
 STATUTORY INSTRUMENTS

1981 No. 72

PATENTS

The Patents (Amendment) Rules 1981

Made - - - - 22nd January 1981

Laid before Parliament 28th January 1981

Coming into Operation—

Rules 1 and 3 - - - 18th February 1981

Rule 2 - - - - 14th April 1981

The Secretary of State, in exercise of the powers conferred upon him by sections 123 and 124(3) of the Patents Act 1977(a) and of all other powers enabling him in that behalf, and with the consent of the Treasury, hereby makes the following Rules:—

1. These Rules may be cited as the Patents (Amendment) Rules 1981 and shall come into operation as respects rules 1 and 3 on 18th February 1981 and as respects rule 2 on 14th April 1981.

2. For Schedule 1 to the Patents Rules 1978(b) there shall be substituted the Schedule hereto and the Patents (Amendment) Rules 1980(c), the Patents (Amendment No. 2) Rules 1980(d) and rule 2(dd) of the Patents (Amendment No. 4) Rules 1980(e) shall thereupon be revoked.

3. Where on or after 18th February 1981 but before 14th April 1981 an application is made for renewal of a patent in respect of any year beginning on or after 14th April 1981, the fee payable on such application shall be that which would be payable if the application were made on or after 14th April 1981 and rule 2 of these Rules had come into operation.

Reginald Eyre,

Parliamentary Under-Secretary of State,
Department of Trade.

20th January 1981.

We consent to the making of these Rules.

John Wakeham,

Carol Mather,

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

22nd January 1981.

(a) 1977 c. 37.

(b) S.I. 1978/216; the relevant amending instruments are S.I. 1980/137, 498, 1783.

(c) S.I. 1980/137.

(d) S.I. 1980/498.

(e) S.I. 1980/1738.

SCHEDULE

LIST OF FEES PAYABLE

PART A

(In this part of this Schedule, any reference to a rule is a reference to that rule of these Rules.)

Number of corresponding Patents Form	Item	Amount
		£
1/77	On request for the grant of a patent (the filing fee) ...	7
2/77	On reference under section 8(1), 12(1) or 37(1)	22
3/77	On application under section 8(5) or 37(3) for authorisation by comptroller	22
4/77	On request for directions under section 10 or 12(4) ..	22
5/77	On reference under section 11(5) or 38(5) to determine the question of a licence	22
6/77	On application to comptroller under section 13(1) and/or 13(3)	15
7/77	Statement of inventorship and of right to the grant of a patent	—
8/77	On request for comptroller's certificate authorising the release of a sample from a culture collection	7
9/77	On request for preliminary examination and search or request for further search	57
10/77	On request for substantive examination	57
11/77	On request to amend application before grant	18
12/77	*On payment of renewal fee:—	
	Before the expiration of the 4th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 5th year	58
	Before the expiration of the 5th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 6th year	60
	Before the expiration of the 6th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 7th year	66
	Before the expiration of the 7th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 8th year	72
	Before the expiration of the 8th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 9th year	80
	Before the expiration of the 9th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 10th year	88

*One half of these fees payable if entry in the register "Licences of Right".

Number of corresponding Patents Form	Item	Amount
13/77	Before the expiration of the 10th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 11th year	£
	Before the expiration of the 11th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 12th year	98
	Before the expiration of the 12th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 13th year	108
	Before the expiration of the 13th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 14th year	120
	Before the expiration of the 14th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 15th year	132
	Before the expiration of the 15th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 16th year or in the case of an old existing patent in respect of the remainder of its term	144
	†Before the expiration of the 16th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 17th year	156
	†Before the expiration of the 17th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 18th year	168
	†Before the expiration of the 18th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 19th year	182
	†Before the expiration of the 19th year from the date of filing of the application for the patent or, in the case of an existing patent, the date of the patent and in respect of the 20th year	200
	†Not applicable to old existing patents	218
	On extension of the period for payment of a renewal fee under section 25(4):—	
	Not exceeding one month	12
	Not exceeding two months	22
	Not exceeding three months	34
	Not exceeding four months	46

Number of corresponding Patents Form	Item	Amount
		£
	Not exceeding five months	58
	Not exceeding six months	70
14/77	On application to amend specification after grant	35
15/77	On notice of opposition to amendment of specification after grant	15
16/77	On application for the restoration of a patent	22
17/77	Additional fee on the application for restoration of a patent	57
18/77	On offer to surrender a patent	—
19/77	On notice of opposition to offer to surrender a patent	15
20/77	On request for alteration of name, nationality, address or address for service in the register; for each patent or application	1
21/77	On application to register or to give notice of a transac- tion, instrument or event affecting the rights in a patent or application for a patent	15
	On each application covering more than one patent or application for a patent, the devolution of title being the same as in the first patent or application for a patent. For each additional request	1
22/77	On request for the correction of an error in the register or in any connected document	11
23/77	On request for the furnishing of or access to miscellaneous information	0.50
24/77	On request for certificate of the comptroller:— (a) by impressed stamp	1
	(b) sealed and attached to documents	5
25/77	On application for entry of order of court in the register .	—
26/77	On application for compensation by employee	22
27/77	On application under section 41(8) in connection with an order made under section 40(1) or 40(2)	22
28/77	On application by patentee for entry to be made in the register to the effect that licences under the patent are to be available as of right	9
29/77	On application for settlement of terms of a licence of right	22
30/77	On application by proprietor under section 47(1) for can- cellation of entry in the register	15
31/77	On application under section 47(3) by person interested for cancellation of entry in the register	15
32/77	On notice of opposition to an application under section 47(1) or 47(3) for cancellation of entry in the register	15
33/77	On application under section 48(1) for a compulsory licence or entry in the register	22
34/77	On application by Crown in case of monopoly or merger	22
35/77	On notice of opposition to application made under sections 48 to 51	15

