



Patents Act 1977

1977 CHAPTER 37

PART I

NEW DOMESTIC LAW

Provisions as to patents after grant

25 Term of patent.

- (1) A patent granted under this Act shall be treated for the purposes of the following provisions of this Act as having been granted, and shall take effect, on the date on which notice of its grant is published in the journal and, subject to subsection (3) below, shall continue in force until the end of the period of 20 years beginning with the date of filing the application for the patent or with such other date as may be prescribed.
- (2) A rule prescribing any such other date under this section shall not be made unless a draft of the rule has been laid before, and approved by resolution of, each House of Parliament.
- [^{F1}(3) Where any renewal fee in respect of a patent is not paid by the end of the period prescribed for payment (the “prescribed period”) the patent shall cease to have effect at the end of such day, in the final month of that period, as may be prescribed.]
- (4) If during [^{F2}the period ending with the sixth month after the month in which the prescribed period ends] the renewal fee and any prescribed additional fee are paid, the patent shall be treated for the purposes of this Act as if it had never expired, and accordingly—
 - (a) anything done under or in relation to it during that further period shall be valid;
 - (b) an act which would constitute an infringement of it if it had not expired shall constitute such an infringement; and
 - (c) an act which would constitute the use of the patented invention for the services of the Crown if the patent had not expired shall constitute that use.

Changes to legislation: Patents Act 1977, Section 25 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

- (5) Rules shall include provision requiring the comptroller to notify the registered proprietor of a patent that a renewal fee has not been received from him in the Patent Office before the end of the prescribed period and before the framing of the notification.

Textual Amendments

- F1** S. 25(3) substituted (1.10.2005) by [Patents Act 2004 \(c. 16\)](#), **ss. 8(1)**, 17(1); S.I. 2005/2471, art. 2(a) (with [art. 3](#))
- F2** Words in s. 25(4) substituted (1.10.2005) by [Patents Act 2004 \(c. 16\)](#), **ss. 8(2)**, 17(1); S.I. 2005/2471, art. 2(a) (with [art. 3](#))

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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)