
Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Cross Heading: Patent attorneys. (See end of Document for details)

SCHEDULES

SCHEDULE 5

AUTHORISED PERSONS

PART 2

RIGHTS DURING TRANSITIONAL PERIOD

Patent attorneys

- 14 (1) During the transitional period, every registered patent attorney is deemed to be authorised by the Chartered Institute of Patent Attorneys to carry on reserved instrument activities.
- (2) During that period, every authorised patent attorney is deemed to be authorised by the Chartered Institute of Patent Attorneys to administer oaths.
- (3) During that period, every patent attorney body is deemed to be authorised by the Chartered Institute of Patent Attorneys to carry on the activities in sub-paragraph (4).
- (4) Those activities are any activities which are reserved legal activities within sub-paragraph (5) and which—
- (a) if the body is a partnership, any partner who is a registered patent attorney is authorised to carry on;
 - (b) if the body is a body corporate, any director who is a registered patent attorney is authorised to carry on.
- (5) Those activities are—
- (a) the exercise of a right of audience;
 - (b) the conduct of litigation;
 - (c) reserved instrument activities;
 - (d) the administration of oaths.
- (6) The authority conferred by any of sub-paragraphs (1) to (3) is exercisable in accordance with and subject to the regulatory arrangements of the Chartered Institute of Patent Attorneys.
- (7) In this paragraph—
- “authorised patent attorney” means a registered patent attorney who is authorised by the Chartered Institute of Patent Attorneys to carry on one or both of the following activities—
 - (a) the exercise of a right of audience;
 - (b) the conduct of litigation;
 - “patent attorney body” means—
 - (a) a partnership all the partners of which are registered patent attorneys,

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Cross Heading: Patent attorneys. (See end of Document for details)

- (b) a body corporate all the directors of which are registered patent attorneys,
 - (c) a partnership or body corporate which satisfies the conditions prescribed under section 279 of the Copyright, Designs and Patents Act 1988 (c. 48), or
 - (d) a body corporate to which section 276(4) of that Act applies;
- “registered patent attorney” has the meaning given by section 275(2) of that Act;

and, in the case of a patent attorney body to which section 276(4) of that Act applies, the reference in sub-paragraph (4)(b) to a director includes a reference to the manager (within the meaning of section 276(4) of that Act) of the company.

Commencement Information

- II** Sch. 5 para. 14 wholly in force at 1.1.2010; Sch. 5 para. 14 not in force at Royal Assent see s. 211; Sch. 5 para. 14(7) in force for certain purposes at 31.3.2009 by S.I. 2009/503, art. 3, Sch. 5 para. 14 in force otherwise at 1.1.2010 by S.I. 2009/3250, art. 2(b)(ii) (with art. 9)

- 15 (1) During the transitional period registered patent attorneys are to continue to have the rights conferred by section 102A(2) of the Patents Act 1977 (c. 37) and section 292 of the Copyright, Designs and Patents Act 1988 (c. 48).
- (2) In this paragraph “registered patent attorney” has the same meaning as in paragraph 14.

Commencement Information

- I2** Sch. 5 para. 15 wholly in force at 1.1.2010, see s. 211 and S.I. 2009/3250, art. 2(b)(ii) (with art. 9)

Changes to legislation:

There are currently no known outstanding effects for the Legal Services Act 2007, Cross
Heading: Patent attorneys.