

1973 No. 66

PATENTS

The Patents (Amendment) Rules 1973

<i>Made</i>	- - -	18th January 1973
<i>Laid before Parliament</i>		25th January 1973
<i>Coming into Operation</i>		15th February 1973

The Secretary of State, in exercise of the powers conferred by section 94(1) of the Patents Act 1949(a) and now vested in him(b) 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) Rules 1973 and shall come into operation on 15th February 1973.

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

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

(a) for Rule 15(2) there shall be substituted:—

“(2) If any specification or other document relating to the application is in a foreign language, it shall be accompanied by a translation thereof, which shall be certified by the translator as being true to the best of his knowledge and belief. The Comptroller may refuse to accept any translation which is in his opinion inaccurate and thereupon another translation of the specification or other document certified as aforesaid shall be furnished.”;

(b) for Rule 44(2) there shall be substituted:—

“(2) Where a specification or other document in a foreign language is referred to, a translation thereof, certified by the translator as being true to the best of his knowledge and belief, shall also be furnished, together with a further copy of the translation. The Comptroller may refuse to accept any translation which is in his opinion inaccurate and thereupon another translation of the specification or other document certified as aforesaid shall be furnished, together with a further copy of such other translation.”.

Limerick,

Parliamentary Under Secretary of State,
Department of Trade and Industry.

18th January 1973.

(a) 1949 c. 87.

(b) S.I. 1970/1537 (1970 III, p. 5293).

(c) 1889 c. 63.

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

(e) The amendments are not relevant to the subject matter of this instrument.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules further amend the Patent Rules 1968, with effect from 15th February 1973.

Where a translation of a foreign document is filed in connection with a patent application or opposition proceedings, the translation is to be certified as true by the translator (instead of being verified, as hitherto, by a statutory declaration or otherwise to the Comptroller's satisfaction).

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