
STATUTORY INSTRUMENTS

2007 No. 3291

The Patents Rules 2007

PART 3

GRANTED PATENTS

Renewal

Restoration of lapsed patents under section 28

40.—(1) An application under section 28 for restoration of a patent may be made at any time before the end of the period ending with the thirteenth month after the month in which the period specified in section 25(4) ends.

(2) The application must be made on Patents Form 16.

(3) The notice of the application must be published in the journal.

(4) The applicant must file evidence in support of the application.

(5) If that evidence does not accompany the application, the comptroller must specify a period within which the evidence shall be filed.

(6) If, on consideration of that evidence, the comptroller is not satisfied that a case for an order under section 28 has been made out, he must notify the applicant accordingly.

(7) The applicant may, before the end of the period of one month beginning with the date of that notification, request to be heard by the comptroller.

(8) If the applicant requests a hearing, the comptroller must give the applicant an opportunity to be heard before he determines whether to grant or refuse the application under section 28.

(9) Where the comptroller grants the application he must advertise the fact in the journal.