the head office of the Registry. A copy of the register and such of the other documents mentioned in section 87, and as the Central Government may by notification in the Official Gazette, specify, shall be available for inspection at each branch office of the Registry. The inspection shall be made at such times on all the days on which the offices of the Registry are not closed to the public, as may be fixed by the Registrar.

Distribution of Copies of Journal and Other Documents

87. The Central Government may direct the Registrar to distribute the journal and any other document which it may consider necessary, to such places as may be fixed by the Central Government in consultation with the State Governments and notified by the Central Government from time to time in the Official Gazette.

Certificates

Certified Copies of Documents

88. The Registrar may furnish certified copies of any entry in the register or certified copies of any document referred to in sub-section (1) of section 87 or of any decision or order of the Registrar, or give a certificate other than a certificate under sub-section (2) of section 13, as to any entry, matter or thing which he is authorised or required by the Act or these rules to make or do, upon receipt from any person of an application therefor on Form LD-22 accompanied by prescribed fee.

Certificate for Use in Obtaining Registration Abroad

89. Where a certificate relating to the registration of a layout-design is desired for use in obtaining registration in any territory outside India, Registrar may furnish the same. The Registrar may state in the certificate such particulars concerning the registration of the layout-design as may seem fit to him. The purpose for which the certificate is issued shall be stated therein.

Destruction of Records

90. Where an application for the registration of a layout-design has been withdrawn, abandoned or refused or a layout-design has been removed from the register, the Registrar may, at the expiration of five years after the application is withdrawn or is abandoned or is refused or after the layout-design is removed from the register, as the case may be, destroy all or any of the records relating to the application of the layout-design concerned.

Appeals to High Court

Time for Appeal

91. An appeal to a High Court from any decision or order of the Appellate Board under the Act shall be made within three months from the date of such decision or order, as the case may be, or within such further time as the High Court may allow. The appeal shall be made on Form LD-35 accompanied by prescribed fee. The appeal shall contain a copy of the decision or order against which the appeal is preferred and grounds on which the appeal is preferred along with evidences, if any.

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Application to High Courts

Application made to the High Court
to be Served on the Appellate Board

92. A copy of every appeal to the High Court under the Act shall be served on the Appellate Board.

CHAPTER X
REGISTRATION OF LAYOUT-DESIGNS AGENTS

Register of Layout-Design Agents

93. The Registrar shall maintain a register of layout-design agents wherein shall be entered the name, address of the place of residence, address of the principal place of business, the nationality, qualifications and date of registration of every registered layout-design agent.

Qualifications for Registrations

94. Subject to the provisions of rule 95, a person shall be qualified to be registered as a layout-design agent if he—

(i) is a citizen of India;

(ii) is not less than 21 years of age;

(iii) has passed the examination prescribed in rule 98;

(iv) is a graduate of any university in India or possesses an equivalent qualification; and

(v) is considered by the Central Government as a fit and proper person to be registered as a layout-designs agent.

Persons Debarred from Registration

95. A person shall not be eligible for registration as a layout-design agent if he—

(i) has been adjudged by a competent court to be of unsound mind;

(ii) is an undischarged insolvent;

(iii) being a discharged insolvent has not obtained from the court a certificate to the effect that his insolvency was caused by misfortune without any misconduct on his part;

(iv) has been convicted by a competent court, whether within or without India of an offence punishable with imprisonment, unless the offence of which he has been convicted has been pardoned or unless on an application made by him, the Central Government has, by order in this behalf, removed the disability;

(v) being a legal practitioner has been held guilty of professional misconduct by any High Court in India or by any court beyond the limits of India; or

(vi) being a chartered accountant, has been held guilty of negligence or misconduct by a High Court.

Manner of Making Application

96. All applications under the provisions of this Part shall be made in triplicate, shall be sent to or left at that office of the Registry within whose territorial limits the principal place of business of the applicant is situate.

Application for Registration as a Layout-Design Agent

97.—(1) Every person desiring to be registered as a layout-design agent shall make an application on Form LDA-1 accompanied by prescribed fee.

(2) The applicant shall furnish such further information bearing on his applications as may be required of him at any time by the Registrar.

Procedure on Application and Qualifying Requirements

98.—(1) On receipt of an application for the registration of a person as a layout-design agent, the Registrar, if satisfied that the applicant fulfils the prescribed qualifications, under the fore-going rules shall appoint a date in due course on which the candidate shall appear before him for a written examination in the Semiconductor Integrated Circuits Layout-Design

Law and practice followed by an interview. The candidate shall be expected to possess a detailed knowledge of the provisions of the Act and rules and a knowledge of the elements of the Semiconductor Integrated Circuits Layout-Design Law.

(2) The qualifying marks for the written examination and for interview shall be 40 per cent and 60 percent respectively and a candidate shall be declared to have passed the examination only if he obtains an aggregate of 50 per cent of the total marks.

Certificate of Registration

99. After a candidate has been interviewed and any further information bearing on his application, which the Registrar may consider necessary has been obtained and if the Registrar considers the applicant eligible and qualified for registration as a layout-design agent, he shall send an intimation to that effect to the applicant and any person so intimated may inform in writing for his registration as a layout-design agent. Upon receipt of the information the Registrar shall cause the applicant's name to be entered in the register of layout-design agents and shall issue to him a certificate on Form OLD-4 of his registration as a layout-design agent on payment of prescribed fee.

Continuance of a Name in the Register of Layout-Design Agents

100. The continuance of a person's name in the register of layout-design agents shall be subject to his payment of the fees prescribed in that behalf.

Removal of Agent's Name from the Register of Layout-Design Agents

101.—(1) The Registrar shall remove from the register of layout-designs agents the name of any registered layout-design agent—

(a) from whom a request has been received to that effect; or

(b) from whom the annual fee has not been received on the expiry of three months from the date on which it became due.

(2) The Registrar shall remove from the register of layout-design agents the name of any registered layout-design agent—

(a) who is found to have been subject at the time of his registration or thereafter has become subject, to any of the disabilities stated in clauses (i) to (vi) of rule 95; or

(b) whom the Registrar has declared not be a fit and proper person to remain in the register by reason of any act of negligence, misconduct or dishonesty committed in his professional capacity;

(c) whose name has been entered in the register by an error or on account of misrepresentation or suppression of material fact:

Provided that before making such declaration under clause *(b)*, the Registrar shall call upon the person concerned to show cause why his registration should not be cancelled and shall make such further enquiry, if any, as he may consider necessary.

(3) The Registrar shall remove from the register of layout-design agents, the name of any registered layout-designs agent who is dead.

(4) The removal of the name of any person from the register of layout-design agents shall be notified in the Official Gazette and in the journal and shall, wherever possible be communicated to the person concerned.

Power of Registrar to Refuse to Deal with Certain Agents

102.—(1) The Registrar may refuse to recognise—

(a) any individual whose name has been removed from, and not restored to the register of layout-design agents;

(b) any person, not being registered as a layout-design agent, who in the opinion of the Registrar is engaged wholly or mainly in acting as agent in applying for layout-designs in India or elsewhere in the name or for the benefit of the person by whom he is employed;

(c) any company or firm, if any person whom the Registrar could refuse to recognise as layout-design agent in respect of any business under these rules, is acting as a director or manager of the company or is a partner in the firm.

(2) The Registrar shall also refuse to recognise as layout-design agent in respect of any business under this rule any person who neither resides nor has a place of business in India.

Restoration of Removed Names

103.—(1) The Registrar may on an application made on Form LDA-2 accompanied by prescribed fee within six months from the date of removal of his name from the register of layout-design agents from a person whose name has been removed under clause *(b)* of sub-rule (1) of rule 101, restore his name to the register of layout-design agents and continue his name therein.

(2) The restoration of a name to the register of layout-designs agents shall be notified in the Official Gazette and in the journal and shall be communicated to the person concerned.

Alteration in the Register of Layout-Design Agents

104.—(1) A registered layout-designs agent may apply on Form LDA-3 accompanied by prescribed fee for alteration of his name, address of the place of residence, address of the principal place of business or qualifications entered in the register of layout-design agents. On receipt of such application, the Registrar shall cause the necessary alteration to be made in the register of layout-design agents.

