

## 1973 No. 164 (L.1)

## PATENTS

**The Patents Appeal Tribunal (Fees) Order 1973***Made* - - - 1st February 1973*Coming into Operation* 1st March 1973

The Lord Chancellor, the Judges of the Supreme Court and the Treasury, in exercise of the powers and authorities vested in them respectively by section 85(3) of the Patents Act 1949(a), section 213 of the Supreme Court of Judicature (Consolidation) Act 1925(b) and section 2 of the Public Offices Fees Act 1879(c), do hereby, according as the provisions of the said enactments respectively authorize and require them, make, advise, consent to and concur in the following Order:—

**1.**—(1) This Order may be cited as the Patents Appeal Tribunal (Fees) Order 1973 and shall come into operation on 1st March 1973.

(2) In this Order, unless the context otherwise requires—

“Appeal Tribunal” means the Appeal Tribunal constituted under section 85(2) of the Patents Act 1949, as amended by section 24 of the Administration of Justice Act 1969(d);

“Registrar” means the Registrar of the Appeal Tribunal;

a rule referred to by number means the rule so numbered in the Patents Appeal Tribunal Rules 1972(e).

(3) The Interpretation Act 1889(f) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

**2.** The fees specified in column 2 of the Schedule shall be taken in the Appeal Tribunal in respect of the matters respectively set out opposite thereto in column 1.

**3.** The fees fixed by this Order shall be taken in cash or, if the Registrar so permits, by cheque and the document indicated in column 3 of the Schedule shall be marked by or on behalf of the Registrar showing the amount of the fee and the date of its receipt.

**4.** Where it appears to the Lord Chancellor that the payment of any fee fixed by this Order would, owing to the exceptional circumstances of the particular case, involve undue hardship, the Lord Chancellor may reduce or remit the fee in that case.

(a) 1949 c. 87.

(b) 1925 c. 49.

(c) 1879 c. 58.

(d) 1969 c. 58.

(e) S.I. 1972/1940 (1972 III, p. 5806).

(f) 1889 c. 63.

5. The Patents and Registered Designs Appeal Tribunal Fees Order 1970(a), insofar as it relates to the Appeal Tribunal, is revoked.

Dated 1st February 1973.

*Hailsham of St. Marylebone, C.*

*Widgery, C. J.*

*Denning, M. R.*

*Patrick Graham, J.*

*V. H. Goodhew,*

*Oscar Murton,*

Two of the Lords Commissioners  
of Her Majesty's Treasury.

# SCHEDULE

Articles 2 & 3

<i>Column 1</i> Matter	<i>Column 2</i> Fee	<i>Column 3</i> Document to be marked
1. On filing a notice of appeal to the Appeal Tribunal under rule 2(1).	£6	The notice filed with the Registrar
2. On filing a respondent's notice under rule 7(1).	£4	One copy of the notice furnished to the Registrar under rule 7(4).

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order fixes the fees to be taken in the Patents Appeal Tribunal and introduces a fee on a respondent's notice contending that the decision appealed from should be varied. Such notices are provided for by the Patents Appeal Tribunal Rules 1972. No change is made in the fee on a notice of appeal.

(a) S.I. 1970/529 (1970 I, p. 1726).

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