

1988 No. 2089

PATENTS

The Patents (Amendment) Rules 1988

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|-------------------------------|---------------------------|
| <i>Made</i> | <i>29th November 1988</i> |
| <i>Laid before Parliament</i> | <i>7th December 1988</i> |
| <i>Coming into force</i> | |
| <i>Rules 1 and 2</i> | <i>1st January 1989</i> |
| <i>Rule 3</i> | <i>15th January 1989</i> |

The Secretary of State, in exercise of the powers conferred upon him by sections 32(2)(b) and (e), (6) and (7) and 123(1) and (2) of, and paragraph 4A(5) of Schedule 1 to, the Patents Act 1977^(a), after consultation with the Council on Tribunals pursuant to section 10(1) of the Tribunals and Inquiries Act 1971^(b), makes the following Rules:

1. These Rules may be cited as the Patents (Amendment) Rules 1988 and shall come into force as respects rules 1 and 2 on 1st January 1989 and as respects rule 3 on 15th January 1989.

2.—(1) For rule 52 of the Patents Rules 1982^(c) there shall be substituted the following—

“Certificates and copies supplied by comptroller

52.—(1) Upon request made on Patents Form No. 24/77 and payment of the appropriate fee, but subject to paragraph (3) below, the comptroller shall supply—

- (a) a certified copy or certified extract falling within section 32(11);
- (b) a copy of an entry in or an extract from the register or a copy of or an extract from anything referred to in section 32(11)(b), certified by the impression of a rubber stamp;
- (c) a certificate for the purposes of section 32(10).

(2) Upon request made on Patents Form No. 23/77 and payment of the appropriate fee, but subject to paragraph (3) below, the comptroller shall supply an uncertified copy of an entry in or an uncertified extract from the register or an uncertified copy of or an uncertified extract from anything referred to in section 32(11)(b).

(3) The restrictions on making documents available for inspection contained in rule 93(5) shall apply equally to the supply by the comptroller under this rule of copies of or extracts from such documents or requests for information as are referred to in rule 93(5) and nothing in this rule shall be construed as imposing upon the comptroller the duty of supplying copies of or extracts from any documents filed with or sent to or by the Patent Office before 1st June 1978.”

^(a) 1977 c.37; section 32 of the Patents Act 1977 was substituted by the Patents, Designs and Marks Act 1986 (c.39), Schedule 1, paragraph 4; paragraph 4A of Schedule 1 to the Patents Act 1977 was inserted by the Copyright, Designs and Patents Act 1988 (c.48), section 293.

^(b) 1971 c.62.

^(c) S.I. 1982/717, to which there are amendments not relevant to these Rules.

- (2) Paragraph (3) of rule 93 of the Patents Rules 1982 shall be omitted.
- (3) For subparagraph (e) of rule 93(5) of the Patents Rules 1982 there shall be substituted the following—
- “(e) that no request made under rule 48, 49(2), 52(2), 92 or this rule shall be open to inspection; and”.
- (4) There shall be substituted for Patents Forms Nos. 23/77 and 24/77 as set out in Schedule 2 to the Patents Rules 1982 the forms so numbered set out in Schedule 1 hereto.

3.—(1) The following rule shall be inserted after rule 67 of the Patents Rules 1982—

“Declaration under paragraph 4A of Schedule 1

67A.—(1) A declaration under paragraph 4A of Schedule 1 to the Patents Act 1977 shall be made on Patents Form No. 58/77.

(2) The comptroller shall cause to be entered in the register notice of any declaration filed under the said paragraph 4A and the entry in the register shall be published in the Journal and in such other manner (if any) as the comptroller thinks necessary.”.

(2) The form set out in Schedule 2 hereto shall be inserted at the end of Schedule 2 to the Patents Rules 1982.

29th November 1988

Eric Forth
Department of Trade and Industry

REVISED PATENTS FORM No. 23/77

For official use

Your reference

Notes

Please type, or write in dark ink using BLOCK LETTERS. This form may be used to make more than one request. The requests need not all relate to the same patent or patent application. The fee payable is the total of the fees for each item. If the fee paid is insufficient, the requests will be actioned in the order they have been made on this form as far as the fee allows. For details of prescribed fees please contact the Patent Office.

