
STATUTORY INSTRUMENTS

1971 No. 1917

PATENTS

The Patents (Amendment No. 2) Rules 1971

<i>Made</i>	- - - -	<i>24th November 1971</i>
<i>Laid before Parliament</i>		<i>2nd December 1971</i>
<i>Coming into Operation</i>		<i>1st January 1972</i>

The Secretary of State in exercise of his powers under section 94(1) of the Patents Act 1949 and of all other powers enabling him in that behalf hereby makes the following Rules:—

1.—(1) These Rules may be cited as the Patents (Amendment No. 2) Rules 1971 and shall come into operation on 1st January 1972.

(2) The Interpretation Act 1889 shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2. The Patents Rules 1968(1), as amended(2), shall have effect subject to the following further amendments:—

(a) for Rule 67 there shall be substituted:—

“67. On receipt of the prescribed renewal fee accompanied by Patents Form No. 24 and No. 26, and if the particulars specified in the margin of Form No. 26 have been duly provided, the Comptroller shall issue a certificate of payment on that form.”

(b) for Rule 68 there shall be substituted:—

“68.—(1) Where the period for payment of a renewal fee pursuant to Rule 64 has expired the Comptroller shall not later than six weeks after the last date for payment under that Rule, and if the fee still remains unpaid, send to the patentee a notice reminding him that payment is overdue and of the consequences of non-payment.

(2) The notice shall be sent to the address in the United Kingdom specified for that purpose by the patentee when last paying a renewal fee in respect of the patent or, if no such address was specified, to the relevant address for service entered in the register of patents.”

(c) for Rule 127 there shall be substituted:—

(1) (1968 II, p. 3958).

(2) The only relevant amending instrument is S.I. 1971/263 (1971 I, p. 918).

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“127. Upon the payment of a renewal fee within the time prescribed by these Rules or provided for late payment by section 22 of the Act, the Comptroller shall record the payment and its date in the register.”

- (d) the fees specified in paragraph 25 of Schedule 1 as payable on application for a certificate of payment of a renewal fee shall be payable upon the application for renewal of a patent whether or not a certificate of payment is sought and accordingly, in item 25 in Schedule 1, the words “certificate of payment of” and “fee” shall be omitted; and
- (e) in Schedule 2 for the forms prescribed as Forms Nos. 24 and 26 there shall be substituted the combined Form No. 24 and No. 26 set out in the Schedule hereto.

24th November 1971

Nicholas Ridley
Parliamentary Under Secretary of State
Department of Trade and Industry

SCHEDULE

PATENTS FORM NO. 24 Payments of Renewal Fee

PATENTS FORM NO. 26 Certificate of Payment of Renewal Fee

EXPLANATORY NOTE

These Rules further amend the Patents Rules 1968 with effect from 1st January 1972.

The Comptroller is no longer required to issue a certificate of payment in relation to a patent renewal fee unless one is specifically sought by the person paying the fee.

The requirement that the Comptroller issue a reminder that a renewal fee is due at least one month before the date of payment is replaced by a requirement to issue one not more than six weeks after the due date of payment if the fee remains unpaid.