

SCHEDULES

SCHEDULE 5

AUTHORISED PERSONS

PART 2

RIGHTS DURING TRANSITIONAL PERIOD

Patent attorneys

- 14 (1) During the transitional period, every registered patent attorney is deemed to be authorised by the Chartered Institute of Patent Attorneys to carry on reserved instrument activities.
- (2) During that period, every authorised patent attorney is deemed to be authorised by the Chartered Institute of Patent Attorneys to administer oaths.
- (3) During that period, every patent attorney body is deemed to be authorised by the Chartered Institute of Patent Attorneys to carry on the activities in sub-paragraph (4).
- (4) Those activities are any activities which are reserved legal activities within sub-paragraph (5) and which—
- (a) if the body is a partnership, any partner who is a registered patent attorney is authorised to carry on;
 - (b) if the body is a body corporate, any director who is a registered patent attorney is authorised to carry on.
- (5) Those activities are—
- (a) the exercise of a right of audience;
 - (b) the conduct of litigation;
 - (c) reserved instrument activities;
 - (d) the administration of oaths.
- (6) The authority conferred by any of sub-paragraphs (1) to (3) is exercisable in accordance with and subject to the regulatory arrangements of the Chartered Institute of Patent Attorneys.
- (7) In this paragraph—
- “authorised patent attorney” means a registered patent attorney who is authorised by the Chartered Institute of Patent Attorneys to carry on one or both of the following activities—
 - (a) the exercise of a right of audience;
 - (b) the conduct of litigation;
 - “patent attorney body” means—
 - (a) a partnership all the partners of which are registered patent attorneys,

Status: This is the original version (as it was originally enacted).

- (b) a body corporate all the directors of which are registered patent attorneys,
 - (c) a partnership or body corporate which satisfies the conditions prescribed under section 279 of the Copyright, Designs and Patents Act 1988 (c. 48), or
 - (d) a body corporate to which section 276(4) of that Act applies;
- “registered patent attorney” has the meaning given by section 275(2) of that Act;

and, in the case of a patent attorney body to which section 276(4) of that Act applies, the reference in sub-paragraph (4)(b) to a director includes a reference to the manager (within the meaning of section 276(4) of that Act) of the company.