(2) Every alteration made in the register of layout-design agents shall be notified in the Official Gazette and in the journal.

Publication of the Register of Layout-Design Agents

105. The register of layout-design agents shall be published from time to time, as the Registrar may deem fit, the entries being arranged in the alphabetical order of the surnames of the registered layout-designs agents and, copies thereof shall be placed on sale.

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SCHEDULE I

(Rule 10)

No. of entry	On what payable	Amount Rs. P.	Corresponding Form Number
1.	On application to register a layout-design	5000	LD-1
2.	On a notice of opposition under section 11(1)	500	LD-2
3.	On a counter statement in answer to a notice of opposition under section 11(2) or in answer to an application under section 30	500	LD-3
4.	On notice of intention to attend hearing under section 11 and 30	500	LD-4
5.	On a request under rule 27(1) to state grounds of decision	500	LD-5
6.	On a request for correction of error or for amendment	300	LD-6
7.	On application under section 22 for directions of the Registrar for advertisement of an assignment of layout-design otherwise than in connection with the goodwill of the business	2000	LD-8
8.	On application for extension of time for applying for directions under section 22 for advertisement of assignment of a layout-design otherwise than in connection with the goodwill of the business	500	LD-9
9.	On Application under section 23 to register a subsequent proprietor in case of assignment or transmission of a layout-design	1500	LD-11 or LD- 10
10.	On application under section 30 for rectification of register or removal of layout-design form register	2000	LD-12
11.	On application under section 25 to register a	3000	LD-13

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	registered user of a registered layout-design		
12.	On application under clause *(a)* of section 26*(a)* for cancellation of the entry of a registered user of registered layout-design	1000	LD-14
13.	On application under clause *(b)* or *(c)* of section 26(1) to cancel the entry of a registered user of a registered layout-design	1000	LD-15
14.	On notice under rule 61(2) of intention to intervene in one proceeding for cancellation of entries of a registered user of a registered layout-design	1000	LD-16
15.	On application under section 31 to change the name or description of a registered proprietor or a registered user of a layout-design where there has been no change in the proprietorship or in the identity of a registered user	1000	LD-17
16.	On application under section 31(2) to alter an entry of the address of a registered proprietor or a registered user of a layout-design unless exempted from fee under rule 67(3).	1000	LD-18
17.	On application to make an entry of an address for service in India of a registered proprietor or a registered user of a layout-design unless exempted from fee under rule 67(3)	1000	LD-19
18.	On application under clause *(c)* of section 31(1) for cancelling the entry of a layout-design from the register	1500	LD-20
19.	On request for the Registrar's preliminary advice under section 78 for a layout-design	500	LD-21

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20.	On request for certificate of the Registrar under section 80 or 86 [other than a certificate under section 13(2)]	1000	LD-22
21.	On application for extension of time for a month or part thereof under section 76 [not being a time expressly provided in the Act]	1000	LD-23
22.	On application for review of Registrar's decision under section 72*(c)*	1500	LD-24
23.	On a request for a duplicate or further copy of the certificate of registration	2000	LD-25
24.	On application for appeal under section 42(1)	1500	LD26
25.	On application to Appellate Board to review its decision granting permission to use layout-design by Government or a person authorised by the Government	2000	LD-29
26.	On application for extension of time for giving notice of opposition	500	LD-30
27.	On application for cancellation of registration of a layout-design or of assignment or transmission relating thereto	2000	LD-33
28.	On application to Appellate Board for permission to use layout-design by the Government or a person authorised by the Government	2000	LD-34
29.	On appeal to High Court	2000	LD-35
30.	On application for registration of a Layout-Design Agent under rule 97	2000	LDA-1
31.	For continuance of the name of a person in the register of Layout-Design Agents under rule 100	1000	

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	For every year (excluding the first year) to be paid on the 1st of April, in each year For the first year to be paid along with the fee for registration NB: A year for this purpose will commence on the 1st day of April and end on the 31st day of March following	500 1500	
32.	On application for restoration of the name of a person to the Register of Layout-Design Agents under rule 103	1000	LDA-2
33.	On application for an alteration of any entry in the Register of Layout-Design Agents under rule 104	500	LDA-3

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SCHEDULE II

FORMS

[LIST OF FORMS]

Form No.	Section of the Act	Title	
LD-1	8(1)	Application for registration of layout-design	
LD-2	11(1)	Notice of Opposition to Application for Registration of Layout-Design	
LD-3	11(2)	Form of Counter-Statement	
LD-4	11, 30	Notice of intention to attend hearing	
LD-5		Request for statement of grounds of decision under rule 27(1)	
LD-6	8(3), 12 & 31	Request for clerical error or for amendment	
LD-7		Affidavit (only to be furnished when required by registrar in support of a request under Rule 49)	
LD-8	22	Application for directions for the advertisement of an assignment of layout-design otherwise than in connection with the goodwill of the business	
LD-9	22	Application for extension of time in which to apply for the registrar's direction for the advertisement of an assignment of layout-design otherwise than in connection with the goodwill of the business	

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LD-10	23	Request to register a subsequent proprietor of a layout-design upon the same devolution of title	
LD-11	23	Joint request by registered proprietor and transferee to register the transferee as subsequent proprietor of layout-design upon the same devolution of title	
LD-12	30 & 48(1)	Application for the rectification of the register	
LD-13	25	Application for registration of registered user	
LD-14	26(1)*(a)*	Application by registered proprietor of a layout-design or by any of the registered user of the layout-design for the cancellation of the registered user thereof	
LD-15	26(1)*(b)* or *(c)*	Application for cancellation of entry of a registered user of a layout-design	
LD-16		Notice of intention to intervene in proceedings for the cancellation of an entry of a registered user of a layout-design (rule 61(2))	
LD-17	31	Request to enter change of name or description of registered proprietor (or registered user) of the layout-design upon the register	

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LD-18	31	Application under section 31(2) to alter an entry of the address of a registered proprietor or a registered user of a layout-design unless exempted from fee under rule 67(3)	
LD-19		Form for request by a registered proprietor or a registered user of a layout-design who has no principal place of business in India, to enter, alter or substitute an address for service in India as part of his registration	
LD-20	31(1)*(c)*	Application by registered proprietor of layout-design for the cancellation of entry thereof in the register	
LD-21	78	Request for registrar's preliminary advice as to on the originality or distinctiveness of the layout-design by a person proposing to apply for the registration of layout-design	
LD-22	80 and 87	Request for certificate of the registrar	
LD-23	76	Application for extension of time [not being a time expressly provided in the Act or a time for the extension of which provision is made in the rule	
LD-24	72*(c)*	Application for review of registrar's decision	
LD-25		Request for duplicate or further copy of the certificate of registration (rule 46(3))	

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LD-26	42	Appeal to the Appellate Board under sub-section (1) of section 41	
LD-27	40	Application to Appellate Board to determine royalty (rule 73)	
LD-28	40(3)	Opposition under section 40(3) before the Appellate Board	
LD-29	51(2)	Request for review of decision of Appellate Board to permit use of registered layout-design	
LD-30	11(1)	Application for extension of time for giving notice of opposition	
LD-31		Request to registrar for particulars of advertisement of a layout-design rule 32	
LD-32	84	Form of authorisation of agent in a matter or proceeding under the Act	
LD-33	41	Notice of cancellation of registration of a layout-design or of assignment or transmission relating thereto	
LD-34	51	Request for the permission to use the registered layout-design without authorisation of the proprietor	
LDA-1		Application for registration as a layout-designs agent (rule 97)	
LDA-2		Application for the restoration of the name of a person to the register of layout-designs agents (rule 103)	
LDA-3		Application for an alteration of an entry in the register of trade marks agents (rule 104)	

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FORM LD-1

APPLICATION FOR REGISTRATION OF LAYOUT-DESIGN

(section 8(1), rule 22)

(to be filed in triplicate)

Application is hereby made for the registration of layout-design[1] ----------in the name(s)[2] of ---------- whose address(s)[3] ----------is claim(s) to be the proprietor thereof in respect of the said layout-design.

