

SCHEDULES

SCHEDULE 5

PATENTS: MISCELLANEOUS AMENDMENTS

Effect of filing international application for patent

- 24 (1) Section 89 of the Patents Act 1977 (effect of filing international application for patent) is amended as follows.
- (2) After subsection (3) insert—
- “(3A) If the relevant conditions are satisfied with respect to an application which is amended in accordance with the Treaty and the relevant conditions are not satisfied with respect to any amendment, that amendment shall be disregarded.”.
- (3) After subsection (4) insert—
- “(4A) In subsection (4)(a) “a copy of the application” includes a copy of the application published in accordance with the Treaty in a language other than that in which it was filed.”.
- (4) For subsection (10) (exclusion of certain applications subject to European Patent Convention) substitute—
- “(10) The foregoing provisions of this section do not apply to an application which falls to be treated as an international application for a patent (UK) by reason only of its containing an indication that the applicant wishes to obtain a European patent (UK); but without prejudice to the application of those provisions to an application which also separately designates the United Kingdom.”.
- (5) The amendments in this paragraph shall be deemed always to have had effect.
- (6) This paragraph shall be repealed by the order bringing the following paragraph into force.

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Paragraph 24.