

## 1971 No. 1917

## PATENTS

## The Patents (Amendment No. 2) Rules 1971

Made - - - 24th November 1971

Laid before Parliament 2nd December 1971

Coming into Operation 1st January 1972

The Secretary of State in exercise of his powers under section 94(1) of the Patents Act 1949(a) 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(b) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2. The Patents Rules 1968(c), as amended (d), 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:—

“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.”;

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(a) 1949 c. 87.

(c) S.I. 1968/1389 (1968 II, p. 3958).

(b) 1889 c. 63.

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

- (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.

*Nicholas Ridley,*  
Parliamentary Under Secretary of State,  
Department of Trade and Industry.

24th November 1971.

## SCHEDULE

## PATENTS FORM NO. 24

This Form does not become effective as a renewal fee payment until left at the Patent Office.

## PATENTS ACTS, 1949 to 1961

## Payments of Renewal Fee

(a) State name of person tendering the fee. I/We (a)..... hereby transmit the fee prescribed for the continuation in force of (b).....

(b) Insert name of patentee(s). Patent No.....for a further period of.....and request that the Certificate of Payment may be sent to me (us) at the address specified at (f) in Patents Form No. 26 below.

NOTE—Unless this is completed a Certificate of payment will not be issued.

To be completed when payment is made by or on behalf of the patentee

(c) Delete as appropriate. I/We specify (c) the United Kingdom address for service entered in the register of Patents (c) the following address in the United Kingdom for receipt of a reminder not later than six weeks after the payment of the next renewal fee becomes due (d).....

(d) Insert address if different from address for service in the register.

NOTE—If the address specified at (c) above or at (f) below is not that entered in the Register of Patents as the Patentee's Address for Service and it is desired to amend the entry in the Register, application therefor must be made on Patents Form No. 57.

To the Comptroller,  
The Patent Office, 25 Southampton Buildings  
London WC2A 1AY.

The following Patents Form No. 26 is not to be detached from the above Patents Form No. 24. It will be returned to the payer on receipt of the prescribed fee if he fills in the details specified at (e) and (f) in the margin of the Patents Form No. 26.

PATENTS  
FORM NO. 26PATENTS ACTS, 1949 to 1961  
Certificate of Payment of Renewal Fee

(e) Here complete Patent Number.

Letters Patent No. (e).....

This is to certify that the prescribed fee has been duly paid and the patent renewed until.....when the next renewal fee will be due

(f) Here complete name and full postal address to which the Certificate is to be sent.

To  Patent Office  
(f) ..... Date Stamp  
.....  
 .....

**EXPLANATORY NOTE**

*(This Note is not part of the Rules.)*

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.