
STATUTORY INSTRUMENTS

1995 No. 2093

The Patents Rules 1995

INTERNATIONAL APPLICATIONS

Filing of applications

117.—(1) Where the Patent Office is the competent receiving Office under the Patent Cooperation Treaty, an international application shall be filed at it in English in triplicate.

(2) If less than three copies of the international application are so filed, upon preparation by the Patent Office of the number of copies of it required to bring the total to three, the applicant shall on demand pay to the Patent Office the appropriate charge.

Transmittal and late payment fees

118.—(1) Subject to paragraph (3) below, payment of a prescribed transmittal fee referred to in Rule 14.1 of the Regulations under the Patent Cooperation Treaty shall be made to the Patent Office under the said Treaty not later than one month after the date on which the international application to which it relates is filed at the Patent Office as the competent receiving Office under the said Treaty.

(2) Where in accordance with Rule 19.4(a) of the said Regulations, an international application is considered to have been received by the Patent Office on behalf of the International Bureau as receiving Office, the transmittal of the application by the Patent Office shall be subject to the payment of a fee as provided by Rule 19.4(b) of the said Regulations.

(3) Where the Patent Office as the competent receiving Office under the said Treaty issues an invitation pursuant to rule 16 bis.1(a) or rule 16 bis.1(b) of the said Regulations, that invitation shall require the applicant to pay to the Patent Office a late payment fee as provided by Rule 16 bis.2 of the said Regulations.

Certified copies

119. A request under rule 20.9 of the said Regulations for a certified copy of an international application as filed with the Patent Office as receiving office and of any corrections thereto shall be made on Patents Form 23/77 and shall be accompanied by the appropriate fee.

Fees to be paid in sterling

120. All fees payable to the Patent Office under the said Treaty in respect of international applications shall be paid in sterling.

Transitional provisions and revocations

121.—(1) The reference to Schedule 2 to the Patents Rules 1968(1) in paragraph (a) of the proviso to rule 124 of the Patents Rules 1978(2) shall be construed as a reference to that Schedule with the

(1) S.I.1968/1389, as amended by S.I. 1970/955, 1971/1917, 1973/66, 1975/891, 1021 and 1262, and revoked with savings by S.I. 1978/216.

substitution for forms, 7, 9, 14 to 21, 23, 32 to 36, 38, 39, 43, 44, 46, 53 to 55, 63 to 65 and 69 of the correspondingly numbered forms in Schedule 5.

(2) In rule 124 of the Patents Rules 1978—

(a) for the words “the Patents Rules 1982” in each place where they occur, there shall be substituted the words “the Patents Rules 1995”;

(b) for paragraph (d) of the proviso to paragraph (1), there shall be substituted—

“(d) subject to sub-rule (3) below, rules 30, 39(1) and (3) to (6), 41 to 50, 52, 61 to 66, 68 to 74, 76, 88(1), 90, 92 to 95, 97 to 101, 103 to 108, and 114 to 116 of the Patents Rules 1995 shall apply.”,

and

(c) for the words “in rule 39(1)” in paragraph (4) there shall be substituted the words “in rule 39(1) of the Patents Rules 1995”.

(3) The rules described in column 1 of Schedule 6 are hereby revoked to the extent specified in column 3 thereof.

(4) Where,—

(a) immediately before these Rules come into force, any time or period prescribed by the Rules hereby revoked has effect in relation to any act or proceeding and has not expired; and

(b) the corresponding time or period prescribed by these Rules would have expired or would expire earlier,

the time or period prescribed by those Rules and not by these Rules shall apply to that act or proceeding.