



Patents Act 1977

1977 CHAPTER 37

PART I

NEW DOMESTIC LAW

Applications

14 Making of application

- (1) Every application for a patent—
 - (a) shall be made in the prescribed form and shall be filed at the Patent Office in the prescribed manner ; and
 - (b) shall be accompanied by the fee prescribed for the purposes of this subsection (hereafter in this Act referred to as the filing fee).
- (2) Every application for a patent shall contain—
 - (a) a request for the grant of a patent;
 - (b) a specification containing a description of the invention, a claim or claims and any drawing referred to in the description or any claim ; and
 - (c) an abstract;but the foregoing provision shall not prevent an application being initiated by documents complying with section 15(1) below.
- (3) The specification of an application shall disclose 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.
- (4) Without prejudice to subsection (3) above, rules may prescribe the circumstances in which the specification of an application which requires for its performance the use of a micro-organism is to be treated for the purposes of this Act as complying with that subsection.
- (5) The claim or claims shall—
 - (a) define the matter for which the applicant seeks protection ;

Status: This is the original version (as it was originally enacted).

- (b) be clear and concise ;
 - (c) be supported by the description ; and
 - (d) relate to one invention or to a group of inventions which are so linked as to form a single inventive concept.
- (6) Without prejudice to the generality of subsection (5)(d) above, rules may provide for treating two or more inventions as being so linked as to form a single inventive concept for the purposes of this Act.
- (7) The purpose of the abstract is to give technical information and on publication it shall not form part of the state of the art by virtue of section 2(3) above, and the comptroller may determine whether the abstract adequately fulfils its purpose and, if it does not, may reframe it so that it does.
- (8) Rules may require a person who has made an application for a patent for an invention which requires for its performance the use of a micro-organism not to impose or maintain in the prescribed circumstances any restrictions on the availability to the public of samples of the micro-organism and the uses to which they may be put, subject, however, to any prescribed exceptions, and rules may provide that in the event of a contravention of any provision included in the rules by virtue of this subsection the specification shall be treated for the purposes of this Act as not disclosing the invention in a manner required by subsection (3) above.
- (9) An application for a patent may be withdrawn at any time before the patent is granted and any withdrawal of such an application may not be revoked.