

**1990 No. 1454**

**DESIGNS**

**PATENTS**

**The Patent Agents (Non-recognition of Certain Agents  
by Comptroller) Rules 1990**

<i>Made</i> - - - -	<i>18th July 1990</i>
<i>Laid before Parliament</i>	<i>23rd July 1990</i>
<i>Coming into force</i>	<i>13th August 1990</i>

The Secretary of State, in exercise of the powers conferred upon him by section 281 of the Copyright, Designs and Patents Act 1988(a), and after consultation with the Council on Tribunals in accordance with section 10(1) of the Tribunals and Inquiries Act 1971(b), hereby makes the following Rules:—

1. These Rules may be cited as the Patent Agents (Non-recognition of Certain Agents by Comptroller) Rules 1990 and shall come into force on 13th August 1990.

2. In these Rules—

“the Act” means the Copyright, Designs and Patents Act 1988;

“the Comptroller” means the Comptroller-General of Patents, Designs and Trade Marks;

“the register” means the register of patent agents required to be kept pursuant to rules made under section 275 of the Act(c).

3. The Comptroller is hereby authorised to refuse to recognise as agent in respect of any business under the Patents Act 1949(d), the Registered Designs Act 1949(e) or the Patents Act 1977(f)—

(a) a person who has been convicted of an offence under section 88 of the Patents Act 1949, section 114 of the Patents Act 1977 or section 276 of the Act;

(b) an individual whose name has been erased from and not restored to the register on the ground of misconduct;

(c) a person who is found by the Secretary of State to have been guilty of such conduct as would, in the case of an individual registered in the register, render him liable to have his name erased from the register on the ground of misconduct;

(d) a partnership or body corporate of which one of the partners or directors is a person whom the Comptroller could refuse to recognise under paragraph (a), (b) or (c) above.

*Douglas Hogg*  
Minister of State,

Department of Trade and Industry

18th July 1990

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(a) 1988 c.48.

(b) 1971 c.62.

(c) See the Register of Patent Agents Rules 1990 (S.I. 1990/1457).

(d) 1949 c.87.

(e) 1949 c.88; section 32 thereof (power to make rules for the registrar to refuse to recognise certain agents) is repealed by the Copyright, Designs and Patents Act 1988, section 272 and Schedule 3, paragraph 21.

(f) 1977 c.37; section 115 thereof (power of Comptroller to deal with certain agents) is repealed by the Copyright, Designs and Patents Act 1988, section 303(2) and Schedule 8.

## **EXPLANATORY NOTE**

*(This note is not part of the Rules)*

These Rules authorise, in accordance with section 281 of the Copyright, Designs and Patents Act 1988 the Comptroller-General of Patents, Designs and Trade Marks to refuse to recognise certain persons as agents in respect of any business under the Patents Act 1949, the Registered Designs Act 1949 or the Patents Act 1977.

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