Endorsed herewith is the duly completed Statement of Particulars relating to the layout-design

The particulars set forth in the enclosed Statement of Particulars are true to the best of my / our knowledge, information and belief.

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Dated this ----------day of ---------- 20--.

[4]----------

To

The Registrar Semiconductor Integrated Circuits Layout-Design,
Office of the Semiconductor Integrated Circuits Layout-Design Registry at[5] ---------.

---

1. *Title of the layout-design*
2. *Insert legibly the full name, description and nationality of the applicant. In the case of a body corporate or firm the country of incorporation or the names and description of the partners composing the firm and the nature of registration, if any, as the case may be, should be stated. See rule 15.*
3. *The applicant must state the address of his principal place of business in India, if any. See rules 3 and 16.*

4. *Signature of the applicant or his agent (legal practitioner or registered layout-design agent or person in the sole and regular employment of the applicants. See section 84)*
5. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*
6. *Layout-design drawings should be preferably on a paper of size 33-centimeter by 20-centimeter.*

Statement of Particulars

(refer Form LD-1)

1. Application no. (to be filled in by the Semiconductor Integrated Circuits Layout-Design Registry):

2. Title of the layout-design

3. Classification of the semiconductor integrated circuit which can be manufactured using the layout-design

    i. Structure[1]
    ii. Technique[2]
    iii. Function[3]

4. Brief description of the layout-design

5. Whether the layout-design has been commercially exploited [Yes / N0]

If yes, then in Place / Country ---------- on Dated this ----------day of ---------- Year ----.

6. Documents enclosed

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i. Drawings/ photograph (three sets)

ii. Semiconductor integrated circuits (4 pieces)

(Where an Integrated Circuit (IC) has been made using layout-design applied for registration)

iii. Details of the fees deposited

iv. Others

7. Name and address of the agent

8. Others, if any

Place: [4]----------

Date:

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1. *Structure implies giving structure details like Bipolar, MOS, Bi-MOS, Optical IC, Other (specify).*

2. *Technique implies giving technique details like TTL, DTL, CMOS, NMOS, PMOS, Other (specify).*

3. *Function implies giving functional details like Logic, Memory, Linear, Microcomputer, Other (specify)*

4. *Signature of the applicant or his agent (legal practitioner or registered layout-design agent or person in the sole and regular employment of the applicant. See section 84)*

FORM LD-2

NOTICE OF OPPOSITION TO APPLICATION FOR REGISTRATION OF A LAYOUT-DESIGN

(section 11(1), rule 33)

(To be filled in triplicate)

In the matter of Application No. ---------- by ---------- I (we)[1] ---------- hereby give notice of my (our) intention to oppose the registration of the semiconductor integrated circuit layout-design advertised under the above number in the semiconductor integrated circuits layout-design Journal dated the ---------- day of ---------- 20-- , No. ------ page -------.

The grounds of opposition are as follows[2, 3]:

All communication in relation to these proceedings may be sent to the following address in India[4].

Dated this ----------day of ---------- 20--

[5]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design

Office of the Semiconductor Integrated Circuits Layout-Design Registry at[6] -----

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1. *State full name and address. An address for service in India should be given if the opponent has no place of business or residence in India*
2. *Give proof / details if opposition is on the ground that the layout- design applied-for registration is not original*
3. *Give proof if the opposition is on the ground that the layout-design has been commercially exploited for a period more than two years on the date on which the application is applied for registration.*
4. *To be stated only by an opponent who has given the address of his principal place of business or of residence in India but who desires to give for the purposes of the opposition proceedings address in India different form that address.*
5. *Signature of the applicant or his agent (legal practitioner or registered layout-design agent or person in the sole and regular employment of the applicant. See section 84)*
6. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry.*

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FORM LD-3

FORM OF COUNTER-STATEMENT

(section 11(2) , rules 34, 64)

(To be filled in triplicate)

In the matter of an [4]opposition/ cancellation no. ------- to application no. ------ for the registration of a semiconductor integrated circuit layout-design.

I/ we[1] --------- the applicant(s) for registration / registered proprietor of the above semiconductor integrated circuit layout-design, here by give notice that the following are the grounds on which I / we rely for my / our application:

I / we admit the following allegations in the notice of [4]opposition / cancellation :

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All communication in relation to these proceedings may be sent to the following address in India[2].

----------Dated this ----------day of ---------- 20--

[3]----------

[5]To

---

1. *State full name and address. An address for service in India should be given if the opponent has no place of business or residence in India*
2. *To be stated only by an applicant who has given the address of his principal place of business or of residence in India but who desires to give for the purposes of the opposition proceedings address in India different form that address.*
3. *Signature of the applicant or his agent (legal practitioner or registered layout-design agent or person in the sole and regular employment of the applicant - see section 84)*
4. *Strike out whichever is not applicable*
5. *Counter statement shall be addressed to Layout-Design Appellate Board in the case of cancellation of Registration or of assignment or transmission of a layout-design (see rule 69) and shall be addressed to the Registrar of the Semiconductor Integrated Circuits Layout-Design in the case of opposition to registration (see rule 33(2)).*

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FORM LD-4

NOTICE OF INTENTION TO ATTEND HEARING

(section 11, 30 rule 41(1), 64)

In the matter of [1] ---------- I/ we[2] ---------- hereby give notice that the hearing in reference to the above matter, which by the official notice to me / us dated the ---------- day ------ of ---- 20-- is fixed for ------ A.M. or P.M. at ------- the[3] --------- on the day of ---------- 20-- will be attended by me / us or by some person on my / our behalf.

Dated this ----------day of ---------- 20--.

[4]----------

[5]To

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1. *Insert particulars as in the official notice.*
2. *Insert name and address*
3. *Insert the Office of the Semiconductor Integrated Circuits Layout-Design Registry or place at which hearing will take place according to the office notice.*
4. *Signature of the person giving notice or his agent (legal practitioner or registered layout-design agent or person in the sole and regular employment of the applicant. See section 84)*
5. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*
6. *Notice of Intention to attend hearing shall be addressed to Layout-Design Appellate Board in the case of cancellation of Registration or of assignment or transmission of a layout-design (see rule 69) and shall be addressed to the*

Registrar of the Semiconductor Integrated Circuits Layout-Design in case of opposition to registration

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FORM LD-5

REQUEST FOR STATEMENT OF GROUNDS OF DECISION

(rule 27(1))

In the matter of[1] ---------- the Registrar is hereby requested to state in writing the grounds of his decision dated the ----------day of ---------- 20-- after hearing on the -------day of ---------- 20-- and the materials used by him in arriving at the decision.

Dated this ----------day of ---------- 20--.

[2]----------

To

The Registrar of the Semiconductor Integrated Circuits Layout-Design,

Office of the Semiconductor Integrated Circuits Layout-Design Registry at[3] ----------

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---

1. Insert particulars identifying the application

2. Signature of the applicant or his agent (legal practitioner or registered layout-design agent or person in the sole and regular employment of the applicant - see section 84)

3. State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.

FORM LD-6

REQUEST FOR CORRECTION OF CLERICAL ERROR OR FOR AMENDMENT

(sections 8(3), 12 and 31 rules 28, 62, 68)

In matters of[1] ---------- I / we ---------- being the[2] applicant(s) in the above matter hereby

opponent(s)

registered proprietor(s)

registered user(s)

request that ----------

[3]A copy of the request has been served on the registered proprietor(s) / registered user(s).

Dated this ----------day of ---------- 20--.

