



Patents Act 1977

1977 CHAPTER 37

PART III

MISCELLANEOUS AND GENERAL

Supplemental

127 Existing patents and applications

- (1) No application for a patent may be made under the 1949 Act on or after the appointed day.
- (2) Schedule 1 to this Act shall have effect for securing that certain provisions of the 1949 Act shall continue to apply on and after the appointed day to—
 - (a) a patent granted before that day ;
 - (b) an application for a patent which is filed before that day, and which is accompanied by a complete specification or in respect of which a complete specification is filed before that day;
 - (c) a patent granted in pursuance of such an application.
- (3) Schedule 2 to this Act shall have effect for securing that (subject to the provisions of that Schedule) certain provisions of this Act shall apply on and after the appointed day to any patent and application to which subsection (2) above relates, but, except as provided by the following provisions of this Act, this Act shall not apply to any such patent or application.
- (4) An application for a patent which is made before the appointed day, but which does not comply with subsection (2)(b) above, shall be taken to have been abandoned immediately before that day, but, notwithstanding anything in section 5(3) above, the application may nevertheless serve to establish a priority date in relation to a later application for a patent under this Act if the date of filing the abandoned application falls within the period of fifteen months immediately preceding the filing of the later application.

Status: This is the original version (as it was originally enacted).

- (5) Schedule 3 to this Act shall have effect for repealing certain provisions of the 1949 Act.
- (6) The transitional provisions and savings in Schedule 4 to this Act shall have effect.
- (7) In Schedules 1 to 4 to this Act " existing patent " means a patent mentioned in subsection (2)(a) and (c) above, " existing application" means an application mentioned in subsection (2)(b) above, and expressions used in the 1949 Act and those Schedules have the same meanings in those Schedules as in that Act.