



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART V

#### PATENT AGENTS AND TRADE MARK AGENTS

##### *Patent agents*

#### **281 Power of comptroller to refuse to deal with certain agents.**

- (1) This section applies to business under the <sup>M1</sup>Patents Act 1949, the <sup>M2</sup>Registered Designs Act 1949 or the <sup>M3</sup>Patents Act 1977.
- (2) The Secretary of State may make rules authorising the comptroller to refuse to recognise as agent in respect of any business to which this section applies—
  - (a) a person who has been convicted of an offence under section 88 of the Patents Act 1949, section 114 of the Patents Act 1977 or section 276 of this Act;
  - (b) an individual whose name has been erased from and not restored to, or who is suspended from, the register of patent agents on the ground of misconduct;
  - (c) a person who is found by the Secretary of State to have been guilty of such conduct as would, in the case of an individual registered in the register of patent agents, render him liable to have his name erased from the register on the ground of misconduct;
  - (d) a partnership or body corporate of which one of the partners or directors is a person whom the comptroller could refuse to recognise under paragraph (a), (b) or (c) above.
- (3) The rules may contain such incidental and supplementary provisions as appear to the Secretary of State to be appropriate and may, in particular, prescribe circumstances in which a person is or is not to be taken to have been guilty of misconduct.
- (4) Rules made under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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*Status: Point in time view as at 25/08/2000. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 281. (See end of Document for details)*

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- (5) The comptroller shall refuse to recognise as agent in respect of any business to which this section applies a person who neither resides nor has a place of business in the United Kingdom, the Isle of Man or another member State of the European Economic Community.

**Marginal Citations**

**M1** 1949 c. 88.

**M2** 1949 c. 87.

**M3** 1977 c. 37.

**Status:**

Point in time view as at 25/08/2000. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 281.