[4]----------

To

The Registrar of the Semiconductor Integrated Circuits Layout-Design,

Office of the Semiconductor Integrated Circuits Layout-Design Registry at[5] ----------

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1. *Insert words and reference number identifying the entry or application or opposition*
2. *Strike out words which are not applicable*
3. *Strike out if not applicable*
4. *Signature*
5. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

FORM LD-7

AFFIDAVIT (ONLY TO BE FURNISHED WHEN REQUIRED BY REGISTRAR IN SUPPORT OF A REQUEST UNDER RULE 49)

(rule 49)

I[1], ---------- of ---------- do hereby solemnly and sincerely declare that the particulars set out in the statement of case and left by me in connection with[2] --------- in respect of the layout-design no. ---------- are true and comprise every material fact and document affecting the present proprietorship of the layout-design, to the best of my knowledge, information and belief.

[3]----------

Dated this ----------day of ---------- 20-- Before me[4] ----------

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---

1. *Insert full name, address and nationality of deponent*
2. *Insert particulars of the proceedings concerned*
3. *To be signed here by the person making the declaration*
4. *Signature and title of authority before whom affidavit is taken. In India affidavit may be taken before any court or person having by law authority to receive evidence or before an officer empowered by a court to administer oath. Outside India affidavit may be taken before a diplomatic or consular officer within the meaning of the Diplomatic and Consular Officers (Oath and Fees) Act, 1948,(41 of 1948) of such country or place or before a notary of the place if the notarial acts done by notaries of the place have been recognised by Central Government under section 14 of the Notaries Act, 1952 (53 of 1952).*

FORM LD-8

APPLICATION FOR DIRECTIONS FOR THE ADVERTISEMENT OF AN ASSIGNMENT OF LAYOUT-DESIGN OTHERWISE THAN IN CONNECTION WITH THE GOODWILL OF THE BUSINESS

(section 22 rule 53(1))

(To be filed in duplicate)

Application is hereby made by[1] ---------- for the Registrar's direction with respect to the advertisement of an assignment of the following layout-design otherwise than in connection with the goodwill of the business in which it had been / was[4] used namely:-

Layout-design no. ----------

The date of assignment was the ----- day of --- 20---.

The instrument effecting the assignment is sent herewith, together with a copy thereof.

It is suggested that the advertisement shall be directed on the Semiconductor Integrated Circuits Layout-Design Journal ----------

All communication relating to this application may be sent to the following address in India ----------

Dated this ----------day of ---------- 20--.

[2]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[3]

---

1. Insert the name, nationality and address of the assignee (applicant)

2. Signature of the applicant or his agent (legal practitioner or registered layout-design agent or person in the sole and regular employment of the applicant - see section 84)

3. State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.

4. Strike out whichever is not applicable

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FORM LD-9

APPLICATION FOR EXTENSION OF TIME IN WHICH TO APPLY FOR THE REGISTRAR'S DIRECTION FOR THE ADVERTISEMENT OF AN ASSIGNMENT OF LAYOUT-DESIGN OTHERWISE THAN IN CONNECTION WITH THE GOODWILL OF THE BUSINESS

(section 22 rule 53(2))

Application is hereby made by[1] ------- for extension of time of[2] ---- month(s) in which to apply for Registrar's directions for the advertisement of an assignment of the following layout-design otherwise than in connection with the goodwill of the business in which it[3] has been / was used, namely:-

Layout-design number ----------

The date of assignment was the ----- day of --- 20---.

All communication relating to this application may be sent to the following address in India ----------

Dated this ----------day of ---------- 20--.

[4]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[5]

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---

1. *Insert the name and address of the assignee (applicant)*
2. *Insert one", "two" or "three"*
3. *Strike out words not applicable*
4. *Signature of the applicant or his agent (legal practitioner or registered layout-design agent or person in the sole and regular employment of the applicant. See section 84)*

5. State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.

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FORM LD-10

REQUEST TO REGISTER A SUBSEQUENT PROPRIETOR OF A LAYOUT-DESIGN UPON THE SAME DEVOLUTION OF TITLE

(section 23 rule 47)

I/ we[1] ----------hereby request that my / our name may be entered in the register of layout-designs as proprietor of layout-design No. ---------- as from the[2] ----------.

I am (or we are) entitled to layout-design by virtue of[3] ----- of which the original and an attested copy are enclosed herewith.

The assignment of the layout-design was[4] (not) made otherwise than in connection with the goodwill of the business in which layout-design[4] (had been) / (was)[4] used (and there is sent herewith a copy of the Registrar's direction to advertise the assignment, a copy of each of the advertisement complying therewith).

I / we declare that the facts and matters stated herein are true to the best of my / our knowledge, information and belief.

Dated this ----------day of ---------- 20--.

[5]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,
The Office of the Semiconductor Integrated Circuits Layout-design Registry at[6]

---

1. *Insert full name, address of the principal place of business in India, if any, nationality and description of the applicant. If there is no place of business in India, state the address of the place of residence in India, if any. If there is not even a place of residence in India, state the address in the home country abroad and an address for service in India.*
2. *State the date of acquisition of proprietorship*

3. *Insert full particulars of the instrument of assignment or transmission, if any, or statement of case*

4. *Strike out any words not applicable*

5. *Signature of the applicant*

6. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

IndiaCode

FORM LD-11

JOINT REQUEST BY REGISTERED PROPRIETOR AND TRANSFEREE TO REGISTER THE TRANSFEREE AS SUBSEQUENT PROPRIETOR OF LAYOUT-DESIGN UPON THE SAME DEVOLUTION OF TITLE

[section 23 rule 47]

We[1] ------- and[2] -------- hereby request, under rule 47, that the name of[3] ------- carrying on business as[4] --------- at[5] -------- may be entered in the register of layout-design as proprietor of the layout-design no. ---------- as from the[6] ------- by virtue of [7] ------- of which the original and an attested copy are enclosed herewith.

The assignment of the layout-design was [8] (not) made otherwise than in connection with the goodwill of the business in which the layout-design (has been) / was used [8] (and there is sent herewith copy of the Registrar's direction to advertise the assignment, a copy of each of the advertisement, complying therewith and a statement of the dates of the issue of any publications containing them).

We declare that the facts and matters stated herein are true to the best of our knowledge, information and belief.

Dated this ----------day of ---------- 20--.

(Signature of the applicants)

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[9]

---

1. *Full name, address, and nationality of registered proprietor, or other assignor or transmitter*
2. *Full name, address and nationality of transferee*

3. *Name of transferee*
4. *Description of transferee (calling or profession)*
5. *Address of the principal place of business in India, if any, of the transferee. If there is no place of business in India state the address of the place of residence in India. If there is not even place of residence in India, state the address in the home country abroad and an address for service in India*
6. *Date of acquisition of proprietorship*
7. *Full particulars of the instrument of assignment or transmission, if any, or statement of case*
8. *Strike out words not applicable*
9. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

IndiaCode

FORM LD-12

APPLICATION FOR THE RECTIFICATION OF THE REGISTER

(sections 30 and 48(1) rule 63)

(to be filed in duplicate along with the statement of case in duplicate and accompanied by as many copies of each of them as there are registered users under the registration)

In the matter of layout-design no. ---------- in the name of -------- --

I/we[1] ---------- hereby apply that the entry in the register in respect of the above mentioned layout-design may be (removed)[2] / (rectified) in the following manner:-

---

The grounds of my/ our application are as follows:-

The[3] ---------- office of the Semiconductor Integrated Circuits Layout-Design Registry has been entered in the register as the appropriate office in relation to this layout-design.

No action concerning the layout-design in question is pending in court.

All communications relating to these proceedings may be sent to the following address in India[4] :-

---

Dated this ----------day of ---------- 20--.

