
STATUTORY INSTRUMENTS

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The Patents Rules 2007

PART 6

INTERNATIONAL APPLICATIONS

Beginning the national phase, international exhibitions and altered prescribed periods

Beginning of national phase

66.—(1) The prescribed period for the purposes of section 89A(3)(a) and (5)(a) is thirty one months beginning with—

- (a) where there is no declared priority date, the date of filing of the application;
- (b) where there is a declared priority date, that date.

(2) But where the applicant has been notified under rule 69(5), the period prescribed for the purposes of section 89A(3)(a) and (5)(a) is three months beginning with the date of the notification.

(3) Where an international application for a patent (UK) has begun the national phase, a request for permission to make a late declaration may be made under section 5(2B) before the end of the period of one month beginning with the date the national phase of the application begins.

International exhibitions

67.—(1) Paragraph (2) applies where an applicant, on filing an international application for a patent (UK), states in writing to the receiving office that the invention has been displayed at an international exhibition.

(2) The prescribed period for the purposes of section 2(4)(c) is two months beginning with the date on which the national phase begins.

Altered prescribed periods

68.—(1) This rule applies to an international application for a patent (UK) which has begun the national phase of the application.

(2) The period prescribed for the purposes of section 13(2) is—

- (a) the period prescribed by rule 10(3); or
- (b) if it expires later, the period of two months beginning with the date on which the national phase begins.

(3) The period prescribed for the purposes of sections 15(10)(c) and (d) and 17(1) is—

- (a) the period prescribed by rule 22(2) and (7); or
- (b) if it expires later, the period of two months beginning with the date on which the national phase begins.

- (4) The period prescribed for the purposes of section 18(1) is—
- (a) thirty three months beginning with—
 - (i) where there is no declared priority date, the date of filing of the application; or
 - (ii) where there is a declared priority date, that date; or
 - (b) if it expires later, the period of two months beginning with the date on which the national phase begins.