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**Changes to legislation:** Patents Act 1977, Paragraph 2 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 2

#### APPLICATION OF THIS ACT TO EXISTING PATENTS AND APPLICATIONS

- 2 In those provisions as they apply by virtue of this Schedule—
- (a) a reference to this Act includes a reference to the 1949 Act;
  - (b) a reference to a specified provision of this Act other than one of those provisions shall be construed as a reference to the corresponding provision of the 1949 Act (any provision of that Act being treated as corresponding to a provision of this Act if it was enacted for purposes which are the same as or similar to that provision of this Act);
  - (c) a reference to rules includes a reference to rules under the 1949 Act;
  - (d) references to a patent under this Act and to an application for such a patent include respectively a reference to an existing patent and application;
  - (e) references to the grant of a patent under this Act includes a reference to the sealing and grant of an existing patent;
  - (f) a reference to a patented product and to a patented invention include respectively a reference to a product and invention patented under an existing patent;
  - (g) references to a published application for a patent under this Act, and to publication of such an application, include respectively references to a complete specification which has been published under the 1949 Act and to publication of such a specification (and a reference to an application for a patent under this Act which has not been published shall be construed accordingly);
  - (h) a reference to the publication in the journal of a notice of the grant of a patent includes a reference to the date of an existing patent;
  - (i) a reference to the priority date of an invention includes a reference to the priority date of the relevant claim of the complete specification.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 56(4)(a)(iiia) and word added by [S.I. 2006/1056 Sch. para. 2\(b\)](#) (This amendment comes into force on the day on which 2005 asp 13, s. 20 comes into force, see art. 1(2)(b))
- s. 63(3)(a) words in s. 63(3) renumbered as s. 63(3)(a) by [2004 c. 16 s. 2\(4\)](#) (Amendment not applied to legislation.gov.uk. S. 2(4) was repealed (29.4.2006) by S.I. 2006/1028, art. 2(4), Sch. 4)
- s. 63(3)(b) and word inserted by [2004 c. 16 s. 2\(4\)](#) (Amendment not applied to legislation.gov.uk. S. 2(4) was repealed (29.4.2006) by S.I. 2006/1028, art. 2(4), Sch. 4)