Signature ----------

To

The Layout-Design Appellate Board,

Or

To

IndiaCode

The Registrar of Semiconductor Integrated Circuits Layout-Design,
The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[5]
---

1. *State full name, address and nationality. An address for service in India should be stated if the applicant has no place of business or of residence in India - see rule 17*
2. *Strike out whichever is not applicable*
3. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*
4. *To be stated only by an applicant who has given the address of the principal place of business or of residence in India but who desires to give for the purpose of these proceedings an address in India different from that address*
5. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

IndiaCode

FORM LD-13

APPLICATION FOR REGISTRATION OF REGISTERED USER

(section 25 rule 55)

(To be filed triplicate accompanied by the agreement in writing between the registered proprietor and the proposed registered user or a duly authenticated copy thereof, the other documents mentioned in rule 55(1), an affidavit setting forth particulars and statement as required by rule 55(2) and by two copies of each of the aforesaid document)

Application is hereby made by[1] ---------- who is (or are) the registered proprietor (s) of the layout-design no. ---------- in respect of[2] ---------- and by[3] ----------that the said[4] ---------- may be registered as a registered user of the above mentioned registered layout-design subject to the following conditions and restrictions[5]:-

---

[6](The proposed permitted use is to end on the ---------- day of ------ 20--) /
(The proposed permitted use is without limit of period)

Dated this ----------day of ---------- 20--.

[7]----------

[8]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,
The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[9]

---

1. *State full name, address and nationality of the registered proprietor*
2. *Insert specifications as in the register*

3. *Insert full name, address of the principal place of business in India, if any, nationality and description of the proposed registered user. If there is no place of business in India, state the address of the place of residence in India, if any. If there is not even a place of residence in India, state the address in the home country abroad and an address for service in India.*
4. *Insert name of the proposed registered user*
5. *Write none if there are no conditions or restrictions*
6. *Strike out the words that are not applicable*
7. *Signature of the registered proprietor or his agent*
8. *Signature of the proposed registered user or of his agent*
9. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

IndiaCode

FORM LD-14

APPLICATION BY REGISTERED PROPRIETOR OF A LAYOUT-DESIGN OR BY ANY OF THE REGISTERED USER OF THE LAYOUT-DESIGN FOR THE CANCELLATION OF THE REGISTERED USER THEREOF

(section 26(1)(a) rule 58)

(To be filed in triplicate accompanied by a statement in triplicate of the grounds for the application)

Application is hereby made by[1] ----------being (the registered proprietor)[2] (a registered user) of layout-design no. ---------- in respect of[3] ----- for the cancellation of the entry under the above-mentioned registration of[4] ---------- as a registered user of the layout-design.

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

Dated this ----------day of ---------- 20--.

IndiaCode

Signature----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[5]

---

1. *Insert full name and address of the applicant or of the applicants*
2. *Strike out the words which are not applicable*
3. *Insert the specifications as in the register*
4. *Insert the full name and address of the registered user whose entry is sought to be cancelled*
5. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

FORM LD-15

APPLICATION FOR CANCELLATION OF ENTRY OF A REGISTERED USER OF A LAYOUT-DESIGN

(section 26(1)(b) or (c) rule 58)

(To be filed in triplicate accompanied by a statement in triplicate of the grounds for the application)

In the matter of the layout-design no. ---------- registered in the name of[1] ---------.

Application is hereby made by[2] ---------- for the cancellation of the entry under the above-mentioned registration of[3] ---------- as the registered user thereof.

The grounds of this application, particulars of which are given in detail in the accompanying statement of case are[4]----------

All communications relating to these proceedings may be sent to the following address in India[5] :-

---

Dated this ----------day of ---------- 20--.

Signature----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[6]

---

1. *Insert the name of the registered proprietor*
2. *Insert the name, address and nationality of the applicant for the cancellation*
3. *Insert the name, address and description of the registered user as entered in the register*
4. *Insert one or more of the sub-clauses of (b) of section 26(1).*

5. To be stated only by an applicant who has given the address of the place of business or of residence in India but who desires to give for purposes of these proceedings address different from that address.

6. State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.

IndiaCode

FORM LD-16

NOTICE OF INTENTION TO INTERVENE IN PROCEEDINGS FOR THE CANCELLATION OF AN ENTRY OF A REGISTERED USER OF A LAYOUT-DESIGN

(rule 61 (2))

(To be filed in triplicate accompanied by a statement in triplicate of the grounds of intervention)

In the matter of layout-design no. ---------- registered in the name of[1] ----------

And

In the matter of registration of [2] ---------- thereunder as a registered user of the layout-design. I / we[3] ---------- hereby give notice of my / our intention to intervene in the proceedings in the above matter.

All communications relating to these proceedings may be sent to the following address in India :-

---

Dated this ----------day of ---------- 20--.

[4]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[5]

---

1. *Insert the name of the registered proprietor*
2. *Insert the name, address of the registered user*
3. *Insert full name, address and nationality of the person giving notice*
4. *Signature of the person giving notice or his agent*
5. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

FORM LD-17

REQUEST TO ENTER CHANGE OF NAME OR DESCRIPTION OF REGISTERED PROPRIETOR (OR REGISTERED USER) OF THE LAYOUT-DESIGN UPON THE REGISTER

(section 31 rule 62, 68)

I / we[1] ---------- hereby request that my/ our name(s) and description may be entered in the Register of Layout-Designs as[2] proprietor(s) / registered user(s) of the layout-design no. ----------.

I am / we are entitled to said layout-design as

---------- to use the said layout-design.

.

There has been no change in the actual propreitorship[2] / identity of registered user(s) of the said layout-design, but[3] ----------

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

---

[4]A copy of this request has been served upon the registered user(s) / proprietor(s).

Dated this ----------day of ---------- 20--.

[5]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[6] ----------

IndiaCode

1. *Insert present name and address of the registered proprietor or registered user*
2. *Strike out the words that are not applicable*
3. *State the circumstances under which the change of name took place*
4. *Strike out if not applicable*
5. *Signature of the applicant or his agent*
6. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

IndiaCode

FORM LD-18

REQUEST TO ENTER CHANGE OF NAME OR DESCRIPTION OF REGISTERED PROPRIETOR (OR REGISTERED USER) OF LAYOUT-DESIGN UPON THE REGISTER

[section 31 rule 62, 67, 68]

In the matter of layout-design no. --------.

I / we ---------- of --------- being the registered proprietor / user[1] of the layout-design numbered as above.

[2]Address of my / our principal place of business / or residence in India or address in my / our home country abroad in the Register of Layout-Designs be altered to ----------

[3]The change of address was ordered by[4] ------- on the ------- day of ----- 20--. An officially certified copy of the order is enclosed herewith.

A copy of this request has been served on the registered proprietor / user[2].

Dated this ----------day of ---------- 20--.

[5]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,
The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[6] ----------

---

1. *Strike out whichever is not applicable*
2. *Strike out word(s) not applicable*
3. *Strike out if not applicable*
4. *Insert the name of the public authority ordering the change and date thereof*
5. *Signature of the registered proprietor / user or of his agent*
6. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

FORM LD-19

FORM OF REQUEST BY A REGISTERED PROPRIETOR OR A REGISTERED USER OF A LAYOUT-DESIGN WHO HAS NO PRINCIPAL PLACE OF BUSINESS IN INDIA, TO ENTER, ALTER OR SUBSTITUTE AN ADDRESS FOR SERVICE IN INDIA AS PART OF HIS REGISTRATION

(rule 62, 67, 68)

Request is made by[1] -------- who is registered [2]proprietor/user of layout-design no ------- for the [3]addition, alteration or substitution of an address for service in India in or to the entry thereof so that the address for service in India may read[4] --------.

Dated this ------- day of ---------- 20--.

Signature ----------

IndiaCode

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[5]

Note: A registered proprietor or a registered user whose address for service in India has been altered by a public authority so that the changed address designates the same premises as before may also make the statement for which there is provision on the back of this Form in order to avoid payment of fees.

(To appear on the back of this form)

(For use only in case an address for service in India is changed by a public authority, without change of premises).

The change of address for service in India for the entry of which application is made on the other side of this Form was ordered by[6] ------ on the -------- day of ------ 20--. An officially certified copy of the order is enclosed herewith.

Dated this --------- day of -------- 20--.

Signature ----------

Note : If the above statement be made and an officially certified copy of the order by the named authority necessitating the alteration be supplied, the Registrar if satisfied as to the facts of the case will not require any fee to be paid on Form LD-19.

