



# Patents Act 1949

1949 CHAPTER 87 12 13 and 14 Geo 6

*Application, investigation, opposition, etc.*

## 13 Acceptance and publication of complete specification.

- (1) Subject to the provisions of the last foregoing section, the complete specification filed in pursuance of an application for a patent may be accepted by the comptroller at any time after the applicant has complied with the requirements mentioned in subsection (1) of that section, and if not so accepted within the period allowed under that section for compliance with those requirements, shall be accepted as soon as may be thereafter:  
Provided that the applicant may give notice to the comptroller requesting him to postpone acceptance until such date, not being later than fifteen months from the date of filing of the complete specification, as may be specified in the notice; and if such notice is given and, where the notice requests a postponement to a date later than twelve months from the date aforesaid, the prescribed fee is paid, the comptroller may postpone acceptance accordingly.
- (2) On the acceptance of a complete specification the comptroller shall give notice to the applicant, and [<sup>F1</sup>, unless the application is withdrawn,] shall advertise in the Journal the fact that the specification has been accepted and the date on which the application and the specification or specifications filed in pursuance thereof will be open to public inspection.
- (3) Any reference in this Act to the date of the publication of a complete specification shall be construed as a reference to the date advertised as aforesaid.
- (4) After the date of the publication of a complete specification and until the sealing of a patent in respect thereof, the applicant shall have the like privileges and rights as if a patent for the invention had been sealed on the date of the publication of the complete specification:  
Provided that an applicant shall not be entitled to institute any proceedings for infringement until the patent has been sealed.

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*Changes to legislation: There are currently no known outstanding effects for the Patents Act 1949, Section 13. (See end of Document for details)*

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### **Textual Amendments**

**F1** Words inserted by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 295, **Sch. 5 para. 1**

**Changes to legislation:**

There are currently no known outstanding effects for the Patents Act 1949, Section 13.