



# Patents Act 1977

## 1977 CHAPTER 37

### PART I

#### NEW DOMESTIC LAW

##### *Property in patents and applications, and registration*

#### [<sup>F1</sup>32 Register of patents etc.

- (1) The comptroller shall maintain the register of patents, which shall comply with rules made by virtue of this section and shall be kept in accordance with such rules.
- (2) Without prejudice to any other provision of this Act or rules, rules may make provision with respect to the following matters, including provision imposing requirements as to any of those matters—
  - (a) the registration of patents and of published applications for patents;
  - (b) the registration of transactions, instruments or events affecting rights in or under patents and applications;
  - [ the entering on the register of notices concerning opinions issued, or to be issued, under section 74A below;]
  - (ba) <sup>F2</sup>
  - (c) the furnishing to the comptroller of any prescribed documents or description of documents in connection with any matter which is required to be registered;
  - (d) the correction of errors in the register and in any documents filed at the Patent Office in connection with registration; and
  - (e) the publication and advertisement of anything done under this Act or rules in relation to the register.
- (3) Notwithstanding anything in subsection (2)(b) above, no notice of any trust, whether express, implied or constructive, shall be entered in the register and the comptroller shall not be affected by any such notice.
- (4) The register need not be kept in documentary form.

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*Changes to legislation: Patents Act 1977, Section 32 is up to date with all changes known to be in force on or before 01 April 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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- (5) Subject to rules, the public shall have a right to inspect the register at the Patent Office at all convenient times.
- (6) Any person who applies for a certified copy of an entry in the register or a certified extract from the register shall be entitled to obtain such a copy or extract on payment of a fee prescribed in relation to certified copies and extracts; and rules may provide that any person who applies for an uncertified copy or extract shall be entitled to such a copy or extract on payment of a fee prescribed in relation to uncertified copies and extracts.
- (7) Applications under subsection (6) above or rules made by virtue of that subsection shall be made in such manner as may be prescribed.
- (8) In relation to any portion of the register kept otherwise than in documentary form—
  - (a) the right of inspection conferred by subsection (5) above is a right to inspect the material on the register; and
  - (b) the right to a copy or extract conferred by subsection (6) above or rules is a right to a copy or extract in a form in which it can be taken away and in which it is visible and legible.
- (9) <sup>F3</sup>... the register shall be prima facie evidence of anything required or authorised by this Act or rules to be registered and in Scotland shall be sufficient evidence of any such thing.
- (10) A certificate purporting to be signed by the comptroller and certifying that any entry which he is authorised by this Act or rules to make has or has not been made, or that any other thing which he is so authorised to do has or has not been done, shall be prima facie evidence, and in Scotland shall be sufficient evidence, of the matters so certified.
- (11) Each of the following, that is to say—
  - (a) a copy of an entry in the register or an extract from the register which is supplied under subsection (6) above;
  - (b) a copy of any document kept in the Patent Office or an extract from any such document, any specification of a patent or any application for a patent which has been published,

which purports to be a certified copy or a certified extract shall, <sup>F4</sup>... be admitted in evidence without further proof and without production of any original; and in Scotland such evidence shall be sufficient evidence.

<sup>F5</sup>(12) .....

- (13) In this section “certified copy” and “certified extract” mean a copy and extract certified by the comptroller and sealed with the seal of the Patent Office.
- (14) In this Act, except so far as the context otherwise requires—
  - “register”, as a noun, means the register of patents;
  - “register”, as a verb, means, in relation to any thing, to register or register particulars, or enter notice, of that thing in the register and, in relation to a person, means to enter his name in the register;
 and cognate expressions shall be construed accordingly.]

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#### Textual Amendments

- F1** S. 32 substituted by [Patents, Designs and Marks Act 1986 \(c. 39, SIF 67A\)](#), s. 1, [Sch. 1 para. 4](#)
- F2** S. 32(2)(ba) inserted (1.10.2005) by [Patents Act 2004 \(c. 16\)](#), [ss. 13\(3\)](#), 17(1); [S.I. 2005/2471](#), art. 2(c)
- F3** Words in s. 32(9) repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 6](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(3\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))
- F4** Words in s. 32(11) repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 6](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(3\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))
- F5** S. 32(12) repealed (14.4.2000) by [1999 c. 23](#), s. 67, [Sch. 6](#) (with [Sch. 7 paras. 3\(2\)\(3\)](#), [5\(2\)](#)); [S.I. 2000/1034](#), art. 2, [Sch.](#)

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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)