---

1. *Here insert the full name and address of the person making the request.*
2. *Strike out one of the word "proprietor" or "user" as the case may be.*
3. *Strike out the words that are not applicable.*
4. *State here the precise entry or changed entry desired.*
5. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*
6. *Here insert the name of the public authority ordering the change and date thereof.*

IndiaCode

FORM LD-20

(APPLICATION BY REGISTERED PROPRIETOR OF LAYOUT-DESIGN FOR THE CANCELLATION OF ENTRY THEREOF IN THE REGISTER)

[section 31(1)(c) rule 68]

In the matter of Layout-Design No. ---------- name of the registered proprietor ---------- address as entered in the register ----------.

Application is hereby made by the aforesaid registered proprietor that the entry in the Register of layout-design no. ---------- may be cancelled.

[1]A copy of the application has been served on the registered user(s).

Dated this ----------day of ---------- 20--.

[2]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[3]

IndiaCode

1. *Strike if not applicable*
2. *Signature of the registered proprietor or of his agent*
3. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

FORM LD-21

REQUEST FOR REGISTRAR'S PRELIMINARY ADVICE AS TO THE ORIGINALITY OR DISTINCTIVENESS OF THE LAYOUT-DESIGN BY A PERSON PROPOSING TO APPLY FOR THE REGISTRATION OF LAYOUT-DESIGN

(section 78 rule 21)

I / we[1] ---------- hereby request the Registrar to advice me / us whether the accompanying layout-design appears to him

prima facie original so as comply with the requirements of clause *(a)* of sub-section (1) of section 7 of the Act for registration in the Register of Layout-Design.

The Registrar's advice may be sent to the following address in India[2]

Dated this ----------day of ---------- 20--.

[3]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,
The Office of the Semiconductor Integrated Circuits Layout-Design Registry at
[4]----------

---

1. *State the name and address in full*
2. *State only if the address given at 1 is not of a place in India*
3. *Signature*
4. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout – Design Registry – see Rule 4*

IndiaCode

FORM LD-22

REQUEST FOR CERTIFICATE OF THE REGISTRAR

[section 80 and 87 rule 88, 89]

In the matter[1] of layout-design no. ----------.

I / we[2] ---------- hereby request the Registrar to furnish me / us with[3] his certificate to the effect that[4] / a certified copy[5] ---------- a certificate of the registration of layout-design for use in obtaining registration in [6] ----------

[3]The certificate / certified copy may be sent to the following address in India[7] :

Dated this ----------day of ---------- 20--.

Signature----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[8]

---

1. *These words may be varied to suit other cases*
2. *Insert the name, address and nationality of the person making the request*
3. *Strike out words that are not applicable*
4. *Set out the particulars which the registrar is required to certify or state particulars of the document of which a certified copy is required*
5. *Strike out words that are not applicable*
6. *Insert the name of the country*
7. *To be stated only where the address given is not an address in India*
8. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

FORM LD-23

APPLICATION FOR EXTENSION OF TIME [NOT BEING A TIME EXPRESSLY PROVIDED IN THE ACT OR A TIME FOR THE EXTENSION OF WHICH PROVISION IS MADE IN THE RULE]

[section 76 rule 75]

In matter of[1] ----------

I / we[2] ---------- being the ---------- in the above matter hereby apply for an extension of time[3] ---------- for[4] ---------- on the following grounds:

Dated this ----------day of ---------- 20--.

[5]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[6]

IndiaCode

1. *Insert words and reference number identifying the matter in respect of which the application is made*
2. *State full name and address*
3. *Insert the period of extension*
4. *State the purpose for which extension of time is required*
5. *Signature*
6. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

FORM LD-24

APPLICATION FOR REVIEW OF REGISTRAR'S DECISION

[section 72(c) rule 84]

(To be filed in triplicate together with a statement in triplicate - vide rule 84)

In the matter of[1] ----------

I / we[2] ---------- being the ---------- in the above matter hereby apply to the Registrar for the review of this decision date the --------- day of ------ 20--- in the above matter.

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

Dated this ----------day of ---------- 20--.

[3]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[4]

IndiaCode

---

1. *Insert words and reference number identifying the matter in respect of which the application is made*
2. *State full name and address*
3. *Signature*
4. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

FORM LD-25

REQUEST FOR DUPLICATE OR FURTHER COPY OF THE CERTIFICATE OF REGISTRATION

(rule 46(2))

I / we[1] ---------- request the Registrar to furnish me / us with duplicate / further copy[2] of the certificate of registration issued to me / us under sub-section (2) of section 13 in respect of my / our layout-design no. --------.

The duplicate / further copy of the certificate may be sent to my / our following address in India:-

---

Dated this ---------- day of --------- 20--.

IndiaCode

(signature of the applicant or of his agent)

To

The Registrar of the Semiconductor Integrated Circuits Layout-Design Registry,
The office of the Semiconductor Integrated Circuits Layout-Design Registry at[3]-----

---

1. Insert the name and address of the registered proprietor

2. *Strike out whichever is not applicable*

3. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout Design Registry- see rule 4*

FORM LD-26

APPEAL TO THE APPELLATE BOARD UNDER SUB-SECTION (3) OF SECTION 42

[section 42(3) rule 74]

Name and address of the appellant ----------

Name and address of the respondent ----------

Particulars of order and decision against which the appeal is preferred----------

Grounds of appeal

Signature of the appellant

Verification

I, the above named appellant, do hereby verify that the contents of the grounds ---------- are true to my personal knowledge and belief. And the contents of the grounds ----------are based on the legal advice tendered to me. Nothing is concealed herein. Verified on ----------day of ---------- 20--.

Signature of the appellant

To

The Layout-Design Appellate Board

IndiaCode

FORM LD-27

APPLICATION FOR DETERMINING ROYALTY

[section 40(2) rule 73(1)]

Layout-design no. in respect of which application is filed ----------

Name and address of the applicant ----------

Name and address of the opposite party ----------

Brief facts and grounds in support of royalty

Benefit accrued by performing or directing to be performed the acts referred to in clause *(b)* of sub-section (1) of section 18 in respect of above-mentioned layout-design

---

Signature of the applicant

To

The Layout-Design Appellate Board

IndiaCode

FORM LD-28

OPPOSITION UNDER SECTION 40(3) OF THE SEMICONDUCTOR INTEGRATED CIRCUITS LAYOUT-DESIGN ACT, 2000 BEFORE THE LAYOUT-DESIGN APPELLATE BOARD

(section 40(3) rule 73(2))

Particulars of the application against which the application is filed

---

Name and address of the applicant ----------

Name and address of the opposite party ----------

Grounds of opposition ----------

IndiaCode

Signature of opposite party

To

The Layout-Design Appellate Board

FORM LD-29

REQUEST FOR REVIEW OF DECISION OF APPELLATE BOARD TO PERMIT USE OF REGISTERED LAYOUT-DESIGN

(section 51(3) rule 72)

Layout-design no.----------

I / we[1] ---------- registered proprietor of the layout-design hereby request for review of the decision of the Appellate Board dated------- day of ----- 20---- permitting use of aforesaid layout-design under sub-section (1) of section 51, on the following grounds, namely:

Dated this---------- day of ------ 20---

[2]----------

To

The Layout-Design Appellate Board

---

1. *Name and address as mentioned in the register*
2. *Signature of the registered proprietor or his agent*

IndiaCode

FORM LD-30

APPLICATION FOR EXTENSION OF TIME FOR GIVING NOTICE OF OPPOSITION

(section 11(1) rule 33(2))

In the mater of Application No. ----------

I / we[1] ---------- hereby apply for extension of time[2] ---------- for giving notice of opposition to the registration of the semiconductor integrated circuit layout-design advertised under the above number in the Semiconductor Integrated Circuits Layout-Design Journal dated the ---------- day of ----- 20--.

The reasons for making this application are as follow:-

All communication relating to this application may be sent to the following address in India[3]:-

---

Dated this ------- day of ------- 20--.

