
STATUTORY INSTRUMENTS

1995 No. 2093

The Patents Rules 1995

REGISTRATION

Entries in the register

44.—(1) No entry shall be made in the register in respect of any application for a patent before the application has been published in accordance with section 16.

- (2) Upon such publication, the comptroller shall cause to be entered in the register—
- (a) the name and address of the applicant or applicants;
 - (b) the name and address of the person or persons stated by the applicant or applicants to be believed to be the inventor or inventors;
 - (c) the title of the invention;
 - (d) the date of filing and the file number of the application for the patent;
 - (e) the date of filing and the file number of any application declared for the purposes of section 5(2) or 127(4) and the country in or for which the application was made;
 - (f) the date on which the application was published; and
 - (g) the address for service of the applicant or applicants.
- (3) The comptroller shall also cause to be entered in the register—
- (a) the date of filing of the request for substantive examination;
 - (b) the date on which the application is withdrawn, taken to be withdrawn, treated as having been withdrawn, refused or treated as having been refused;
 - (c) the date on which the patent is granted;
 - (d) the name and address of the person or persons to whom the patent is granted if different to the entries made in accordance with paragraph (2)(a) above;
 - (e) the address for service if different to the entry made in accordance with paragraph (2)(g) above; and
 - (f) notice of any transaction, instrument or event referred to in section 33(3).
- (4) The comptroller may at any time enter in the register such other particulars as he may think fit.

Alteration of name or address

45.—(1) A request by any person, upon the alteration of his name, for that alteration to be entered in the register or on any application or other document filed at the Patent Office shall be made on Patents Form 20/77.

(2) Before acting on a request to alter a name, the comptroller may require such proof of the alteration as he thinks fit.

(3) A request by any person for the alteration or correction of his address or address for service entered in the register or on any application or other document filed at the Patent Office shall, if not

made on a form filed under any provision of these Rules, be made in writing and shall identify any relevant application or patent.

(4) If the comptroller is satisfied that a request to alter a name or to alter or correct an address or address for service may be allowed, he shall cause the register, application or other document to be altered accordingly.

Registrations under section 33

46.—(1) An application to register, or to give notice to the comptroller of, any transaction, instrument or event to which section 33 applies shall be made on Patents Form 21/77.

(2) An application under paragraph (1) above shall—

- (a) where it relates to an assignment or assignation referred to in section 33(3)(a) or (c), be signed by or on behalf of the parties thereto;
- (b) where it relates to a mortgage or the granting of a licence or sub-licence or security referred to in section 33(3)(b) or (c), be signed by or on behalf of the mortgagor or the grantor of the licence or security, as the case may be;

or be accompanied by such documentary evidence as suffices to establish the transaction, instrument or event.

(3) The comptroller may direct that such evidence as he may require in connection with the application shall be sent to him within such period as he may specify.

Request for correction of error

47.—(1) Without prejudice to rule 45(3), a request for the correction of an error in the register or in any document filed at the Patent Office in connection with registration shall be made on Patents Form 11/77; and the correction shall be clearly identified on a document annexed to the form or, if not, on the form itself.

(2) The comptroller may call for such written explanation of the reasons for the request or evidence in support of it as he may require in order to satisfy himself that there is an error and, upon being so satisfied, shall make such correction as may be agreed between the proprietor of the patent or applicant and the comptroller.

Request as to payment of renewal fee

48. A request for information about the date of payment of any renewal fee shall be accompanied by the prescribed fee, if any, but a copy of an entry in or extract from the register shall be requested only in accordance with rule 52.

Inspection of register

49.—(1) The register or entries or reproductions of entries in it shall be made available for inspection by the public between the hours of 10 am and 4 pm on weekdays, other than Saturdays and days which are specified as excluded days for the purposes of section 120.

(2) A request to be allowed to inspect the register shall be accompanied by the prescribed fee, if any, but a copy of an entry in or extract from the register shall be requested only in accordance with rule 52.

Advertisements in relation to register

50. The comptroller may arrange for the publication and advertisement of such things done under the Act or these Rules in relation to the register as he may think fit.

Entries relating to sections 8(1), 12(1) and 37(1)

51. On the reference to the comptroller of a question under section 8(1), 12(1) or 37(1), he shall, subject to rule 44(1), cause an entry to be made in the register of the fact and of such other information relating to the reference as he may think fit.

Certificates and copies supplied by comptroller

52.—(1) Upon request made on Patents Form 23/77 and payment of the appropriate fee, but subject to paragraph (3) below, the comptroller shall supply—

- (a) a certified copy or certified extract falling within section 32(11);
- (b) a copy of an entry in or an extract from the register or a copy of or an extract from anything referred to in section 32(11)(b), certified by the impression of a rubber stamp;
- (c) a certificate for the purposes of section 32(10).

(2) Upon request made on Patents Form 23/77 and payment of the prescribed fee, if any, but subject to paragraph (3) below, the comptroller shall supply an uncertified copy of an entry in or an uncertified extract from the register or an uncertified copy of or an uncertified extract from anything referred to in section 32(11)(b).

(3) The restrictions on making documents available for inspection contained in rule 93(4) shall apply equally to the supply by the comptroller under this rule of copies of or extracts from such documents or requests as are referred to in rule 93(4); and nothing in this rule shall be construed as imposing upon the comptroller the duty of supplying copies of or extracts from any document or file of a description referred to in rule 93(5).

Order or direction by court

53. Where any order or direction has been made or given by the court—

- (a) transferring a patent or application or any right in or under it to any person;
- (b) that an application should proceed in the name of any person;
- (c) allowing the proprietor of a patent to amend the specification; or
- (d) revoking a patent;

the person in whose favour the order is made or the direction is given—

- (i) shall send to the comptroller written notice thereof accompanied by an office copy of the order or direction; and
- (ii) if the comptroller so requires and before a time fixed by him, shall file a specification as amended (prepared in accordance with rules 16, 18 and 20),

and thereupon the specification shall be amended or the register rectified or altered, as the case may require.