



# Patents Act 1977

## 1977 CHAPTER 37

### PART I

#### NEW DOMESTIC LAW

##### *Applications*

#### **14 Making of application.**

(1) Every application for a patent—

- (a) shall be made in the prescribed form and shall be filed at the Patent Office in the prescribed manner; [<sup>F1</sup>and]
- (b) [<sup>F1</sup>shall be accompanied by the fee prescribed for the purposes of this subsection (hereafter in this Act referred to as the filing fee).]

[<sup>F2</sup>(1A) Where an application for a patent is made, the fee prescribed for the purposes of this subsection (“the application fee”) shall be paid not later than the end of the period prescribed for the purposes of section 15(10)(c) below.]

(2) Every application for a patent shall contain—

- (a) a request for the grant of a patent;
- (b) a specification containing a description of the invention, a claim or claims and any drawing referred to in the description or any claim; and
- (c) an abstract;

but the foregoing provision shall not prevent an application being initiated by documents complying with section 15(1) below.

(3) The specification of an application shall disclose the invention in a manner which is clear enough and complete enough for the invention to be performed by a person skilled in the art.

(4) . . . . . <sup>F3</sup>

(5) The claim or claims shall—

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*Changes to legislation: Patents Act 1977, Section 14 is up to date with all changes known to be in force on or before 20 February 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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- (a) define the matter for which the applicant seeks protection;
  - (b) be clear and concise;
  - (c) be supported by the description; and
  - (d) relate to one invention or to a group of inventions which are so linked as to form a single inventive concept.
- (6) Without prejudice to the generality of subsection (5)(d) above, rules may provide for treating two or more inventions as being so linked as to form a single inventive concept for the purposes of this Act.
- (7) The purpose of the abstract is to give technical information and on publication it shall not form part of the state of the art by virtue of section 2(3) above, and the comptroller may determine whether the abstract adequately fulfils its purpose and, if it does not, may reframe it so that it does.
- (8) ..... <sup>F3</sup>
- (9) An application for a patent may be withdrawn at any time before the patent is granted and any withdrawal of such an application may not be revoked.
- [<sup>F4</sup>(10) Subsection (9) above does not affect the power of the comptroller under section 117(1) below to correct an error or mistake in a withdrawal of an application for a patent.]

#### Textual Amendments

- F1** S. 14(1)(b) and preceding word ceased to have effect (1.1.2005) by virtue of [The Regulatory Reform \(Patents\) Order 2004 \(S.I. 2004/2357\)](#), arts. 1(2), **4(2)** (with arts. 20-23)
- F2** S. 14(1A) inserted (1.1.2005) by [The Regulatory Reform \(Patents\) Order 2004 \(S.I. 2004/2357\)](#), arts. 1(2), **4(3)** (with arts. 20-23)
- F3** S. 14(4)(8) repealed by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 303(2), **Sch. 8**
- F4** S. 14(10) inserted (1.1.2005) by [The Regulatory Reform \(Patents\) Order 2004 \(S.I. 2004/2357\)](#), arts. 1(2), **4(4)** (with arts. 20-23)

**Changes to legislation:**

Patents Act 1977, Section 14 is up to date with all changes known to be in force on or before 20 February 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.

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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)