



Patents Act 1977

1977 CHAPTER 37

PART I

NEW DOMESTIC LAW

Licences of right and compulsory licences

50 Exercise of powers on applications under s. 48

- (1) The powers of the comptroller on an application under section 48 above in respect of a patent shall be exercised with a view to securing the following general purposes:—
 - (a) that inventions which can be worked on a commercial scale in the United Kingdom and which should in the public interest be so worked shall be worked there without undue delay and to the fullest extent that is reasonably practicable;
 - (b) that the inventor or other person beneficially entitled to a patent shall receive reasonable remuneration having regard to the nature of the invention ;
 - (c) that the interests of any person for the time being working or developing an invention in the United Kingdom under the protection of a patent shall not be unfairly prejudiced.
- (2) Subject to subsection (1) above, the comptroller shall, in determining whether to make an order or entry in pursuance of such an application, take account of the following matters, that is to say—
 - (a) the nature of the invention, the time which has elapsed since the publication in the journal of a notice of the grant of the patent and the measures already taken by the proprietor of the patent or any licensee to make full use of the invention ;
 - (b) the ability of any person to whom a licence would be granted under the order concerned to work the invention to the public advantage ; and
 - (c) the risks to be undertaken by that person in providing capital and working the invention if the application for an order is granted,

Status: This is the original version (as it was originally enacted).

but shall not be required to take account of matters subsequent to the making of the application.