



Patents Act 1977

1977 CHAPTER 37

PART III

MISCELLANEOUS AND GENERAL

Supplemental

[^{F1}125A Disclosure of invention by specification: availability of samples of [^{F2}biological material].

- (1) Provision may be made by rules prescribing the circumstances in which the specification of an application for a patent, or of a patent, for an invention which [^{F3}involves the use of or concerns biological material] is to be treated as disclosing the invention in a manner which is clear enough and complete enough for the invention to be performed by a person skilled in the art.
- (2) The rules may in particular require the applicant or patentee—
 - (a) to take such steps as may be prescribed for the purposes of making available to the public samples of the [^{F3}biological material], and
 - (b) not to impose or maintain restrictions on the uses to which such samples may be put, except as may be prescribed.
- (3) The rules may provide that, in such cases as may be prescribed, samples need only be made available to such persons or descriptions of persons as may be prescribed; and the rules may identify a description of persons by reference to whether the comptroller has given his certificate as to any matter.
- (4) An application for revocation of the patent under section 72(1)(c) above may be made if any of the requirements of the rules cease to be complied with.]

Textual Amendments

- F1** S. 125A inserted by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 295, [Sch. 5 para. 30](#)
- F2** Words in sidenote to s. 125A substituted (28.7.2000) by [S.I. 2000/2037](#), [reg. 6\(2\)](#)

Changes to legislation: Patents Act 1977, Section 125A is up to date with all changes known to be in force on or before 02 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

F3 Words in s. 125A(1)(2)(a) substituted (28.7.2000) by [S.I. 2000/2037, reg. 6\(3\)\(4\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 56(4)(a)(iiia) and word added by [S.I. 2006/1056 Sch. para. 2\(b\)](#) (This amendment comes into force on the day on which 2005 asp 13, s. 20 comes into force, see art. 1(2)(b))
- s. 63(3)(a) words in s. 63(3) renumbered as s. 63(3)(a) by [2004 c. 16 s. 2\(4\)](#) (Amendment not applied to legislation.gov.uk. S. 2(4) was repealed (29.4.2006) by S.I. 2006/1028, art. 2(4), Sch. 4)
- s. 63(3)(b) and word inserted by [2004 c. 16 s. 2\(4\)](#) (Amendment not applied to legislation.gov.uk. S. 2(4) was repealed (29.4.2006) by S.I. 2006/1028, art. 2(4), Sch. 4)