Signature ----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design Registry

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[4] -------

IndiaCode

---

1. *State the full name and address.*
2. *Insert the period of extension required which shall not exceed one month beyond three months from the date of advertisement or re-advertisement, as the case may be, of the application in the Semiconductor Integrated Circuits Layout-Design Journal*
3. *To be stated if the address given is not the address in India.*
4. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule4.*

FORM LD-31

REQUEST TO REGISTRAR FOR PARTICULARS OF ADVERTISEMENT OF A LAYOUT-DESIGN

(rule 32)

I / we[1] ----------hereby request that I / we may be informed of the date on which the layout-design sought to be registered under application no. --------- in name of ---------- is advertised in the Semiconductor Integrated Circuits Layout-Design Journal.

This information may be sent to the following address in India[2]

Dated this ---------- day of --------- 20--.

(signature of the applicant or of his agent)

To

The Registrar of the Semiconductor Integrated Circuits Layout-Design Registry,
The office of the Semiconductor Integrated Circuits Layout-Design Registry at[3] -----

---

1. *State full name and address*
2. *State only if the address given in 1 is not of a place in India*
3. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry - see rule 4*

FORM LD-32

FORM OF AUTHORISATION OF AGENT IN A MATTER OR PROCEEDING UNDER THE ACT

[section 84, rule 20]

(To be stamped under the law for the time being in force)

I / we[1] ----------hereby authorise[2] --------- of --------- to act as my / our agent for[3] ---------- and request that all notices, requisitions and communications relating thereto may be sent to such agent at the above address.

I / we hereby revoke all previous authorisation, if any, in respect of the proceeding.

Dated this ----------day of ---------- 20--.

[4]----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[5]

IndiaCode

---

1. *Insert full name, address and nationality*
2. *Insert full name and address of agent (legal practitioner, registered layout-design agent or a person in the sole and regular employment of the person appointing the agent*
3. *State the particular matter or proceeding for which the agent is appointed, giving the reference number if known*
4. *To be signed by the person appointing the agent*
5. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

FORM LD-33

APPLICATION FOR CANCELLATION OF REGISTRATION OF A LAYOUT-DESIGN OR OF ASSIGNMENT OR TRANSMISSION RELATING THERETO

[section 41 rule 69]

In the matter of Layout-Design No. ---------- name of registered proprietor ---------- address as entered in the register ----------.

I / we[1] ---------- hereby give notice of cancellation of [2]registration / assignment / transmission of above layout-design.

The grounds of cancellation are as follows[3,4] ----------

Dated this ----------day of ---------- 20--.

Signature ----------

To

The Layout-Design Appellate Board

1- Give full name, address and nationality

2- Strike out whichever is not applicable

3- Give proof / details if cancellation of registration is on the ground that the layout-design is not original or it has been commercially exploited for a period more than two years from the date on which application for its registration was filed (see section 7)

4- Give proof / detail that the assignment or transmission is contrary to any provision of the law (see clause (b) of sub-section (1) of section 41).

IndiaCode

FORM LD-34

APPLICATION UNDER SECTION 51 FOR THE PERMISSION TO USE THE REGISTERED LAYOUT-DESIGN

(section 51 rule 70)

Name and address of the applicant ----------

Name and address of the registered proprietor of the layout-design in respect of which the application is made ----------

Layout-design no. (referred above) ----------

Whether the permission is sought for the use of layout-design by the Central Government or by the State Government or by any other person authorised by such Government.----------

If permission is sought for the use of the layout-design by the person authorised by the Government, the name and address of such person

----

IndiaCode

Signature of the applicant

Verification

I, the above-mentioned applicant, do hereby verify that the contents of the grounds ---------- are true to [1]my personal knowledge and belief / on the basis of Government record. And the contents of the grounds ---------- are based on the legal advice tendered to me. Nothing is concealed herein. Verified on ---------- day of ---------- 20--.

Signature of the applicant

1. *Strike out whichever is not applicable*

In the matter of layout-design no. ---------- name of registered proprietor ---------- address as entered in the register ----------.

I / we[1] ----------, [2]having authorised by the Government, hereby give notice to use the above layout-design on the grounds[3,4]

(a) for non-commercial public purposes

(b) for the purposes relating to national emergency or extreme public urgency

I / we[1] ---------- hereby give notice to use the above layout-design on the grounds[3]

to remedy anti-competitive practice

I/we have tried to enter into agreement with the registered proprietor of layout-design on reasonable terms and conditions and such efforts have not been successful[5].

Dated this ----------day of ---------- 20--.

Signature ----------

To

Layout-Design Appellate Board,

1. *Give full name , address and nationality*
2. *Give details and proof of the Government authorisation*

3. Strike whichever is not applicable

4. Provide the details of grounds

5. Provide details of the efforts made including copies of the correspondence

6. Strike out whichever is not applicable

IndiaCode

FORM LD-35

APPLICATION TO HIGH COURT AGAINST DECISION OR ORDER OF APPELLATE BOARD

[section 53(1) rule 91]

In the matter of layout-design no. ---------- name of registered proprietor ---------- address as entered in the register ----------.

I / we[1] ---------- hereby prefer appeal against the decision / order of the Layout-Design Appellate Board no. ---------- dated this ----------day of ---------- 20--.

The grounds of appeal are as follows ----------

Dated this ----------day of ---------- 20--.

Signature ----------

To

The Registrar,

High Court at [2] ----------

---

1. Strike out whichever is not applicable

2. State the name of the place of the appropriate High Court.

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FORM LDA-1

APPLICATION FOR REGISTRATION AS A LAYOUT-DESIGNS AGENT

[rule 97]

(To be filed in triplicate)

I beg to apply for registration as a layout-designs agent under the Semiconductor Integrated Circuits Layout-Design Act, 2000 (37 of 2000).

A certificate of character from ---------- is enclosed herewith.

I hereby declare that I am not subject to any of the disabilities state in clauses (I), (ii), (iii), (iv), (v) and (vi) of rule 95 of the Semiconductor Integrated Circuits Layout-Design Rules, 2001 and that the information given below is true to the best of my knowledge and belief.

1. Name in full beginning with surname if any (in capital letters) ----------
2. Address of the place of residence ----------
3. Principal place of business ----------
4. Father's name ----------
5. Nationality ----------
6. Date and place of birth ----------
7. Occupation in full ----------
8. Particulars of qualifications for registration as a layout-designs agent---------
9. Whether at any time removed from the Register of Layout-Designs Agents and if so the reasons for such removal ----------

Signature ----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,

The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[1]

The certificate testifying to the character of the candidate should be from a person not related to the candidate and being a District Magistrate, A Chief Presidency Magistrate or the

Chief Administrative Officer of the district where the candidate usually resides, or from any other person whom the Registrar may consider it.

Either original diplomas, certificates and other documents in support of qualifications claimed, or copies thereof duly attested by a Magistrate or a Notary Public must be sent with the application.

Particulars such as the amount of experience in layout-designs agent's office or with a commercial firm of repute, may be specified.

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1. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

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FORM LDA-2

APPLICATION FOR THE RESTORATION OF THE NAME OF A PERSON TO THE REGISTER OF LAYOUT-DESIGNS AGENTS

[rule 103]

(To be filed in triplicate)

I ---------- (name and address)---------- of ---------- hereby apply for the restoration of my name to the Register of layout-designs agents in which my name was entered under No --------. My name was removed on ---------- under clause *(b)* of rule 101(1) of the Semiconductor Integrated Circuits Layout-Design Rules, 2001.

Dated this ------- day of ------- 20--.

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Signature ----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,
The Office of the Semiconductor Integrated Circuits Layout-Design Registry at[1]

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1. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

FORM LDA-3

APPLICATION FOR AN ALTERATION OF AN ENTRY IN THE REGISTER OF LAYOUT DESIGN AGENTS

[rule 104]

(To be filled in triplicate)

I ------- (name and address)---------- of ------- being a registered layout-designs agent (Registration No. --------) hereby request that my [1]name, address of the place of residence, address of the principal place of business or qualifications entered in the register of layout-designs agents may be altered as follows:-

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Dated this ---------- day of ------- 20--.