Rules 48, 49, 52 and 93 of the Patents Rules 1982 are the main rules governing the completion and filing of this form.

1&2 Where a request in 1 or 2 is in relation to an unpublished patent application and relies on Section 118 (4), the requirements of Rule 96 must be complied with.



**Request for
Miscellaneous
Information**

Patents
Act 1977

Form 23/77

1. Inspection of register or documents

1. If you want to inspect the register and/or the original documents filed at or kept in the Patent Office in relation to any patent or patent application, please give full details.

2. Supply of copies or extracts.

2. If you want copies of, or extracts from, the register or documents relating to any patent or patent application, please give full details.

3 If a request is made under 1 or 2, the information under 3 will be provided at no extra charge if requested in respect of the same patent.

3. Information about renewal.

3. Please give the number of any patent for which you want to know whether, and when, a renewal fee has been paid.

4. Details of the person making the request(s)

4. Please give your name and address.

Name

Address

Postcode

Please Sign Here 

Signed _____ Date _____
day month year

REVISED PATENTS FORM No. 24/77

For official use

Your reference

Notes

Please type, or write in dark ink using BLOCK LETTERS. The fees for a rubber stamp impression and for a separate, sealed certificate are different. For details of prescribed fees please contact the Patent Office.



Request for Certificate of the Comptroller

Patents Act 1977

Form 24/77

Please use a separate form for each application or patent.

Rules 6, 52 and 119 of the Patents Rules 1982 are the main rules governing the completion and filing of this form.

3 Include any special requirements such as the need for patent register extracts or details of renewal payments made. If you do not have enough space please continue on the back of this form.

1. Please give the patent application or patent number.

2. Please give the full name and address of the person making the request.

Name _____

Address _____

Postcode. _____

3. Please give details of the contents of the certificate(s)

4. Please give the number and type of certificates required.

Rubber stamp impressions

Signed and sealed certificates

Signed _____ Date _____

day month year

Please Sign Here



Revised 1988



ADDITIONAL PATENTS FORM No. 58/77

Declaration that Licences of Right Shall not Extend to Excepted Uses

Patents Act 1977 Form 58/77

For official use

Notes

Please type, or write in dark ink using BLOCK LETTERS. No fee is required with this form. However, there will be no reduction of renewal fees for the final years of the patent's life.

Rule 67A of the Patents Rules 1982 is the main rule governing the completion and filing of this form.

If an agent has been newly authorised, form 51/77 should be filed.

Please complete the confirmation slip below. The Patent Office will stamp and return it to the address in the United Kingdom given in the box below.

Please Sign Here

1a. Please give the patent number.
1b. Please give full name(s) of proprietor(s).
2. Please give the full name and address in the United Kingdom to which all correspondence will be sent.
Name
Address
Postcode
ADP Number(if known)
I/We declare that licences of right under paragraph 4(2)(c) of Schedule 1 to the Patents Act 1977 shall not extend to a use which is excepted by or under paragraph 4A. I/We also declare that there is no existing licence for any description of excepted use, which took or is to take effect at or after the end of the sixteenth year of the patent.
Signed Date
day month year

Confirmation of Making an Entry

Patent number

This is to confirm that an entry has been made in the register under rule 67A(2) (Licences of right not to extend to an excepted use).



Your Reference

Patent Office date stamp

Large empty box for reference or stamp

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules substitute in the Patents Rules 1982 a new rule 52 for the present rules 52 and 93(3). The new rule 52 relates to certificates and copies supplied by the Comptroller-General of Patents, Designs and Trade Marks. The amendments are consequential on the coming into force on 1st January 1989 of the remaining provisions of the Patents, Designs and Marks Act 1986. Patents Forms Nos. 23/77 and 24/77 are revised.

These Rules also introduce a new rule 67A into the 1982 Rules which relates to certain patents which are subject to licences of right under paragraph 4 of Schedule 1 to the Patents Act 1977. The new rule is consequential on the insertion of a new paragraph 4A in the said Schedule by section 293 of the Copyright, Designs and Patents Act 1988. New Patents Form No. 58/77 is introduced.