
STATUTORY INSTRUMENTS

2002 No. 529

The Patents (Amendment) Rules 2002

Amendment of the Patents Rules 1995

5.—(1) Rule 85 shall be amended as follows.

(2) For paragraph (1) there shall be substituted—

“(1) Subject to the provisions of this rule, in relation to an international application for a patent (UK) which is, under section 89, to be treated as an application for a patent under the Act, the prescribed period for the purposes of section 89A(3) and (5) is thirty one months calculated from the date which, by virtue of section 89B(1)(b), is to be treated as the declared priority date or, where there is no declared priority date, the date of filing of the international application for a patent (UK).”.

(3) In paragraph (2), for the words “relevant period”—

(a) in the first place where they appear, there shall be substituted “period”; and

(b) in subparagraph (b), there shall be substituted “period referred to in paragraph (1) above”.

(4) In paragraph (3), for subparagraphs (b) to (e) there shall be substituted—

“(b) an applicant may comply with rule 5(2) at any time before the end of the period of thirty two months after the declared priority date or, if there is no declared priority date, the date of filing of the international application for a patent (UK); and

(c) where a translation into English of a document or part of a document is required by the Act or these Rules to be filed before the end of the period referred to in paragraph (1) above, verification of the translation, as required by rule 113(1), may be given to the comptroller at any time before the end of the period of thirty two months after the declared priority date or, if there is no declared priority date, the date of filing of the international application for a patent (UK).”.

(5) In paragraph (4), for the words “relevant period”, in both places where they appear, there shall be substituted “period”.

(6) In paragraph (5A), for the words “relevant period”—

(a) in the first place where they appear, there shall be substituted “period”; and

(b) in subparagraph (b), there shall be substituted “period referred to in paragraph (1) above”.

(7) For paragraph (7), there shall be substituted—

“(7) In the case of an international application for a patent (UK) in respect of which the conditions specified in section 89A(3)(a) are satisfied, the period prescribed for the purposes of sections 13(2), 15(5)(b), 17(1) and 18(1) shall be the period which expires thirty two months after the declared priority date or, if there is no declared priority date, the date of filing of the international application for a patent (UK).”.

(8) In paragraph 7A, for subparagraph (c) there shall be substituted—

“(c) for the purposes of section 18(1), shall be the period prescribed by paragraph (7) above.”.