

## Computation of time for filing at the Registry

The filing of a notice of opposition, counter-statement, evidence or other document is deemed to be effected, when delivered, at the time that it is actually received at the Registry and recorded as received (rule 108(3)).

The document can only be received (and be recorded as received) if it is delivered during the normal business hours of the Registry (rule 108(1)). The normal business hours of the Registry are published in the Hong Kong Intellectual Property Journal according to rule 114 and posted in the Registry.

If sent by post, the filing is deemed to be effected when the document is actually received at the Registry (rule 108(2)).

The provisions of section 89 and rule 96 (extension of time limits in case of interruption in Registry's operation) will be taken into account in calculating the final day for filing.

**For the avoidance of doubt, the last day for filing a notice of opposition to an application published on 11 December 2003 is 10 March 2004, not 11 March 2004. A notice of opposition filed on 11 March 2004 would be out of time and if an application is also filed on 11 March 2004 to extend time by one day it cannot be accepted as it would not comply with the provisions of rule 16(4) which is non-extendible under rule 95(1)(e).**

This applies only to notices of opposition. All other time limits in the rules are expressed to run within the period calculated from the day after receipt of the previous document. A counter-statement to a notice of opposition received on 10 March 2004 would be in time if filed on 10 June 2004.

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