Number of corresponding Patents Form	Item	Amount
		£
36/77	On reference to the comptroller of a dispute as to infringement	22
37/77	On application for declaration of non-infringement ...	22
38/77	On application for the revocation of a patent	15
39/77	On application to register copy of entry made in European Register of Patents	7
40/77	On payment of filing fee upon conversion of European patent application to an application under the Act ..	7
41/77	On request for conversion of European patent application	7
42/77	On request for national processing of an international application for a patent (UK) (the filing fee)	7
43/77	On payment of prescribed fee and request for publication of translation	7
44/77	On application to the comptroller for an international application to be treated as an application under the Act	7
45/77	On application for order for evidence to be obtained in the United Kingdom	22
46/77	On notice that hearing before the comptroller will be attended	9
47/77	On request for the correction of an error of translation or transcription, clerical error or mistake	11
48/77	On notice of opposition to the correction of an error, clerical error or mistake	15
49/77	On request for information relating to a patent or an application for a patent	6
50/77	On request for extension of time:Each	72
	As Receiving Office or International Preliminary Examining Authority under the Patent Co-operation Treaty:—	
—	Transmittal Fee (Rule 117(1))	7
—	Preliminary Examination Fee (Rule 120)	35
—	Additional fee (Rule 121)Maximum	35

PART B

(In this Part of this Schedule—

- (1) any reference to a section is a reference to that section of the Patents Act 1949; and
- (2) any reference to a rule is a reference to that rule of the Patents Rules 1968, as amended, as it continues to apply by virtue of rule 124 of these Rules).

Number of corresponding Patents Form	Item	Amount
		£
7	For extension of time under rule 30 or 33 or 50:—	
	Not exceeding one month	11
	Each succeeding month	11
8	On application for result of search made under sections 7 and 8	0.45
13	On notice that hearing before the comptroller will be attended	9
14	On request under section 16(3)	6
15	On a claim under section 16(4)	6
16	On application for extension of the period under section 16(5)	9
17	On application for a certificate under section 16(8) ...	15
18	On a claim under section 17(1) for application to proceed in name of claimants	18
19	On application for directions under section 17(5)	22
20	On request for sealing of a patent	20
21	On application for extension of the period for requesting the sealing of a patent under section 19(3):—	
	Not exceeding one month	11
	Not exceeding two months	22
	Not exceeding three months	34
22	On application for extension of the period for requesting the sealing of a patent under section 19(4):—	
	Not exceeding one month	11
	Each succeeding month	11
23	On application under section 20 for amendment of a patent	16
27	On application under section 24 or 25 for extension of term of patent	27
28	On opposition to application for extension of term of patent	15
32	On application under section 28 for sealing of patent ..	22
33	On opposition to application under section 28	15
34	Additional fee for sealing under section 28	57
35	On application to amend specification after acceptance ..	35
36	On notice of opposition to amendment. By opponent ..	15
37	On application to amend specification not yet accepted ..	18
38	On application to amend an application for a patent ..	18

Number of corresponding Patents Form	Item	Amount
		£
38 Con.	Application for the conversion of an application for a patent to a convention application under rule 94(2)	—
39	On application for revocation of a patent under section 33	15
43	On application for settlement of terms of licence under patent endorsed "Licences of Right".	22
44	On application by patentee for cancellation of endorsement of patent "Licences of Right".	15
45	On application for cancellation of endorsement "Licences of Right"	15
46	On notice of opposition to cancellation of endorsement of patent "Licences of Right"	15
51	On opposition to application under section 37 or 40 . .	15
53	On application under section 55(1) for directions of comptroller	22
54	On application under section 55(2) for directions of comptroller	22
55	On application under section 56(1) to determine dispute	22
63	On application for entry in the register of claim to a licence under a patent extended under section 23, 24 or 25	—
64	On request to comptroller to correct a clerical error . .	11
65	On notice of opposition to the correction of a clerical error	15
68	For duplicate of patent	15
69	On application for entry of order of court in the register .	—

EXPLANATORY NOTE
(*This Note is not part of the Rules.*)

These Rules further amend the Patents Rules 1978 so as to increase most of the fees payable under the Act. The new fees are payable on or after 14th April 1981 except in the case of certain renewal fees paid in advance. Fees payable for the renewal of a patent in respect of any year beginning on or after 14th April 1981 are increased on 18th February 1981.

SI 1981/72
ISBN 0-11-016072-X

