
STATUTORY INSTRUMENTS

2007 No. 3291

The Patents Rules 2007

PART 6

INTERNATIONAL APPLICATIONS

Application deemed withdrawn or filing date refused under the Patent Co-operation Treaty

Directions under section 89(3) and (5)

71.—(1) The applicant may, before the end of the relevant period, make a written request to the comptroller to give a direction under section 89(5).

(2) The applicant may notify the comptroller that the circumstances mentioned in section 89(3) or rule 72 apply to his application.

(3) The request under paragraph (1) must be accompanied by—

- (a) a statement of the reasons for the request; and
- (b) the fee prescribed for the purposes of section 89A(3).

(4) The relevant period is two months beginning with the date on which—

- (a) the International Bureau; or
- (b) the receiving Office,

notifies the applicant that his international application for a patent (UK) is refused a filing date under the Patent Co-operation Treaty.

(5) Where the applicant has made a request to the comptroller under paragraph (1), the comptroller may direct the applicant to furnish him with any document, information or evidence within such period as the comptroller may specify.

(6) Where the applicant fails, before the end of the period specified, to comply with a direction given under paragraph (5), the comptroller may treat him as having withdrawn his request.

(7) Where section 89(3) applies or a direction has been given under section 89(5) the comptroller may—

- (a) alter any period of time (whether it has already expired or not) specified in the Act or listed in Parts 1 to 3 of Schedule 4; and
- (b) amend any document kept at the Patent Office in relation to the application, subject to such conditions as the comptroller may direct.