Signature ----------

To

The Registrar of Semiconductor Integrated Circuits Layout-Design,
The Office of the Semiconductor Integrated Circuits Layout-Design Registry at [2]

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1. *Strike out words not applicable*
2. *State the name of the place of the appropriate office of the Semiconductor Integrated Circuits Layout-Design Registry. See rule 4.*

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Schedule III

List of the forms to be used by the Registrar

LIST OF FORMS

Form No.	Section	Title
OLD-1	13(3)	Notice of non-completion of registration
OLD-2	13(2)	Certificate of registration of layout-design
OLD-3	40(3)	Layout-Design Appellate Board Notice under section 40(3)
OLD-4	Rule 100	Certificate of registration of a person as Layout-Design Agent
OLD-5	25(3)	Notice of registration as registered user
OLD-6	26(2)	Notice of cancellation of registration of registered user
OLD-7	30(4)	Notification of rectification/ correction of the register to Registrar from Appellate Board.
OLD-8	41	Notice of cancellation of registration of a layout-design or of assignment or transmission relating to.

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OLD-9	51(2)	Notice for review of decision permitting use of registered layout-design.

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FORM OLD-1

SEMICONDUCTOR INTEGRATED CIRCUITS LAYOUT-DESIGN REGISTRY

NOTICE OF NON-COMPLETION OF REGISTRATION

(section 13(3), rule 43)

No. ----------

Notice is hereby given as required by section 13(1) of the Semiconductor Integrated Circuits Layout-Design Act, 2001 that the registration of the layout-design, in respect of which application numbered as above was made on the ---------- day of ----- 20--, has not been completed by reason of default on the part of the applicant. Unless registration is completed within twenty-one days from the date of this notice, the application will be treated as abandoned.

Dated this --------- day of -------- 20--.

(Registrar of Semiconductor Integrated Circuits Layout-Design)

To

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FORM OLD-2

GOVERNMENT OF INDIA

THE SEMICONDUCTOR INTEGRATED CIRCUITS LAYOUT-DESIGN REGISTRY

CERTIFICATE OF REGISTRATION

(section 13(2) rule 46(1))

Layout-design no.----------

Dated ----------

Certified that the layout-design[1] ----------, of which a drawing / photograph ([2]complete or blocked out) is annexed herewith, has been registered in the register in the name of ---------- as of date ----------

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Sealed at my direction this ---------- day of ------ 20--.

Registrar of the Semiconductor Integrated Circuits Layout-Design

Registration is for 10 years from the date first above mentioned.

This certificate is not for use in legal proceedings or for obtaining registration abroad.

Note: Upon any change of ownership of the layout-design or change in address of the principal place of business or address of service in India, applicant should at once be made to register the change.

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1. *Description of the Layout-Design as entered in the Register of Layout-Designs*
2. *Strike out whichever is not applicable*

FORM OLD-3

LAYOUT-DESIGN APPELLATE BOARD

NOTICE UNDER RULE 73

[section 40(3) rule 73(2)]

Notice is hereby given as required by section 40(3) of the Semiconductor Integrated Circuits Layout-Design Act, 2001, that[1] ---------- has filed an application before this Appellate Board, a copy of which is enclosed herewith. You may file opposition to the application within thirty days from the date on which this notice is served on you on Form LD-28 specified in schedule II to the Semiconductor Integrated Circuits layout-Design Rules, 2001.

The application will come up before this Appellate Board on ---------- day of ------- 20--.

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------- ----------

Signature of the Officer authorised by the Appellate board

To

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1. Name of the applicant

FORM OLD-4

GOVERNMENT OF INDIA

THE SEMICONDUCTOR INTEGRATED CIRCUITS LAYOUT-DESIGN REGISTRY

CERTIFICATE OF REGISTRATION TO A LAYOUT-DESIGNS AGENT

[Rule 99]

No.----------

This is to certify that ---------- of ---------- was registered on this ------ day of ----- 20-- in the Register of Layout-Designs Agent maintained under rule 96 of the Semiconductor Integrated Circuits Layout-Design Rules, 2001.

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Registrar of the Semiconductor Integrated Circuits Layout-Design Registry

FORM OLD-5

SEMICONDUCTOR INTEGRATED CIRCUITS LAYOUT DESIGN REGISTRY

NOTICE OF REGISTRATION AS REGISTERED USER

[section 25(3) rule 57]

Whereas[1] ---------- the registered proprietor of the layout-design no. ---------- and [2]---------- proposed registered user made the application on ------ day of ---- 20--for the registration of the said proposed registered user as a registered user of the said layout-design and [2]---------- the proposed registered user has been registered under sub-section (2) of section 25 of the Semiconductor Integrated Circuits Layout-Design Act, 2000 (37 of 2000).

Therefore, this notice is issued under sub-section (3) of section 25 of the said Act of the registration of [2]---------- as registered user to the other registered user of the said layout-design, namely:-

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Registrar of the Semiconductor Integrated Circuits Layout-Design Registry

[3]To

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1. *Name and address of the registered proprietor*
2. *Name and address of the proposed registered user*
3. *Address to whom the notice is sent*

FORM OLD-6

SEMICONDUCTOR INTEGRATED CIRCUITS LAYOUT-DESIGN REGISTRY

NOTICE OF CANCELLATION OF REGISTRATION OF REGISTERED USER

(section 26(2) rule 60)

No.----------

Layout-design no. ----------

Dated ----------

Notice is hereby given, as required under sub-section (2) of section 26 of the Semiconductor Integrated Circuits Layout-Design Act, 2000 (37 of 2000), that [3]---------- has filed an application to cancel the registration of the registered user[1] ---------- of the above said layout-design registered on the[2] ---------- day of ------ 20------ on the following grounds:

Registrar of Semiconductor Integrated Circuits Layout-Design

To

*[4,5]----------

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1. Full name and address of the registered user
2. Date of registration of the registered user
3. Name and address of the applicant
4. Name and address of the proprietor
5. Name and address of the registered user

* Strike out whichever is not applicable

FORM OLD-7

LAYOUT-DESIGN APPELLATE BOARD

NOTICE OF RECTIFICATION / CORRECTION OF THE REGISTER

(section 30(4) rule 66)

No.----------

Layout-design no. ----------

Dated ----------

Notice is hereby given, as required under section 30(4) of the Semiconductor Integrated Circuits Layout-Design Act, 2000 (37 of 2000), that the following rectification / corrections shall be done in the register with respect to the aforesaid layout-design:

[1]----------

[2]----------

Signature

To

The Registrar of Semiconductor Integrated Circuits Layout-Design

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1. *Details of the rectification / corrections to be carried out in the register*
2. *Signature of the authorised officer of the Appellate Board*

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FORM OLD-8

LAYOUT-DESIGN APPELLATE BOARD

NOTICE OF CANCELLATION OF REGISTRATION OF A LAYOUT-DESIGN OR OF ASSIGNMENT OR TRANSMISSION RELATING THERETO

[section 41 rule 69(1)]

Notice is hereby given as required by section 41(2) of the Semiconductor Integrated Circuits Layout-Design Act, 2000 (37 of 2000) that[1] ---------- has filed an application before the Appellate Board a copy of which is enclosed herewith. You may file reply to the application, if any, within thirty days from the date on which this notice is served on you.

The application will come up before this Appellate Board on -------day of ----------20--.

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Signature of the person authorised by the Appellate Board

[2]To

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1. Name of the applicant

2. Name and address of the opposite party

FORM OLD-9

LAYOUT-DESIGN APPELLATE BOARD

NOTICE FOR REVIEW OF DECISION PERMITTING USE OF REGISTERED LAYOUT-DESIGN

(section 51(3) rule 72(2))

No.----------

Notice is hereby given as required under section 51(3) of the Semiconductor Integrated Circuits Layout-Design Act, 2000 (37 of 2000), in respect of the review of the decision to permit use of layout-design no. ---------- on the following grounds, namely:

The arguments in the case shall be heard on this ----------day of ------ 20--.

[1]----------

To

[2]----------

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1. *Signature of the authorised officer of the Appellate Board*
2. *Name and address of the person authorised to use the layout-design by the Appellate Board*

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